## Planning Act – Bill 108, schedule 12: Amendments Comparison Chart

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
2.1 (1) When an approval authority or the	2.1 (1) When an approval authority makes a	2.1(1) When an approval authority or the
Municipal Board makes a decision under this	decision under subsection 17 (34) or the Tribunal	Tribunal makes a decision under this Act
Act that relates to a planning matter, it shall	makes a decision in respect of an appeal referred	that relates to a planning matter, it shall
have regard to,	to in subsection 17 (49.7) or (53), 22 (11.3), 34	have regard to,
	(26.8) or (29), 38 (4) or (4.1), 41 (12.0.1), 51 (39),	
	(43) or (48) or 53 (19) or (27), it shall have regard	
	to,	
2.1(2) When the Municipal Board makes a	2.1 (2) When the Tribunal makes a decision in	2.1(2) When the Tribunal makes a decision
decision under this Act that relates to a	respect of an appeal referred to in subsection 17	under this Act that relates to a planning
planning matter that is appealed because of	(40), 51 (34) or 53 (14), the Tribunal shall have	matter that is appealed because of the
the failure of a municipal council or	regard to any information and material that the	failure of a municipal council or approval
approval authority to make a decision, the	municipal council or approval authority received	authority to make a decision, the Tribunal
Board shall have regard to any information	in relation to the matter.	shall have regard to any information and
and material that the municipal council or		material that the municipal council or
approval authority received in relation to the		approval authority received in relation to
matter.		the matter.

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
16(3) Without limiting what an official plan	16(3) An official plan shall contain policies that	16(3) An official plan shall contain policies
is required to or may contain under	authorize the use of a second residential unit by	that authorize the use of additional
subsection (1) or (2), an official plan shall	authorizing,	residential units by authorizing,
contain policies that authorize the use of a		
second residential unit by authorizing,	(a) the use of two residential units in a detached	(a) the use of two residential units in a
	house, semi-detached house or rowhouse if no	detached house, semi-detached house or
(a) the use of two residential units in a	building or structure ancillary to the detached	rowhouse; and
detached house, semi-detached house or	house, semi-detached house or rowhouse contains	
rowhouse if no building or structure	a residential unit; and	(b) the use of a residential unit in a building
ancillary to the detached house, semi-		or structure ancillary to a detached house,
detached house or rowhouse contains a	(b) the use of a residential unit in a building or	semi-detached house or rowhouse.
residential unit; and	structure ancillary to a detached house, semi- detached house or rowhouse if the detached	
(b) the use of a residential unit in a building	house, semi-detached house or rowhouse contains	
or structure ancillary to a detached house,	a single residential unit.	
semi-detached house or rowhouse if the	a single residential unit.	
detached house, semi-detached house or		
rowhouse contains a single residential unit.		
N\A	16(5) An official plan of a municipality that is not	16(5) An official plan of a municipality that
	prescribed for the purpose of subsection (4) may	is not prescribed for the purpose of
	contain the policies described in subsection (4).	subsection (4) may contain the policies
		described in subsection (4) in respect of,
		(a) a protected major transit station area
		identified in accordance with subsection
		(15) or (16), as the case may be; or
		(b) an area in respect of which a
		development permit system is adopted or
		established in response to an order under
		subsection 70.2.2 (1)

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
N/A	N/A	16 (5.1) The policies described in subsection (4) may be adopted in respect of an area described in clause (5)(a) or (b) as part of an official plan or an amendment to an official plan that includes policies,
		<ul> <li>(a) that identify an area as the protected major transit station area described in clause (5) (a); or</li> <li>(b) that must be contained in an official plan before the development permit system described in clause (5) (b) may be</li> </ul>
		adopted or established
N/A	17(24.0.1) An appeal under subsection (24) <b>may</b> <b>only be made</b> on the basis that the part of the decision to which the notice of appeal relates is inconsistent with a policy statement issued under subsection 3 (1), fails to conform with or conflicts with a provincial plan or, in the case of the official plan of a lower-tier municipality, fails to conform with the upper-tier municipality's official plan.	Repealed

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
N/A	N/A	17(24.1.4) Despite subsection (24), there is no appeal in respect of any parts of an official plan that must be contained in the plan,
		(a) before a development permit system may be adopted or established; or
		(b) in order for a municipality to be able to exercise particular powers in administering a development permit system, such as setting out the information and material to be provided in an application for a development permit or imposing certain types of conditions.
N/A	N/A	17(24.1.5) Subsection (24.1.4) <b>applies only</b> <b>if the parts of an official plan described</b> <b>in that subsection are included in the</b> <b>plan in response to an order under</b> <b>subsection 70.2.2</b> (1) and the municipality has not previously adopted a plan containing those parts in response to the order.
N/A	N/A	17(24.1.6) Subsection (24.1.4) does not apply to an appeal by the Minister.
	17(24.2) Despite subsection (24), in the case of a new official plan there is no appeal in respect of all of the decision of council to adopt all of the plan.	17(24.2) Despite subsection (24), in the case of a new official plan there is no appeal in respect of all of the decision of council to adopt all of the plan.

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
17(25) The notice of appeal filed under subsection (24) must,	17(25) The notice of appeal filed under subsection (24) must,	17(25) The notice of appeal filed under subsection (24) must,
(b) set out the reasons for the appeal; and	(b)explain how the part of the decision to which the notice of appeal relates is inconsistent with a policy statement issued under subsection 3 (1), fails to conform with or conflicts with a provincial plan or, in the case of the official plan of a lower-tier municipality, fails to conform with the upper-tier municipality's official plan; and	(b) set out the reasons for the appeal; and
17(25.1) If the appellant intends to argue that the appealed decision is inconsistent with a policy statement issued under subsection 3 (1), fails to conform with or conflicts with a provincial plan or, in the case of the official plan of a lower-tier municipality, fails to conform with the upper-tier municipality's official plan, the notice of appeal must also explain how the decision is inconsistent with, fails to conform with or conflicts with the other document.	Repealed	17 (25.1) If the appellant intends to argue that the appealed decision is inconsistent with a policy statement issued under subsection 3 (1), fails to conform with or conflicts with a provincial plan or, in the case of the official plan of a lower-tier municipality, fails to conform with the upper-tier municipality's official plan, the <b>notice of appeal must also explain how</b> <b>the decision is inconsistent with, fails to conform with or conflicts with the other document.</b>
17(26) For the purposes of subsections (24), (36) and (41.1), the giving of written notice shall be deemed to be completed,	17(26) For the purposes of subsections (24), (36) and (41.1), the giving of written notice shall be deemed to be completed,	17(26) For the purposes of subsections (24), (36) <b>and (41.1)</b> , the giving of written notice shall be deemed to be completed,

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
(34.1) Despite subsection (34), an approval authority shall not approve any part of a lower-tier municipality's plan if the plan or any part of it does not, in the approval authority's opinion, conform with,	(34.1) Despite subsection (34), an approval authority shall not approve any part of a lower- tier municipality's plan if the plan or any part of it does not, in the approval authority's opinion, conform with,	(34.1) Despite subsection (34), an approval authority shall not approve any part of a lower-tier municipality's plan if the plan or any part of it does not, in the approval authority's opinion, conform with,
<ul> <li>(a) the upper-tier municipality's official plan;</li> <li>(b) a new official plan of the upper-tier municipality that was adopted before the <b>180th day</b> after the lower-tier municipality adopted its plan, but is not yet in effect; or</li> <li>(c) a revision of the upper-tier municipality's official plan that was adopted in accordance with section 26, before the 180th day after the lower-tier municipality adopted its plan, but is not yet in effect.</li> </ul>	<ul> <li>(a) the upper-tier municipality's official plan;</li> <li>(b)a new official plan of the upper-tier municipality that was adopted before the 210th day after the lower-tier municipality adopted its plan, but is not yet in effect; or</li> <li>(c) a revision of the upper-tier municipality's official plan that was adopted in accordance with section 26, before the 210th day after the lower-tier municipality adopted its plan, but is not yet in effect.</li> </ul>	<ul> <li>(a) the upper-tier municipality's official plan;</li> <li>(b) a new official plan of the upper-tier municipality that was adopted before the <b>120th day</b> after the lower-tier municipality adopted its plan, but is not yet in effect; or</li> <li>(c) a revision of the upper-tier municipality's official plan that was adopted in accordance with section 26, before the <b>120th</b> day after the lower-tier municipality adopted its plan, but is not yet in effect.</li> </ul>
N/A	17(36.0.1) An appeal under subsection (36) <b>may</b> <b>only be made</b> on the basis that the part of the decision to which the notice of appeal relates is inconsistent with a policy statement issued under subsection 3 (1), fails to conform with or conflicts with a provincial plan or, in the case of the official plan of a lower-tier municipality, fails to conform with the upper-tier municipality's official plan	Repealed

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
N/A	N/A	17(36.1.8) Despite subsection (36), there is no appeal in respect of any parts of an official plan that must be contained in the plan,
		(a) before a development permit system may be adopted or established; or
		(b) in order for a municipality to be able to exercise particular powers in administering a development permit system, such as setting out the information and material to be provided in an application for a development permit or imposing certain types of conditions.
N/A	N/A	17(36.1.9) Subsection (36.1.8) applies only if the parts of an official plan described in that subsection are included in the plan in response to an order under subsection 70.2.2 (1) and the municipality has not previously adopted a plan containing those parts in response to the order
N/A	N/A	17(36.1.10) Subsection (36.1.8) does not apply to an appeal by the Minister

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
17(37) The notice of appeal under subsection	17(37) The notice of appeal under subsection	17(37) The notice of appeal under
(36) must,	(36) must,	subsection (36) must,
(b) set out the reasons for the appeal; and		
	(b)explain how the part of the decision to which the notice of appeal relates is inconsistent with a policy statement issued under subsection 3 (1), fails to conform with or conflicts with a provincial plan or, in the case of the official plan of a lower-tier municipality, fails to conform with the upper-tier municipality's official plan; and	(b) set out the reasons for the appeal; and
17(37.1) If the appellant intends to argue that the appealed decision is inconsistent with a policy statement issued under subsection 3 (1), fails to conform with or conflicts with a provincial plan or, in the case of the official plan of a lower-tier municipality, fails to conform with the upper-tier municipality's official plan, the notice of appeal must also explain how the decision is inconsistent with, fails to conform with or conflicts with the other document.	Repealed	17(37.1) If the appellant intends to argue that the appealed decision is inconsistent with a policy statement issued under subsection 3 (1), fails to conform with or conflicts with a provincial plan or, in the case of the official plan of a lower-tier municipality, fails to conform with the upper-tier municipality's official plan, the notice of appeal must also explain how the decision is inconsistent with, fails to conform with or conflicts with the other document.

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
17(40) If the approval authority fails to give	17 (40) If the approval authority fails to give	17(40) If the approval authority fails to
notice of a decision in respect of all or part	notice of a decision in respect of all or part of a	give notice of a decision in respect of all or
of a plan within <b>180 days</b> after the day the	plan within <b>210 days</b> after the day the plan is	part of a plan within <b>120 days</b> after the day
plan is received by the approval authority, or	received by the approval authority, or within the	the plan is received by the approval
within the longer period determined under	longer period determined under subsection (40.1),	authority, any of the following may appeal
subsection (40.1), any person or public body	any person or public body may appeal to the	to the Tribunal with respect to all or any
may appeal to the Municipal Board with	Tribunal with respect to all or any part of the plan	part of the plan in respect of which no
respect to all or any part of the plan in	in respect of which no notice of a decision was	notice of a decision was given by filing a
respect of which no notice of a decision was	given by filing a notice of appeal with the	notice of appeal with the approval
given by filing a notice of appeal with the	approval authority, subject to subsection (41.1)	authority:
approval authority, subject to subsection		1. The municipality that adopted the plan.
(41.1).		2. The Minister, if the Minister is not the
		approval authority.
		3. In the case of a plan amendment adopted
		in response to a request under section 22,
		the person or public body that requested the
		amendment.

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
17(40.1) The 180-day period referred to in	17(40.1) The 210-day period referred to in	Repealed
subsection (40) may be extended in	subsection (40) may be extended in accordance	
accordance with the following rules:	with the following rules:	
1. In the case of an amendment requested		
under section 22, the person or public body	1.In the case of an amendment requested under	
that made the request may extend the period	section 22, the person or public body that made	
for up to 90 days by written notice to the	the request may extend the period for up to 90	
approval authority.	days by written notice to the approval authority.	
2. In all other cases, the municipality may		
extend the period for up to 90 days by	2.In all other cases, the municipality may extend	
written notice to the approval authority.	the period for up to 90 days by written notice to	
3. The approval authority may extend the	the approval authority.	
period for up to 90 days by written notice to		
the person or public body or to the	3. The approval authority may extend the period	
municipality, as the case may be.	for up to 90 days by written notice to the person	
4. The notice must be given before the	or public body or to the municipality, as the case	
expiry of the 180-day period.	may be.	
5. Only one extension is permitted. If both		
sides give a notice extending the period, the	4. The notice must be given before the expiry of	
notice that is given first governs.	the 210-day period.	
6. The person, public body, municipality or		
approval authority that gave or received a	5.Only one extension is permitted. If both sides	
notice extending the period may terminate	give a notice extending the period, the notice that	
the extension at any time by another written	is given first governs.	
notice.		
7. No notice of an extension or of the	6. The person, public body, municipality or	
termination of an extension need be given to	approval authority that gave or received a notice	
any other person or entity	extending the period may terminate the extension	
	at any time by another written notice.	
	7.No notice of an extension or of the termination	
	of an extension need be given to any other person	
	or entity.	
	or entity.	

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
(40.2) Despite subsection (40), there is no	(40.2) Despite subsection (40), there is no appeal	(40.2) Despite subsection (40), there is no
appeal with respect to any part of the plan of	with respect to any part of the plan of a lower-tier	appeal with respect to any part of the plan
a lower-tier municipality if, within <b>180 days</b>	municipality if, within <b>210 days</b> after receiving	of a lower-tier municipality if, within <b>120</b>
after receiving the plan, the approval	the plan, the approval authority states that the	days after receiving the plan, the approval
authority states that the plan or any part of it	plan or any part of it does not, in the approval	authority states that the plan or any part of
does not, in the approval authority's opinion, conform with,	authority's opinion, conform with,	it does not, in the approval authority's opinion, conform with,
	(a)the upper-tier municipality's official plan;	•
(a) the upper-tier municipality's official		(a) the upper-tier municipality's official
plan;	(b)a new official plan of the upper-tier	plan;
	municipality that was adopted before the 210th	
(b) a new official plan of the upper-tier	day after the lower-tier municipality adopted its	(b)a new official plan of the upper-tier
municipality that was adopted before the	plan, but is not yet in effect; or	municipality that was adopted before the
180th day after the lower-tier municipality		<b>120<sup>th</sup></b> day after the lower-tier municipality
adopted its plan, but is not yet in effect; or	(c) a revision of the upper-tier municipality's official plan that was adopted in accordance with	adopted its plan, but is not yet in effect; or
(c) a revision of the upper-tier municipality's	section 26, before the 210th day after the lower-	(c) a revision of the upper-tier
official plan that was adopted in accordance	tier municipality adopted its plan, but is not yet in	municipality's official plan that was
with section 26, before the 180th day after	effect.	adopted in accordance with section 26,
the lower-tier municipality adopted its plan,		before the <b>120<sup>th</sup> day</b> after the lower-tier
but is not yet in effect.		municipality adopted its plan, but is not yet
		in effect
17 (40.4) If the approval authority states an	17 (40.4) If the approval authority states an	17 (40.4) If the approval authority states an
opinion as described in subsection (40.2), the	opinion as described in subsection (40.2), the	opinion as described in subsection (40.2),
180-day period mentioned in subsection (40)	210-day period mentioned in subsection (40) does	the <b>120-day</b> period mentioned in
does not begin to run until the approval	not begin to run until the approval authority	subsection (40) does not begin to run until
authority confirms that the non-conformity is	confirms that the non-conformity is resolved.	the approval authority confirms that the
resolved.	-	non-conformity is resolved.

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
N/A	17(41.1) At any time after receiving a notice of	Repealed
	appeal under subsection (40), an approval	
	authority may give the persons and public bodies	
	listed in clauses (35) (a) to (d) a written notice,	
	relating to the relevant plan and including the	
	prescribed information; after the day that is 20	
	days after the day the giving of the notice is	
	completed, no person or public body is entitled to	
	appeal under subsection (40) with respect to the	
	relevant plan	
17(44.3) This subsection applies if	Repealed	17(44.3) This subsection applies if
information and material that is presented at		information and material that is presented
the hearing of an appeal under subsection		at the hearing of an appeal under subsection
(24) or (36) was not provided to the		(24) or (36) was not provided to the
municipality before the council made the		municipality before the council made the
decision that is the subject of the appeal.	D 11	decision that is the subject of the appeal.
17 (44.4) When subsection (44.3) applies,	Repealed	17 (44.4) When subsection (44.3) applies,
the Municipal Board may, on its own		the Tribunal may, on its own initiative or
initiative or on a motion by the municipality		on a motion by the municipality or any
or any party, consider whether the information and material could have		party, consider whether the information
		and material could have materially
materially affected the council's decision and, if the Board determines that it could		<b>affected the council's decision and</b> , if the Tribunal determines that it could have done
have done so, it shall not be admitted into		so, it shall not be admitted into evidence
evidence until subsection (44.5) has been		until subsection (44.5) has been complied
complied with and the prescribed time		with and the prescribed time period has
period has elapsed.		elapsed.
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Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
17(44.5) The Municipal Board shall notify	Repealed	17(44.5) The Tribunal shall notify the
the council that it is being given an		council that it is being given an opportunity
opportunity to,		to,
(a) reconsider its decision in light of the		
information and material; and		(a) reconsider its decision in light of the
(b) make a written recommendation to the		information and material; and
Board.		
		(b) make a written recommendation to
		the Tribunal
17(44.6) The Municipal Board shall have	Repealed	17(44.6) The Tribunal <b>shall have regard</b>
regard to the council's recommendation if it		to the council's recommendation if it is
is received within the time period referred to		received within the time period referred to
in subsection (44.4), and may but is not		in subsection (44.4), and may, but is not
required to do so if it is received afterwards.		required to, do so if it is received
		afterwards.
17 (44.7) Subsections (44.1) to (44.6) apply	17 (44.7) Subsections (44.1) and (44.2) apply	17(44.7) Subsections (44.1) to (44.6) apply
despite the Statutory Powers Procedure Act.	despite the Statutory Powers Procedure Act.	despite the Statutory Powers Procedure
		Act.

<ul> <li>17(45) Despite the <i>Statutory Powers</i> <i>Procedure Act</i> and subsection (44), the Municipal Board may dismiss all or part of an appeal without holding a hearing on its own initiative or on the motion of any party if,</li> <li>(a) it is of the opinion that,</li> <li>i. the reasons set out in the notice of appeal do not disclose any apparent land use planning ground upon which the plan or part of the plan that is the subject of the appeal could be approved or refused by the Board,</li> <li>ii. the appeal is not made in good faith or is frivolous or vexatious,</li> <li>iii. the appeal is made only for the purpose of delay, or</li> <li>iv. the appellant has persistently and without reasonable grounds commenced before the Board proceedings that constitute an abuse of process;</li> <li>(b) REPEALED: 2006, c. 23, s. 9 (10).</li> <li>(c) the appellant has not provided written reasons with respect to an appeal under subsection (24) or (36);</li> <li>(c.1) the appellant intends to argue a matter mentioned in subsection (25.1) or (37.1) but has not provided the explanations required by that subsection;</li> <li>(d) the appellant has not praid the fee prescribed under the <i>Ontario Municipal Board Act</i>; or</li> <li>(e) the appellant has not responded to a request by the Municipal Board for further information within the time specified by the Board</li> </ul>	<ul> <li>17(45) Despite the <i>Statutory Powers Procedure</i> <i>Act</i> and subsection (44), the Tribunal shall dismiss all or part of an appeal without holding a hearing on its own initiative or on the motion of any party if any of the following apply:</li> <li>1. The Tribunal is of the opinion that,</li> <li>i. the explanation required by clause (25) (b) or (37) (b), as the case may be, does not disclose that the part of the decision to which the notice of appeal relates is inconsistent with a policy statement issued under subsection 3 (1), fails to conform with or conflicts with a provincial plan, or in the case of the official plan of a lower-tier municipality, fails to conform with the upper-tier municipality, fails to conform with the upper-tier municipality official plan,</li> <li>ii.the appeal is not made in good faith or is frivolous or vexatious,</li> <li>iii.the appeal is made only for the purpose of delay, or</li> <li>iv.the appellant has persistently and without reasonable grounds commenced before the Tribunal proceedings that constitute an abuse of process.</li> <li>2.The appellant has not provided the explanations required by clause (25) (b) or (37) (b), as applicable.</li> <li>3.The appellant has not paid the fee charged under the <i>Local Planning Appeal Tribunal Act</i>, 2017 and has not responded to a request by the Tribunal to pay the fee within the time specified by the Tribunal.</li> <li>4.The appellant has not responded to a request by the Tribunal for further information within the time specified by the Tribunal.</li> </ul>	<ul> <li>17(45) Despite the Statutory Powers Procedure Act and subsection (44), the Tribunal may, on its own initiative or on the motion of any party, dismiss all or part of an appeal without holding a hearing if any of the following apply:</li> <li>1. The Tribunal is of the opinion that,</li> <li>i. the reasons set out in the notice of appeal do not disclose any apparent land use planning ground upon which the plan or part of the plan that is the subject of the appeal could be approved or refused by the Tribunal,</li> <li>ii. the appeal is not made in good faith or is frivolous or vexatious,</li> <li>iii. the appeal is made only for the purpose of delay, or iv. the appellant has persistently and without reasonable grounds commenced before the Tribunal proceedings that constitute an abuse of process.</li> <li>2. The appellant has not provided written reasons with respect to an appeal under subsection (24) or (36).</li> <li>3. The appellant intends to argue a matter mentioned in subsection (25.1) or (37.1) but has not provided the explanations required by that subsection.</li> </ul>
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		4. The appellant has not paid the fee charged under the Local Planning Appeal Tribunal Act, 2017.
		5. The appellant has not responded to a request by the Tribunal for further information within the time specified by the Tribunal.
17(46) Before dismissing all or part of an appeal, the Municipal Board shall notify the appellant and give the appellant the opportunity to make representation on the proposed dismissal but this subsection does not apply if the appellant has not complied with a request made under clause (45) (e).	17(46) Before dismissing all or part of an appeal, the Tribunal shall notify the appellant and give the appellant the opportunity to make representation on the proposed dismissal but this subsection does not apply if the appellant has not complied with a request made under paragraph 3 or 4 of subsection (45).	17(46) Before dismissing all or part of an appeal, the Tribunal shall notify the appellant and give the appellant the opportunity to make representation on the proposed dismissal but this subsection does not apply if the appellant has not complied with a request made under <b>paragraph 5</b> of subsection (45).
17(49) If a notice of appeal under subsection (24), (36) or (40) is received by the Municipal Board, the Board may require that a municipality or approval authority transfer to the Board any other part of the plan that is not in effect and to which the notice of appeal does not apply.	17(49) If a notice of appeal under subsection (40) is received by the Tribunal, the Tribunal may require that a municipality or approval authority transfer to the Tribunal any other part of the plan that is not in effect and to which the notice of appeal does not apply.	17(49) If a notice of appeal under subsection (24), (36) or (40) is received by the Tribunal, the Tribunal may require that a municipality or approval authority transfer to the Tribunal any other part of the plan that is not in effect and to which the notice of appeal does not apply.
N/A	17(49.1) Subject to subsections (49.3) to (49.9), after holding a hearing on an appeal under subsection (24) or (36), the Tribunal shall dismiss the appeal	Repealed

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
N/A	<ul> <li>(49.2) If the Tribunal dismisses all appeals made under subsection (24) or (36) in respect of all or part of a decision after holding a hearing, the Tribunal shall notify the clerk of the municipality or the approval authority and,</li> <li>(a)the decision or that part of the decision that was the subject of the appeal is final; and</li> </ul>	Repealed
	(b) the plan or part of the plan that was adopted or approved and in respect of which all the appeals have been dismissed comes into effect as an official plan or part of an official plan on the day after the day the last outstanding appeal has been dismissed	
N/A	(49.3) Unless subsection (49.4), (49.7) or (49.8) applies, if the Tribunal determines that a part of a decision to which a notice of appeal under subsection (24) or (36) relates is inconsistent with a policy statement issued under subsection 3 (1), fails to conform with or conflicts with a provincial plan or, in the case of the official plan of a lower-tier municipality, fails to conform with the upper-tier municipality's official plan,	Repealed
	<ul> <li>(a)the Tribunal shall refuse to approve that part of the plan; and</li> <li>(b)the Tribunal shall notify the clerk of the municipality that adopted the official plan that the municipality is being given an opportunity to make a new decision in respect of the matter.</li> </ul>	

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
N/A	(49.4) Unless subsection (49.8) applies, if a	Repealed
	revised plan is presented to the Tribunal with the	
	consent of all of the parties specified in	
	subsection (49.11), the Tribunal shall approve the	
	revised plan as an official plan except for any part	
	of it that is inconsistent with a policy statement	
	issued under subsection 3 (1), fails to conform	
	with or conflicts with a provincial plan or, in the	
	case of the official plan of a lower-tier	
	municipality, fails to conform with the upper-tier	
	municipality's official plan	
N/A	(49.5) If subsection (49.4) applies and the	Repealed
	Tribunal determines that any part of the revised	
	plan is inconsistent with a policy statement issued	
	under subsection 3 (1), fails to conform with or	
	conflicts with a provincial plan or, in the case of	
	the official plan of a lower-tier municipality, fails	
	to conform with the upper-tier municipality's	
	official plan,	
	(a) the Tribunal shall refuse to approve that	
	part of the plan; and	
	(b) the Tribunal shall notify the clerk of the	
	municipality that adopted the official plan that the	
	municipality is being given an opportunity to	
	make a new decision in respect of the matter	

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
N/A	17(49.6) If the clerk has received notice under	Repealed
	clause (49.3) (b) or (49.5) (b), the following rules	
	apply:	
	1. The council of the municipality may prepare	
	and adopt another plan, subject to the following:	
	i.Subsections (16) and (17.1) do not apply.	
	ii.If the plan is not exempt from approval,	
	A.the reference to "within 210 days" in	
	subsection (40) shall be read as "within 90 days",	
	B.subsection (40.1) does not apply,	
	C.references to "210 days" and "210th day" in	
	subsection (40.2) shall be read as "90 days" and	
	"90th day", respectively, and	
	D.the reference to "210-day period" in subsection	
	(40.4) shall be read as "90-day period".	
	2.If the decision that was the subject of the appeal	
	was in respect of an amendment adopted in	
	response to a request under subsection 22 (1) or	
	(2), the references to "within 210 days after the	
	day the request is received" in paragraphs 1 and 2	
	of subsection 22 (7.0.2) shall be read as "within	
	90 days after the day notice under clause (49.3)	
	(b) or (49.5) (b) was received"	

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
N/A	(49.7) Unless subsection (49.8) applies, on an	Repealed
	appeal under subsection (24) or (36) that concerns	
	a new decision that the municipality was given an	
	opportunity to make in accordance with	
	subsection $(49.6)$ or 22 $(11.0.12)$ , the Tribunal	
	may make modifications to all or part of the plan	
	and approve all or part of the plan as modified as	
	an official plan or refuse to approve all or part of	
	the plan, if the Tribunal determines that the	
	decision is inconsistent with a policy statement	
	issued under subsection 3 (1), fails to conform	
	with or conflicts with a provincial plan or, in the	
	case of the official plan of a lower-tier	
	municipality, fails to conform with the upper-tier	
	municipality's official plan.	
N/A	17(49.8) If, on an appeal under subsection (24) or	Repealed
	(36) that concerns a new decision that the	
	municipality was given an opportunity to make in	
	accordance with subsection (49.6) or 22 (11.0.12),	
	a revised plan is presented to the Tribunal with	
	the consent of all of the parties specified in	
	subsection (49.11), the Tribunal shall approve the	
	revised plan as an official plan except for any part	
	of it that is inconsistent with a policy statement	
	issued under subsection 3 (1), fails to conform	
	with or conflicts with a provincial plan or, in the	
	case of the official plan of a lower-tier	
	municipality, fails to conform with the upper-tier	
	municipality's official plan	

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
N/A	(49.9) If subsection (49.8) applies and the	Repealed
	Tribunal determines that any part of the revised	
	plan is inconsistent with a policy statement issued	
	under subsection 3 (1), fails to conform with or	
	conflicts with a provincial plan or, in the case of	
	the official plan of a lower-tier municipality, fails	
	to conform with the upper-tier municipality's	
	official plan, the Tribunal may make	
	modifications to that part of the revised plan and	
	approve it as modified as part of an official plan	
	or refuse to approve all or part of that part of the	
	revised plan.	
N/A	(49.10) If the Tribunal approves all or part of a	Repealed
	revised plan as an official plan or part of an	
	official plan under subsection (49.4) or (49.8), the	
	plan or part of the plan that is approved comes	
	into effect as an official plan or part of an official	
	plan on the day after the day the plan or part of	
	the plan was approved	
N/A	(49.11) For the purposes of subsection (49.4) and	Repealed
	(49.8), the specified parties are:	
	1. The municipality that adopted the plan.	
	2. The appropriate approval authority, if the	
	approval authority is a party.	
	3. The Minister, if the Minister is a party.	
	4.If applicable, the person or public body that	
	requested an amendment to the official plan.	
	5.All appellants of the decision which was the	
	subject of the appeal	
N/A	(49.12) If subsection $(49.4)$ or $(49.8)$ applies, the	Repealed
	version of the plan that was the subject of the	
	notice of appeal shall be deemed to have been	
	refused	

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
17(50) On an appeal or a transfer, the Municipal Board may approve all or part of the plan as all or part of an official plan, make modifications to all or part of the plan and approve all or part of the plan as modified as an official plan or refuse to approve all or part of the plan	17(50) On an appeal under subsection (40) or a transfer, the Tribunal may approve all or part of the plan as all or part of an official plan, make modifications to all or part of the plan and approve all or part of the plan as modified as an official plan or refuse to approve all or part of the plan.	17(50) On an appeal or a transfer under this section, the Tribunal may approve all or part of the plan as all or part of an official plan, make modifications to all or part of the plan and approve all or part of the plan as modified as an official plan or refuse to approve all or part of the plan
<ul> <li>17(50.1) For greater certainty, subsection</li> <li>(50) does not give the Municipal Board</li> <li>power to approve or modify any part of the</li> <li>plan that,</li> <li>(a) is in effect; and</li> <li>(b) was not dealt with in the decision of</li> <li>council to which the notice of appeal</li> <li>relates.</li> </ul>	<ul> <li>17 (50.1) For greater certainty, subsections (49.7), (49.9) and (50) do not give the Tribunal power to approve or modify any part of the plan that,</li> <li>(a) is in effect; and</li> <li>(b) was not added, amended or revoked by the plan to which the notice of appeal relates</li> </ul>	<ul> <li>17 (50.1) For greater certainty, subsection</li> <li>(50) does not give the Tribunal power to approve or modify any part of the plan that,</li> <li>(a) is in effect; and</li> <li>(b) was not added, amended or revoked by the plan to which the notice of appeal relates</li> </ul>

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
17(51) Where an appeal is made to the	17(51) Where an appeal is made to the Tribunal	17(51) Where an appeal is made to the
Municipal Board under this section, the	under this section, the Minister, if he or she is of	Tribunal under this section, the Minister, if
Minister, if he or she is of the opinion that a	the opinion that a matter of provincial interest is,	he or she is of the opinion that a matter of
matter of provincial interest is, or is likely to	or is likely to be, adversely affected by the plan or	provincial interest is, or is likely to be,
be, adversely affected by the plan or the	the parts of the plan in respect of which the appeal	adversely affected by the plan or the parts
parts of the plan in respect of which the	is made, may so advise the Tribunal in writing not	of the plan in respect of which the appeal is
appeal is made, may so advise the Board in	later than 30 days after the day the Tribunal gives	made, may so advise the Tribunal in
writing not later than 30 days before the day	notice under subsection (44) and the Minister	writing not later than 30 before the day
fixed by the Board for the hearing of the	shall identify,	fixed by the Tribunal for the hearing of
appeal and the Minister shall identify,		the appeal, and the Minister shall identify,
	(a) the provisions of the plan by which the	
(a) the provisions of the plan by which the	provincial interest is, or is likely to be, adversely	(a)the provisions of the plan by which the
provincial interest is, or is likely to be,	affected; and	provincial interest is, or is likely to be,
adversely affected; and		adversely affected; and
(b) the general basis for the opinion that a	(b)the general basis for the opinion that a matter	
matter of provincial interest is, or is likely to	of provincial interest is, or is likely to be,	(b)the general basis for the opinion that a
be, adversely affected.	adversely affected.	matter of provincial interest is, or is likely
		to be, adversely affected

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
17(53) If the Municipal Board has received	17(53) If the Tribunal has received a notice from	17(53) If the Tribunal has received a notice
notice from the Minister under subsection	the Minister under subsection (51), the following	from the Minister under subsection (51),
(51), the decision of the Board is not final	rules apply:	the decision of the Tribunal is not final and
and binding in respect of the provisions		binding in respect of the provisions
identified in the notice unless the Lieutenant	1.Subsections (49.1) to (50) do not apply to the	identified in the notice unless the
Governor in Council has confirmed the	appeal.	Lieutenant Governor in Council has
decision in respect of the provisions.		confirmed the decision in respect of those
	2. The Tribunal may approve all or part of the plan	provisions.
	as all or part of an official plan, make	
	modifications to all or part of the plan and	
	approve all or part of the plan as modified as an	
	official plan or refuse to approve all or part of the	
	plan.	
	3. The decision of the Tribunal is not final and	
	binding in respect of the provisions identified in	
	the notice unless the Lieutenant Governor in	
	Council has confirmed the decision in respect of	
	the provisions.	

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
N/A	22(7.0.0.1) An appeal under subsection (7) may only be made on the basis that,	Repealed
	(a)the existing part or parts of the official plan that would be affected by the requested amendment are inconsistent with a policy statement issued under subsection 3 (1), fail to conform with or conflict with a provincial plan or, in the case of the official plan of a lower-tier municipality, fail to conform with the upper-tier municipality's official plan; and	
	(b) the requested amendment is consistent with policy statements issued under subsection 3 (1), conforms with or does not conflict with provincial plans and, in the case of a requested amendment to the official plan of a lower-tier municipality, conforms with the upper-tier municipality's official plan.	
N/A	22(7.0.0.2) Subsection (7.0.0.1) and clauses (8) (a.1) and (a.2) do not apply to an appeal under subsection (7) brought in accordance with paragraph 1 or 2 of subsection (7.0.2) that concerns a request in respect of which the municipality or planning board was given an opportunity to make a new decision in accordance with subsection (11.0.12) or subsection 17 (49.6).	Repealed

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
<b>22(7.0.2)</b> The conditions referred to in	(7.0.2) The conditions referred to in subsections	(7.0.2) The conditions referred to in
subsections (7) and (7.0.1) are:	(7) and (7.0.1) are:	subsections (7) and (7.0.1) are:
1. The council or the planning board fails to	1. The council or the planning board fails to adopt	1. The council or the planning board fails to
adopt the requested amendment within 180	the requested amendment within 210 days after	adopt the requested amendment within 120
days after the day the request is received.	the day the request is received.	<b>days</b> after the day the request is received.
2.A planning board recommends a requested	2. A planning board recommends a requested	2. A planning board recommends a
amendment for adoption and the council or	amendment for adoption and the council or the	requested amendment for adoption and the
the majority of the councils fails to adopt the	majority of the councils fails to adopt the	council or the majority of the councils fails
requested amendment within 180 days after	requested amendment within 210 days after the	to adopt the requested amendment within
the day the request is received.	day the request is received.	<b>120</b> days after the day the request is
3.A council, a majority of the councils or a	3. A council, a majority of the councils or a	received.
planning board refuses to adopt the	planning board refuses to adopt the requested	3. A council, a majority of the councils or a
requested amendment.	amendment.	planning board refuses to adopt the
4.A planning board refuses to approve a	4. A planning board refuses to approve a	requested amendment.
requested amendment under subsection	requested amendment under subsection 18 (1).	4. A planning board refuses to approve a
18 (1).		requested amendment under subsection
		18 (1).
22 (7.0.2.1) For greater certainty, a condition	22(7.0.2.1) For greater certainty, a condition set	Repealed
set out in subsection $(7.0.2)$ is not met if the	out in subsection $(7.0.2)$ is not met if the council	
council or the planning board adopts an	or the planning board adopts an amendment in	
amendment in response to a request under	response to a request under subsection (1) or (2),	
subsection (1) or (2), even if the amendment	even if the amendment that is adopted differs	
that is adopted differs from the requested	from the requested amendment.	
amendment.		

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
22(8) A notice of appeal under subsection (7) shall,	22(8) A notice of appeal under subsection (7) shall,	<ul><li>22(8) A notice of appeal under subsection</li><li>(7) shall,</li></ul>
<ul> <li>(a) set out the specific part of the requested official plan amendment to which the appeal applies, if the notice of appeal does not apply to all of the requested amendment; and</li> <li>(b) be accompanied by the fee prescribed under the <i>Ontario Municipal Board Act</i>.</li> </ul>	<ul> <li>(a)set out the specific part of the requested official plan amendment to which the appeal applies, if the notice of appeal does not apply to all of the requested amendment;</li> <li>(a.1)explain how the existing part or parts of the official plan that would be affected by the requested amendment are inconsistent with a policy statement issued under subsection 3 (1), fail to conform with or conflict with a provincial plan or, in the case of the official plan of a lowertier municipality, fail to conform with the uppertier municipality's official plan;</li> <li>(a.2)explain how the requested amendment is consistent with policy statements issued under subsection 3 (1), conforms with or does not conflict with provincial plans and, in the case of a requested amendment to the official plan of a lowertier municipality, conforms with the uppertier municipality's official plan;</li> <li>(b) be accompanied by the fee charged under the <i>Local Planning Appeal Tribunal Act, 2017</i></li> </ul>	<ul> <li>(a) set out the specific part of the requested official plan amendment to which the appeal applies, if the notice of appeal does not apply to all of the requested amendment.</li> <li>(b) be accompanied by the fee charged under the <i>Local Planning Appeal Tribunal Act, 2017</i></li> </ul>

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
22(11) Subsections 17 (44) to (44.7), (45),	22(11) On an appeal to the Tribunal, the Tribunal	22(11) Subsections 17 (44) to (44.7), (45),
(45.1), (46), (46.1), (49), (50) and (50.1)	shall hold a hearing of which notice shall be given	(45.1), (46), (46.1), (49), (50) and (50.1)
apply with necessary modifications to a	to such persons or such public bodies and in such	apply with necessary modifications to a
requested official plan amendment under this	manner as the Tribunal may determine.	requested official plan amendment under
section, except that subsections 17 (44.1) to		this section, except that subsections 17
(44.7) and $(45.1)$ do not apply to an appeal		(44.1) to (44.7) and (45.1) do not apply to
under subsection (7) of this section, brought		an appeal under subsection (7) of this
in accordance with paragraph 1 or 2 of		section, brought in accordance with
subsection (7.0.2).		paragraph 1 or 2 of subsection (7.0.2)
N/A	22(11.0.1) Despite subsection (11), in the case of	Repealed
	an appeal under subsection (7) brought in	-
	accordance with paragraph 3 or 4 of subsection	
	(7.0.2), only the following may be added as	
	parties:	
	1. A person or public body who satisfies one of	
	the conditions set out in subsection (11.0.2).	
	2. The Minister.	
	3. The appropriate approval authority	
N/A	22(11.0.2) The conditions mentioned in paragraph	Repealed
	1 of subsection (11.0.1) are:	
	1. Before the requested amendment was refused,	
	the person or public body made oral submissions	
	at a public meeting or written submissions to the	
	council or planning board.	
	2. The Tribunal is of the opinion that there are	
	reasonable grounds to add the person or public	
	body as a party	
	22(11.0.3) Subsections (11.0.1) and (11.0.2)	
	apply despite the <i>Statutory Powers Procedure</i>	
	Act. 2017,	

N/A	22(11.0.4) Despite the <i>Statutory Powers</i>	Repealed
	<i>Procedure Act</i> and subsection (11), the Tribunal	Repeated
	shall dismiss all or part of an appeal without	
	holding a hearing on its own initiative or on the	
	motion of any party if any of the following apply:	
	1. The Tribunal is of the opinion that the	
	explanations required by clauses (8) (a.1) and	
	(a.2) do not disclose both of the following:	
	i. That the existing part or parts of the official	
	plan that would be affected by the requested	
	amendment are inconsistent with a policy	
	statement issued under subsection 3 (1), fail to	
	conform with or conflict with a provincial plan or,	
	in the case of the official plan of a lower-tier	
	municipality, fail to conform with the upper-tier	
	municipality's official plan.	
	ii. That the requested amendment is consistent	
	with policy statements issued under subsection 3	
	(1), conforms with or does not conflict with	
	provincial plans and, in the case of a requested	
	amendment to the official plan of a lower-tier	
	municipality, conforms with the upper-tier	
	municipality's official plan	
	2. The Triburgh is of the opinion that	
	2. The Tribunal is of the opinion that,	
	i. the appeal is not made in good faith or is frivolous or vexatious,	
	·	
	ii. the appeal is made only for the purpose of	
	delay, or	
	iii. the appellant has persistently and without	
	reasonable grounds commenced before the	
	Tribunal proceedings that constitute an abuse of	
	process.	
	3. The appellant has not provided the explanations	
	3. The appellant has not provided the explanations required by clauses $(8)$ $(a, 1)$ and $(a, 2)$	
	required by clauses (8) (a.1) and (a.2).	

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
	4. The appellant has not paid the fee charged	
	under the Local Planning Appeal Tribunal Act,	
	2017 and has not responded to a request by the	
	Tribunal to pay the fee within the time specified	
	by the Tribunal.	
	5. The appellant has not responded to a request by	
	the Tribunal for further information within the	
	time specified by the Tribunal.	
N/A	22(11.0.5) Despite the <i>Statutory Powers</i>	Repealed
	Procedure Act and subsection (11), the Tribunal	
	may, on its own initiative or on the motion of the	
	municipality, the planning board, the appropriate	
	approval authority or the Minister, dismiss all or	
	part of an appeal without holding a hearing if, in	
	the Tribunal's opinion, the application to which	
	the appeal relates is substantially different from	
	the application that was before council or the	
	planning board at the time of its decision	
N/A	22(11.0.6) Before dismissing all or part of an	Repealed
	appeal, the Tribunal shall notify the appellant and	-
	give the appellant the opportunity to make	
	representation on the proposed dismissal but this	
	subsection does not apply if the appellant has not	
	complied with a request made under paragraph 4	
	or 5 of subsection (11.0.4).	
N/A	22(11.0.7) Despite the <i>Statutory Powers</i>	Repealed
	Procedure Act, the Tribunal may dismiss all or	
	part of an appeal after holding a hearing or	
	without holding a hearing on the motion under	
	subsection $(11.0.4)$ or $(11.0.5)$ , as it considers	
	appropriate.	
N/A	22(11.0.8) Subject to subsections (11.0.9) to	Repealed
	(11.0.17), after holding a hearing on an appeal	
	under subsection (7), the Tribunal shall dismiss	
	the appeal.	

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
N/A	<ul> <li>22(11.0.9) Unless subsection (11.0.10) or (11.0.13) applies, on an appeal under subsection (7), the Tribunal shall notify the clerk of the municipality or the secretary-treasurer of the planning board, as the case may be, that received the request for an official plan amendment that the municipality or planning board is being given an opportunity to make a new decision in respect of the matter, if the Tribunal determines that,</li> <li>(a) the existing part or parts of the official plan that would be affected by the requested amendment are inconsistent with a policy statement issued under subsection 3 (1), fail to conform with or conflict with a provincial plan or, in the case of the official plan; and</li> <li>(b) the requested amendment is consistent with policy statements issued under subsection 3 (1), conforms with or does not conflict with provincial plans and, in the case of a requested amendment to the official plan of a lower-tier municipality, conforms with the upper-tier municipality, conforms with the upper-tier municipality, sofficial plan of a lower-tier municipality, conforms with the upper-tier municipality, conforms with the upper-tier municipality, sofficial plan of a lower-tier municipality, conforms with the upper-tier municipality's official plan.</li> </ul>	Repealed

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
N/A	22(11.0.10) Unless subsection (11.0.16) applies,	Repealed
	if a revised amendment is presented to the	
	Tribunal with the consent of all of the parties	
	specified in subsection (11.0.19), the Tribunal	
	shall approve the revised amendment as an	
	official plan amendment except for any part of it	
	that is inconsistent with a policy statement issued	
	under subsection 3 (1), fails to conform with or	
	conflicts with a provincial plan or, in the case of	
	an amendment to the official plan of a lower-tier	
	municipality, fails to conform with the upper-tier	
	municipality's official plan.	
	22(11.0.11) If subsection (11.0.10) applies and	
	the Tribunal determines that any part of the	
	revised amendment is inconsistent with a policy	
	statement issued under subsection 3 (1), fails to	
	conform with or conflicts with a provincial plan	
	or, in the case of an amendment to the official	
	plan of a lower-tier municipality, fails to conform	
	with the upper-tier municipality's official plan,	
	the Tribunal shall notify the clerk of the	
	municipality or the secretary-treasurer of the	
	planning board, as the case may be, that received	
	the request for an official plan amendment that	
	the municipality or planning board is being given	
	an opportunity to make a new decision in respect	
	of the matter	

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
N/A	22(11.0.12) If the clerk or secretary-treasurer has	Repealed
	received notice under subsection (11.0.9) or	
	(11.0.11), the following rules apply:	
	1. The council of the municipality or the planning	
	board may prepare and adopt an amendment,	
	subject to the following:	
	i. Subsections 17 (16) and (17.1) do not apply.	
	ii. If the amendment is not exempt from approval,	
	A. the reference to "within 210 days" in	
	subsection 17 (40) shall be read as "within 90	
	days", and	
	B. subsection 17 (40.1) does not apply.	
	2. The references to "within 210 days after the	
	day the request is received" in paragraphs 1 and 2	
	of subsection (7.0.2) shall be read as "within 90	
	days after the day notice under subsection	
	(11.0.9) or (11.0.11) was received"	
	22(11.0.13) Subsections (11.0.14) to (11.0.16)	
	apply with respect to an appeal under subsection	
	(7) that concerns a request in respect of which the	
	municipality or planning board was given an	
	opportunity to make a new decision in accordance	
	with subsection (11.0.12) or subsection 17 (49.6).	
	22(11.0.14) In the case of an appeal brought in	
	accordance with paragraph 1 or 2 of subsection	
	(7.0.2), the Tribunal may approve all or part of	
	the requested amendment as an official plan	
	amendment, make modifications to all or part of	
	the requested amendment and approve all or part	
	of the requested amendment as modified as an	
	official plan amendment or refuse to approve all	
	or part of the requested amendment.	

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	22(11.0.15) Unless subsection (11.0.16) applies,	
	in the case of an appeal brought in accordance	
	with paragraph 3 or 4 of subsection $(7.0.2)$ , the	
	Tribunal may approve all or part of a requested	
	amendment as an official plan amendment, make	
	modifications to all or part of the requested	
	amendment and approve all or part of the	
	requested amendment as modified as an official	
	plan amendment or refuse to approve all or part of	
	the requested amendment, if the Tribunal	
	determines that,	
	(a) the existing part or parts of the official plan	
	that would be affected by the requested	
	amendment are inconsistent with a policy	
	statement issued under subsection 3 (1), fail to	
	conform with or conflict with a provincial plan or,	
	in the case of the official plan of a lower-tier	
	municipality, fail to conform with the upper-tier	
	municipality's official plan; and	
	(b) the requested amendment is consistent with	
	policy statements issued under subsection 3 (1),	
	conforms with or does not conflict with provincial	
	plans and, in the case of a requested amendment	
	to the official plan of a lower-tier municipality,	
	conforms with the upper-tier municipality's	
	official plan.	
	22(11.0.16) If, on an appeal brought in	
	accordance with paragraph 3 or 4 of subsection	
	(7.0.2), a revised amendment is presented to the	
	Tribunal with the consent of all of the parties	
	specified in subsection (11.0.19), the Tribunal	
	shall approve the revised amendment as an	
	official plan amendment except for any part of it	
	that is inconsistent with a policy statement issued	

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
	under subsection 3 (1), fails to conform with or	
	conflicts with a provincial plan or, in the case of	
	an amendment to the official plan of a lower-tier	
	municipality, fails to conform with the upper-tier	
	municipality's official plan.	
	22(11.0.17) If subsection (11.0.16) applies and	
	the Tribunal determines that any part of the	
	revised amendment is inconsistent with a policy	
	statement issued under subsection 3 (1), fails to	
	conform with or conflicts with a provincial plan	
	or, in the case of an amendment to the official	
	plan of a lower-tier municipality, fails to conform	
	with the upper-tier municipality's official plan,	
	the Tribunal may make modifications to that part	
	of the revised amendment and approve it as	
	modified as part of an official plan amendment or	
	refuse to approve all or part of that part of the	
	revised amendment	
	22(11.0.18) If the Tribunal approves all or part of	
	a revised amendment as an official plan	
	amendment or part of an official plan amendment	
	under subsection $(11.0.10)$ or $(11.0.16)$ , the	
	amendment or part of the amendment that is	
	approved comes into effect as an official plan	
	amendment or part of an official plan amendment	
	on the day after the day the amendment or part of	
	the amendment was approved	

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
	22(11.0.19) For the purposes of subsection	
	(11.0.10) and $(11.0.16)$ , the specified parties are:	
	<ol> <li>The municipality or planning board that received the request for an official plan amendment.</li> <li>The appropriate approval authority, if the approval authority is a party.</li> <li>The Minister, if the Minister is a party.</li> <li>The person or public body that requested an amendment to the official plan</li> </ol>	
22(11.1) Where an appeal is made to the Municipal Board under this section, the Minister, if he or she is of the opinion that a matter of provincial interest is, or is likely to be, adversely affected by the amendment or any part of the amendment in respect of which the appeal is made, may so advise the Board in writing not later than 30 days before the day fixed by the Board for the hearing of the appeal and the Minister shall identify, (a)the provisions of the amendment or any part of the amendment by which the provincial interest is, or is likely to be, adversely affected; and (b)the general basis for the opinion that a matter of provincial interest is, or is likely to be, adversely affected	<ul> <li>22(11.1) Where an appeal is made to the Tribunal under this section, the Minister, if he or she is of the opinion that a matter of provincial interest is, or is likely to be, adversely affected by the amendment or any part of the amendment in respect of which the appeal is made, may so advise the Tribunal in writing not later than 30 days after the day the Tribunal gives notice under subsection (11) and the Minister shall identify,</li> <li>(a)the provisions of the amendment or any part of the amendment by which the provincial interest is, or is likely to be, adversely affected; and</li> <li>(b)the general basis for the opinion that a matter of provincial interest is, or is likely to be, adversely affected.</li> </ul>	<ul> <li>22(11.1) Where an appeal is made to the Tribunal under this section, the Minister, if he or she is of the opinion that a matter of provincial interest is, or is likely to be, adversely affected by the amendment or any part of the amendment in respect of which the appeal is made, may so advise the Tribunal in writing not later than 30 days before the day fixed by the Tribunal for the hearing of the appeal and the Minister shall identify,</li> <li>(a)the provisions of the amendment or any part of the amendment or any part of the amendment or any part of the amendment by which the provincial interest is, or is likely to be, adversely affected; and</li> <li>(b)the general basis for the opinion that a matter of provincial interest is, or is likely to be, adversely affected</li> </ul>

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
22(11.3) If the Municipal Board has	22(11.3) If the Tribunal has received a notice	22(11.3) If the Tribunal has received a
received notice from the Minister under	from the Minister under subsection (11.1), the	notice from the Minister under subsection
subsection (11.1), the decision of the Board	following rules apply:	(11.1), the decision of the Tribunal is not
is not final and binding in respect of the		final and binding in respect of the
provisions of the amendment or the	1.Subsections $(11.0.8)$ to $(11.0.19)$ do not apply to	provisions identified in the notice unless
provisions of any part of the amendment	the appeal.	the Lieutenant Governor in Council has
identified in the notice unless the Lieutenant		confirmed the decision in respect of those
Governor in Council has confirmed the	2. The Tribunal may approve all or part of a	provisions.
decision in respect of those provisions.	requested amendment as an official plan	
	amendment, make modifications to all or part of	
	the requested amendment and approve all or part	
	of the requested amendment as modified as an	
	official plan amendment or refuse to approve all	
	or part of the requested amendment.	
	3. The decision of the Tribunal is not final and	
	binding in respect of the provisions of the	
	amendment or the provisions of any part of the	
	amendment identified in the notice unless the	
	Lieutenant Governor in Council has confirmed	
	the decision in respect of those provisions	
28(5) Subsections 17 (15), (17), (19) to	28(5) Subsections 17 (15), (17), (19) to (19.3),	28(5) Subsections 17 (15), (17), (19) to
(19.3), (19.5) to (24), (25) to (30.1), (44) to	(19.5) to (24), (25) to (30.1), (44) to (47) and	(19.3), (19.5) to (24), (25) to (30.1), (44) to
(47) and $(49)$ to $(50.1)$ apply, with necessary	(49), $(50)$ and $(50.1)$ , as they read on the day	(47) and (49) and (50.1) apply, with
modifications, in respect of a community	before section 9 of Schedule 3 to the Building	necessary modifications, in respect of a
improvement plan and any amendments to it.	Better Communities and Conserving Watersheds	community improvement plan and any
	Act, 2017 comes into force, apply, with necessary	amendments to it.
	modifications, in respect of a community	
	improvement plan and any amendments to it.	

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
34(11) Where an application to the council	34(11) Subject to subsection (11.0.0.0.1), where	34(11) Subject to subsection (11.0.0.0.1),
for an amendment to a by-law passed under	an application to the council for an amendment to	where an application to the council for an
this section or a predecessor of this section is	a by-law passed under this section or a	amendment to a by-law passed under this
refused or the council refuses or neglects to	predecessor of this section is refused or the	section or a predecessor of this section is
make a decision on it within 120 days after	council fails to make a decision on it within 150	refused or the council fails to make a
the receipt by the clerk of the application,	days after the receipt by the clerk of the	decision on it within 90 days after the
any of the following may appeal to the	application, any of the following may appeal to	receipt by the clerk of the application, any
Municipal Board by filing with the clerk of	the Tribunal by filing with the clerk of the	of the following may appeal to the Tribunal
the municipality a notice of appeal,	municipality a notice of appeal, accompanied by	by filing with the clerk of the municipality
accompanied by the fee prescribed under the	the fee charged under the Local Planning Appeal	a notice of appeal, accompanied by the fee
Ontario Municipal Board Act:	Tribunal Act, 2017:	charged under the Local Planning Appeal
		Tribunal Act, 2017:
1.The applicant.	1. The applicant.	
2.The Minister.	2. The Minister.	1. The applicant.
		2. The Minister.
N/A	34 (11.0.0.0.1) If an amendment to a by-law	34 (11.0.0.0.1) If an amendment to a by-
	passed under this section or a predecessor of this	law passed under this section or a
	section in respect of which an application to the	predecessor of this section in respect of
	council is made would also require an amendment	which an application to the council is made
	to the official plan of the local municipality and	would also require an amendment to the
	the application is made on the same day as the	official plan of the local municipality and
	request to amend the official plan, an appeal to	the application is made on the same day as
	the Tribunal under subsection (11) may be made	the request to amend the official plan, an
	only if the application is refused or the council	appeal to the Tribunal under subsection
	fails to make a decision on it within 210 days	(11) may be made only if the application is
	after the receipt by the clerk of the application.	refused or the council fails to make a
		decision on it within 120 days after the
		receipt by the clerk of the application.

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
	34(11.0.0.2) An appeal under subsection (11)	Repealed
	may only be made on the basis that,	
	(a) the existing part or parts of the by-law that	
	would be affected by the amendment that is the	
	subject of the application are inconsistent with a	
	policy statement issued under subsection 3 (1),	
	fail to conform with or conflict with a provincial	
	plan or fail to conform with an applicable official	
	plan; and	
	(b) the amendment that is the subject of the	
	application is consistent with policy statements	
	issued under subsection 3 (1), conforms with or	
	does not conflict with provincial plans and	
	conforms with applicable official plans	
	34(11.0.0.0.3) For greater certainty, council does	Repealed
	not refuse an application for an amendment to a	
	by-law passed under this section or a predecessor	
	of this section or fail to make a decision on the	
	application if it amends the by-law in response to	
	the application, even if the amendment that is	
	passed differs from the amendment that is the	
	subject of the application.	

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
	(11.0.0.0.4) A notice of appeal under subsection (11) shall,	Repealed
	(a)explain how the existing part or parts of the by- law that would be affected by the amendment that is the subject of the application are inconsistent with a policy statement issued under subsection 3 (1), fail to conform with or conflict with a provincial plan or fail to conform with an applicable official plan; and	
	(b)explain how the amendment that is the subject of the application is consistent with policy statements issued under subsection 3 (1), conforms with or does not conflict with provincial plans and conforms with applicable official plans.	
	34(11.0.0.0.5) Subsections (11.0.0.0.2) and (11.0.0.0.4) do not apply to an appeal under subsection (11) that concerns the failure to make a decision on an application in respect of which the municipality was given an opportunity to make a new decision in accordance with subsection (26.3).	Repealed

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
34(19) Not later than 20 days after the day	34(19) Not later than 20 days after the day that	34(19) Not later than 20 days after the day
that the giving of notice as required by	the giving of notice as required by subsection (18)	that the giving of notice as required by
subsection (18) is completed, any of the	is completed, any of the following may appeal to	subsection (18) is completed, any of the
following may appeal to the Municipal	the Tribunal by filing with the clerk of the	following may appeal to the Tribunal by
Board by filing with the clerk of the	municipality a notice of appeal accompanied by	filing with the clerk of the municipality a
municipality a notice of appeal setting out	the fee charged under the Local Planning Appeal	notice of appeal setting out the objection to
the objection to the by-law and the reasons in support of the objection, accompanied by	Tribunal Act, 2017:	the by-law and the reasons in support of the objection, accompanied by the fee
the fee prescribed under the <i>Ontario</i>		charged under the <i>Local Planning Appeal</i>
Municipal Board Act:		Tribunal Act, 2017:
municipai boura Act.		1710mmm Act, 2017.
34(19.0.1) If the appellant intends to argue	34(19.0.1) An appeal under subsection (19) may	34(19.0.1) If the appellant intends to argue
that the by-law is inconsistent with a policy	only be made on the basis that the by-law is	that the by-law is inconsistent with a policy
statement issued under subsection 3 (1), fails	inconsistent with a policy statement issued under	statement issued under subsection 3 (1),
to conform with or conflicts with a	subsection 3 (1), fails to conform with or conflicts	fails to conform with or conflicts with a
provincial plan or fails to conform with an	with a provincial plan or fails to conform with an	provincial plan or fails to conform with an
applicable official plan, the notice of appeal	applicable official plan.	applicable official plan, the notice of appeal
must also explain how the by-law is		must also explain how the by-law is
inconsistent with, fails to conform with or		inconsistent with, fails to conform with or
conflicts with the other document N/A	34(19.0.2) A notice of appeal under subsection	conflicts with the other document.
IN/A	(19) shall explain how the by-law is inconsistent	
	with a policy statement issued under subsection 3	
	(1), fails to conform with or conflicts with a	
	provincial plan or fails to conform with an	
	applicable official plan.	
<b>34</b> (24.3) This subsection applies if	Repealed	34(24.3) This subsection applies if
information and material that is presented at		information and material that is presented
the hearing of an appeal described in		at the hearing of an appeal described in
subsection (24.1) was not provided to the		subsection (24.1) was not provided to the
municipality before the council made the		municipality before the council made the
decision that is the subject of the appeal		decision that is the subject of the appeal

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
34(24.4) When subsection (24.3) applies,	Repealed	34(24.4) When subsection (24.3) applies,
the Municipal Board may, on its own		the Tribunal may, on its own initiative or
initiative or on a motion by the municipality		on a motion by the municipality or any
or any party, consider whether the		party, consider whether the information and
information and material could have		material could have materially affected the
materially affected the council's decision,		council's decision and, if the Tribunal
and if the Board determines that it could		determines that it could have done so, it
have done so, it shall not be admitted into		shall not be admitted into evidence until
evidence until subsection (24.5) has been		subsection (24.5) has been complied with
complied with and the prescribed time		and the prescribed time period has elapsed
period has elapsed.		
34(24.5) The Municipal Board shall notify	Repealed	34(24.5) The Tribunal shall notify the
the council that it is being given an		council that it is being given an opportunity
opportunity to,		to,
(a)reconsider its decision in light of the		(a) reconsider its decision in light of the
information and material; and		information and material; and
(b)make a written recommendation to the		
Board.		(b) make a written recommendation to the
		Tribunal
34(24.6) The Municipal Board shall have	Repealed	34(24.6) The Tribunal shall have regard to
regard to the council's recommendation if it		the council's recommendation if it is
is received within the time period mentioned		received within the time period referred to
in subsection (24.4), and may but is not		in subsection (24.4), and may, but is not
required to do so if it is received afterwards.		required to, do so if it is received
		afterwards.

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
34(24.7) Subsections (24.1) to (24.6) apply	34(24.7) Subsections (24.1) and (24.2) apply	34(24.7) Subsections (24.1) to (24.6) apply
despite the Statutory Powers Procedure Act.	despite the Statutory Powers Procedure Act.	despite the Statutory Powers Procedure
		Act.

34(25) Despite the <i>Statutory Powers</i> <i>Procedure Act</i> and subsections (11.0.2) and (24), the Municipal Board may dismiss all or	34 (25) Despite the <i>Statutory Powers Procedure</i> <i>Act</i> and subsection (24), the Tribunal shall dismiss all or part of an appeal without holding a	34(25) Despite the <i>Statutory Powers</i> <i>Procedure Act</i> and subsection (24), the Tribunal may, on its own initiative or on
part of an appeal without holding a hearing, on its own initiative or on the motion of any party, if,	hearing on its own initiative or on the motion of any party if any of the following apply:	the motion of any party, dismiss all or part of an appeal without holding a hearing if any of the following apply:
<ul><li>(a)it is of the opinion that,</li><li>(i)the reasons set out in the notice of appeal do not disclose any apparent land use</li></ul>	1.The Tribunal is of the opinion that the explanations required by subsection (11.0.0.0.4) do not disclose both of the following:	1. The Tribunal is of the opinion that,
planning ground upon which the Board could allow all or part of the appeal, (ii)the appeal is not made in good faith or is frivolous or vexatious, (iii)the appeal is made only for the purpose	i. That the existing part or parts of the by-law that would be affected by the amendment that is the subject of the application are inconsistent with a policy statement issued under subsection 3 (1),	i. the reasons set out in the notice of appeal do not disclose any apparent land use planning ground upon which the Tribunal could allow all or part of the appeal,
of delay, or (iv)the appellant has persistently and without reasonable grounds commenced before the Board proceedings that constitute an abuse	fail to conform with or conflict with a provincial plan or fail to conform with an applicable official plan.	ii. the appeal is not made in good faith or is frivolous or vexatious,
of process; (a.1)REPEALED: 2006, c. 23, s. 15 (15). (b)the appellant has not provided written	ii. The amendment that is the subject of the application is consistent with policy statements issued under subsection 3 (1), conforms with or	iii. the appeal is made only for the purpose of delay, or
reasons for the appeal; (b.1) the appellant intends to argue a matter mentioned in subsection (19.0.1) but has not provided the explanations required by that	<ul><li>does not conflict with provincial plans and conforms with applicable official plans.</li><li>2.The Tribunal is of the opinion that the</li></ul>	iv. the appellant has persistently and without reasonable grounds commenced before the Tribunal proceedings that constitute an abuse of process.
subsection; (c)the appellant has not paid the fee prescribed under the <i>Ontario Municipal</i> <i>Board Act</i> ; or	explanation required by subsection (19.0.2) does not disclose that the by-law is inconsistent with a policy statement issued under subsection 3 (1), fails to conform with or conflicts with a	2. The appellant has not provided written reasons for the appeal.
(d)the appellant has not responded to a request by the Municipal Board for further information within the time specified by the Board.	provincial plan or fails to conform with an applicable official plan. 3.The Tribunal is of the opinion that,	3. The appellant intends to argue a matter mentioned in subsection (19.0.1) but has not provided the explanations required by that subsection.
	i.the appeal is not made in good faith or is frivolous or vexatious,	

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
	ii.the appeal is made only for the purpose of delay, or	4. The appellant has not paid the fee charged under the <i>Local Planning Appeal Tribunal Act, 2017</i> .
	iii.the appellant has persistently and without reasonable grounds commenced before the Tribunal proceedings that constitute an abuse of process.	5. The appellant has not responded to a request by the Tribunal for further information within the time specified by the Tribunal.
	4. The appellant has not provided the explanation required by subsection (11.0.0.0.4) or (19.0.2), as applicable.	
	5. The appellant has not paid the fee charged under the <i>Local Planning Appeal Tribunal Act</i> , 2017 and has not responded to a request by the Tribunal to pay the fee within the time specified by the Tribunal.	
	6. The appellant has not responded to a request by the Tribunal for further information within the time specified by the Tribunal.	
34(25.1) Before dismissing all or part of an appeal, the Municipal Board shall notify the appellant and give the appellant the opportunity to make representation on the proposed dismissal but this subsection does not apply if the appellant has not complied with a request made under clause (25) (d).	34(25.1) Before dismissing all or part of an appeal, the Tribunal shall notify the appellant and give the appellant the opportunity to make representation on the proposed dismissal but this subsection does not apply if the appellant has not complied with a request made under paragraph 5 or 6 of subsection (25).	34(25.1) Before dismissing all or part of an appeal, the Tribunal shall notify the appellant and give the appellant the opportunity to make representation on the proposed dismissal but this subsection does not apply if the appellant has not complied with a request made under <b>paragraph 5</b> of subsection (25).

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
	34(26) Subject to subsections (26.1) to (26.10) and (26.13), after holding a hearing on an appeal	34(26) The Tribunal may,
	under subsection (11) or (19), the Tribunal shall dismiss the appeal.	<ul><li>(a) on an appeal under subsection (11) or</li><li>(19), dismiss the appeal;</li></ul>
		(b) on an appeal under subsection (11) or (19), amend the by-law in such manner as the Tribunal may determine or direct the council of the municipality to amend the by-law in accordance with the Tribunal's order; or
		(c) on an appeal under subsection (19), repeal the by-law in whole or in part or
		direct the council of the municipality to repeal the by-law in whole or in part in accordance with the Tribunal's order

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
N/A	<ul> <li>(26.1) Unless subsection (26.3), (26.6), (26.7) or</li> <li>(26.9) applies, on an appeal under subsection</li> <li>(11), the Tribunal shall notify the clerk of the municipality that it is being given an opportunity to make a new decision in respect of the matter, if the Tribunal determines that,</li> </ul>	Repealed
	(a)the existing part or parts of the by-law that would be affected by the amendment that is the subject of the application are inconsistent with a policy statement issued under subsection 3 (1), fail to conform with or conflict with a provincial plan or fail to conform with an applicable official plan; and	
	(b) the amendment that is the subject of the application is consistent with policy statements issued under subsection 3 (1), conforms with or does not conflict with provincial plans and conforms with applicable official plans	
N/A	<ul> <li>(26.2) Unless subsection (26.3), (26.8) or (26.9) applies, if, on an appeal under subsection (19), the Tribunal determines that a part of the by-law to which the notice of appeal relates is inconsistent with a policy statement issued under subsection 3 (1), fails to conform with or conflicts with a provincial plan or fails to conform with an applicable official plan,</li> </ul>	Repealed
	(a)the Tribunal shall repeal that part of the by- law; and	
	(b)the Tribunal shall notify the clerk of the municipality that it is being given an opportunity to make a new decision in respect of the matter.	

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
N/A	34(26.3) Unless subsection (26.9) applies, if a	Repealed
	draft by-law is presented to the Tribunal with the	
	consent of all of the parties specified in	
	subsection (26.11), the Tribunal shall approve the	
	draft by-law except for any part of it that is	
	inconsistent with a policy statement issued under	
	subsection 3 (1), fails to conform with or conflicts	
	with a provincial plan or fails to conform with an	
	applicable official plan.	
N/A	34(26.4) If subsection (26.3) applies and the	Repealed
	Tribunal determines that any part of the draft by-	
	law is inconsistent with a policy statement issued	
	under subsection 3 (1), fails to conform with or	
	conflicts with a provincial plan or fails to conform	
	with an applicable official plan, the Tribunal shall	
	notify the clerk of the municipality that it is being	
	given an opportunity to make a new decision in	
	respect of the matter.	
N/A	(26.5) If the clerk has received notice under	Repealed
	subsection (26.1), clause (26.2) (b) or subsection	
	(26.4), the following rules apply:	
	1. The council of the municipality may prepare	
	and pass another by-law in accordance with this	
	section, except that clause (12) (b) does not apply.	
	2. The reference to "within 150 days after the	
	receipt by the clerk of the application" in	
	subsection (11) shall be read as "within 90 days	
	after the day notice under subsection (26.1),	
	clause (26.2) (b) or subsection (26.4) was	
	received".	

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
N/A	34 (26.6) On an appeal under subsection (11) that concerns the failure to make a decision on an application in respect of which the municipality was given an opportunity to make a new decision	Repealed
	in accordance with subsection (26.5), the Tribunal may amend the by-law in such manner as the Tribunal may determine or direct the council of	
	the municipality to amend the by-law in accordance with the Tribunal's order.	
N/A	34(26.7) Unless subsection (26.9) applies, on an appeal under subsection (11) that concerns the refusal of an application in respect of which the municipality was given an opportunity to make a new decision in accordance with subsection (26.5), the Tribunal may amend the by-law in such manner as the Tribunal may determine or direct the council of the municipality to amend the by-law in accordance with the Tribunal's order if the Tribunal determines that,	Repealed
	(a)the existing part or parts of the by-law that would be affected by the amendment that is the subject of the application are inconsistent with a policy statement issued under subsection 3 (1), fail to conform with or conflict with a provincial plan or fail to conform with an applicable official plan; and	
	(b)the amendment that is the subject of the application is consistent with policy statements issued under subsection 3 (1), conforms with or does not conflict with provincial plans and conforms with all applicable official plans	

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
N/A	34(26.8) Unless subsection (26.9) applies, on an	Repealed
	appeal under subsection (19) that concerns a new	
	decision that the municipality was given an	
	opportunity to make in accordance with	
	subsection (26.5), the Tribunal may repeal the by-	
	law in whole or in part or amend the by-law in	
	such manner as the Tribunal may determine or	
	direct the council of the municipality to repeal the	
	by-law in whole or in part or to amend the by-law	
	in accordance with the Tribunal's order, if the	
	Tribunal determines that the decision is	
	inconsistent with policy statements issued under	
	subsection 3 (1), fails to conform with or conflicts	
	with provincial plans or fails to conform with an	
	applicable official plan.	
	34(26.9) If, on an appeal referred to in subsection	Repealed
	(26.7) or (26.8), a draft by-law is presented to the	
	Tribunal with the consent of all of the parties	
	specified in subsection (26.11), the Tribunal shall	
	approve the draft by-law as a zoning by-law	
	except for any part of it that is inconsistent with a	
	policy statement issued under subsection 3 (1),	
	fails to conform with or conflicts with a	
	provincial plan or fails to conform with an	
	applicable official plan.	

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
N/A	34(26.10) If subsection (26.9) applies and the	Repealed
	Tribunal determines that any part of the draft by-	
	law is inconsistent with a policy statement issued	
	under subsection 3 (1), fails to conform with or	
	conflicts with a provincial plan or fails to conform	
	with an applicable official plan, the Tribunal may	
	refuse to amend the zoning by-law or amend the	
	zoning by-law in such manner as the Tribunal	
	may determine or direct the council of the	
	municipality to amend the zoning by-law in	
	accordance with the Tribunal's order,	
N/A	34 (26.11) For the purposes of subsection (26.3)	Repealed
	and (26.9), the specified parties are:	
	1.The municipality.	
	2. The Minister, if the Minister is a party.	
	3.If applicable, the applicant.	
	4.If applicable, all appellants of the decision	
	which was the subject of the appeal	
N/A	34(26.12) If subsection (26.3) or (26.9) applies in	Repealed
	the case of an appeal under subsection (19), the	
	by-law that was the subject of the notice of appeal	
	shall be deemed to have been repealed.	
N/A	(26.13) An appeal under subsection (11) shall not	Repealed
	be dismissed on the basis that the by-law is	
	deemed to be in conformity with an official plan	
	under subsection 24 (4).	

Current Version (2019)	Bill 108 Proposed Amendments
34(27) Where an appeal is made to the Tribunal	34(27) Where an appeal is made to the
under subsection (11) or (19), the Minister, if he	Tribunal under subsection (11) or (19), the
or she is of the opinion that a matter of provincial	Minister, if he or she is of the opinion that a
interest is, or is likely to be, adversely affected by	matter of provincial interest is, or is likely
the by-law, may so advise the Tribunal in writing	to be, adversely affected by the by-law,
not later than 30 days after the day the Tribunal	may so advise the Tribunal in writing not
gives notice under subsection (24) and the	later than 30 days <b>before the day fixed by</b>
Minister shall identify,	the Tribunal for the hearing
	of the appeal and the Minister shall
(a)the part or parts of the by-law by which the	identify,
provincial interest is, or is likely to be, adversely	
affected; and	(a)the part or parts of the by-law by which
	the provincial interest is, or is likely to be,
(b)the general basis for the opinion that a matter of provincial interest is, or is likely to be,	adversely affected; and
adversely affected.	(b)the general basis for the opinion that a matter of provincial interest is, or is likely
	to be, adversely affected.
	<ul> <li>34(27) Where an appeal is made to the Tribunal under subsection (11) or (19), the Minister, if he or she is of the opinion that a matter of provincial interest is, or is likely to be, adversely affected by the by-law, may so advise the Tribunal in writing not later than 30 days after the day the Tribunal gives notice under subsection (24) and the Minister shall identify,</li> <li>(a)the part or parts of the by-law by which the provincial interest is, or is likely to be, adversely affected; and</li> <li>(b)the general basis for the opinion that a matter of provincial interest is, or is likely to be,</li> </ul>

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
34(29) If the Municipal Board has received notice from the Minister under subsection (27) and has made a decision on the by-law, the Board shall not make an order under subsection (11.0.2) or (26) in respect of the part or parts of the by-law identified in the notice.	<ul> <li>34(29) If the Tribunal has received a notice from the Minister under subsection (27), the following rules apply:</li> <li>1.Subsections (26) to (26.12) do not apply to the appeal.</li> <li>2.The Tribunal may make a decision as to whether the appeal should be dismissed or the bylaw should be repealed or amended in whole or in part or the council of the municipality should be directed to repeal or amend the by-law in whole or in part.</li> </ul>	34 (29) If the Tribunal has received a notice from the Minister under subsection (27) and has made a decision on the by-law, the Tribunal shall not make an order under subsection (26) in respect of the part or parts of the by-law identified in the notice.
	3. The Tribunal shall not make an order in respect of the part or parts of the by-law identified in the notice.	
34(30) If one or more appeals have been filed under subsection (19), the by-law does not come into force until all of such appeals have been withdrawn or finally disposed of, whereupon the by-law, except for those parts of it repealed or amended under subsection (26) or as are repealed or amended by the Lieutenant Governor in Council under subsection (29.1), shall be deemed to have come into force on the day it was passed.	34(30) If one or more appeals have been filed under subsection (19), the by-law does not come into force until all of such appeals have been withdrawn or finally disposed of, whereupon the by-law, except for those parts of it repealed under subsection (26.2) or (26.8) or amended under subsection (26.8) or as are repealed or amended by the Lieutenant Governor in Council under subsection (29.1), shall be deemed to have come into force on the day it was passed.	34(30) If one or more appeals have been filed under subsection (19), the by-law does not come into force until all of such appeals have been withdrawn or finally disposed of, whereupon the by-law, except for those parts of it <b>repealed or amended under</b> <b>subsection (26)</b> or as are repealed or amended by the Lieutenant Governor in Council under subsection (29.1), shall be deemed to have come into force on the day it was passed.

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
N/A	<ul> <li>35.2(5) If a council of a municipality passes a bylaw giving effect to policies described in subsection 16 (4),</li> <li>(a) the council may, subject to the prohibitions or restrictions contained in the regulations, authorize the erection or location of some or all of the required affordable housing units in or on lands, buildings or structures other than those that are the subject of the development or redevelopment giving rise to the by-law requirement for affordable housing units; and</li> <li>(b) the council may, subject to the prohibitions or restrictions contained in the regulations, use its authority under section 37 with respect to the development giving rise to the by-law requirement for affordable housing units.</li> </ul>	35.2(5) If a council of a municipality passes a by-law giving effect to policies described in subsection 16 (4), the council may, subject to the prohibitions or restrictions contained in the regulations, authorize the erection or location of some or all of the required affordable housing units in or on lands, buildings or structures other than those that are the subject of the Development or redevelopment giving rise to the by-law requirement for affordable housing units.
36(3) Where an application to the council for an amendment to the by-law to remove the holding symbol is refused or the council refuses or neglects to make a decision thereon within 120 days after receipt by the clerk of the application, the applicant may appeal to the Municipal Board and the Board shall hear the appeal and dismiss the same or amend the by-law to remove the holding symbol or direct that the by-law be amended in accordance with its order	36(3) Where an application to the council for an amendment to the by-law to remove the holding symbol is refused or the council fails to make a decision thereon within 150 days after receipt by the clerk of the application, the applicant may appeal to the Tribunal and the Tribunal shall hear the appeal and dismiss the same or amend the by-law to remove the holding symbol or direct that the by-law be amended in accordance with its order.	36(3) Where an application to the council for an amendment to the by-law to remove the holding symbol is refused or the council fails to make a decision thereon within <b>90</b> <b>days</b> after receipt by the clerk of the application, the applicant may appeal to the Tribunal and the Tribunal shall hear the appeal and dismiss the same or amend the by-law to remove the holding symbol or direct that the by-law be amended in accordance with its order.

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
36(4) Subsections 34 (10.7) and (10.9) to	36(4) Subsections 34 (10.7), (10.9) to (20.4) and	36(4) Subsections 34 (10.7) and (10.9) to
(25.1) do not apply to an amending by-law	(22) to (34) do not apply to an amending by-law	(25.1) do not apply to an amending by-law
passed by the council to remove the holding	passed by the council to remove the holding	passed by the council to remove the
symbol, but the council shall, in the manner	symbol, but the council shall, in the manner and	holding symbol, but the council shall, in the
and to the persons and public bodies and	to the persons and public bodies and containing	manner and to the persons and public
containing the information prescribed, give	the information prescribed, give notice of its	bodies and containing the information
notice of its intention to pass the amending	intention to pass the amending by-law.	prescribed, give notice of its intention to
by-law.		pass the amending by-law.
<b>37</b> (1) The council of a local municipality	<b>37</b> (1) The council of a local municipality may, in	37 (1) In this section,
may, in a by-law passed under section 34,	a by-law passed under section 34, authorize	
authorize increases in the height and density	increases in the height and density of	"specified date" means the date prescribed
of development otherwise permitted by the	development otherwise permitted by the by-law	under the Development Charges Act, 1997
by-law that will be permitted in return for	that will be permitted in return for the provision	for the purposes of section 9.1 of that Act;
the provision of such facilities, services or matters as are set out in the by-law.	of such facilities, services or matters as are set out in the by-law.	("date précisée")
matters as are set out in the by-law.	III the by-law.	"valuation date" means, with respect to
		land that is the subject of development or
		redevelopment,
		(a) the day before the day the building
		permit is issued in respect of the
		development or redevelopment, or
		(b) if more than one building permit is
		required for the development or
		redevelopment, the day before the day the
		first permit is issued. ("date d'évaluation")
<b>37</b> (2) A by-law shall not contain the	37(2) A by-law shall not contain the provisions	37(2) The council of a municipality may by
provisions mentioned in subsection (1)	mentioned in subsection (1) unless there is an	by-law impose community benefits charges
unless there is an official plan in effect in the	official plan in effect in the local municipality that	against land to pay for the capital costs of
local municipality that contains provisions	contains provisions relating to the authorization of	facilities, services and matters required
relating to the authorization of increases in	increases in height and density of development.	because of development or redevelopment
height and density of development.		in the area to which the by-law applies

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
<b>37</b> (3) Where an owner of land elects to	37(3) Where an owner of land elects to provide	37(3) A community benefits charge may be
provide facilities, services or matters in	facilities, services or matters in return for an	imposed only with respect to development
return for an increase in the height or density	increase in the height or density of development,	or redevelopment that requires,
of development, the municipality may	the municipality may require the owner to enter	
require the owner to enter into one or more	into one or more agreements with the	(a) the passing of a zoning by-law or of an
agreements with the municipality dealing	municipality dealing with the facilities, services	amendment to a zoning by-law under
with the facilities, services or matters.	or matters.	section 34;
		(b) the approval of a minor variance under section 45;
		(c) a conveyance of land to which a by-law passed under subsection 50 (7) applies;
		(d) the approval of a plan of subdivision under section 51;
		(e) a consent under section 53;
		(f) the approval of a description under section 9 of the Condominium Act, 1998; or
		(g) the issuing of a permit under the
		Building Code Act, 1992 in relation to a
		building or structure
<b>37</b> (4) Any agreement entered into under	37(4) Any agreement entered into under	37(4) A community benefits charge may
subsection (3) may be registered against the	subsection (3) may be registered against the land	not be imposed with respect to such types
land to which it applies and the municipality	to which it applies and the municipality is entitled	of development or redevelopment as are
is entitled to enforce the provisions thereof	to enforce the provisions thereof against the	prescribed.
against the owner and, subject to the	owner and, subject to the provisions of	
provisions of the <i>Registry Act</i> and the <i>Land</i>	the Registry Act and the Land Titles Act, any and	
Titles Act, any and all subsequent owners of	all subsequent owners of the land.	
the land.		

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
<b>37</b> (5) All money received by the municipality under this section shall be paid into a special account and spent only for facilities, services and other matters specified in the by-law	37(5) All money received by the municipality under this section shall be paid into a special account and spent only for facilities, services and other matters specified in the by-law.	<ul> <li>37(5) A community benefits charge may not be imposed with respect to the following:</li> <li>1. Facilities, services or matters associated with any of the services set out in subsection 2 (4) of the Development Charges Act, 1997.</li> </ul>
		2. Such other facilities, services or matters as are prescribed.
<b>37</b> (6) The money in the special account may be invested in securities in which the municipality is permitted to invest under the <i>Municipal Act, 2001</i> or the <i>City of Toronto</i> <i>Act, 2006</i> , as the case may be, and the earnings derived from the investment of the money shall be paid into the special account, and the auditor in the auditor's annual report shall report on the activities and status of the account	37(6) The money in the special account may be invested in securities in which the municipality is permitted to invest under the <i>Municipal Act</i> , 2001 or the <i>City of Toronto Act</i> , 2006, as the case may be, and the earnings derived from the investment of the money shall be paid into the special account, and the auditor in the auditor's annual report shall report on the activities and status of the account.	37(6) A municipality that has passed a community benefits charge by-law may allow an owner of land to provide to the municipality facilities, services or matters required because of development or redevelopment in the area to which the by- law applies.
<b>37</b> (7) The treasurer of the municipality shall each year, on or before the date specified by the council, give the council a financial statement relating to the special account	37(7) The treasurer of the municipality shall each year, on or before the date specified by the council, give the council a financial statement relating to the special account.	37(7) Before the owner of land provides facilities, services or matters in accordance with subsection (6), the municipality shall advise the owner of land of the value that will be attributed to them.

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<b>37</b> (8) The statement shall include, for the	37(8) The statement shall include, for the	37(8) The value attributed under subsection
preceding year,	preceding year,	(7) shall be deducted from the amount the
(a)statements of the opening and closing	(a) statements of the opening and closing balances	owner of land would otherwise be required
balances of the special account and of the	of the special account and of the transactions	to pay under the community benefits charge
transactions relating to the account;	relating to the account;	by-law.
(b)statements identifying,	(b) statements identifying,	
(i)any facilities, services or other matters	(i) any facilities, services or other matters	
specified in the by-law for which funds from	specified in the by-law for which funds from the	
the special account have been spent during	special account have been spent during the year,	
the year,	(ii) details of the amounts spent, and	
(ii)details of the amounts spent, and	(iii) for each facility, service or other matter	
(iii)for each facility, service or other matter	mentioned in subclause (i), the manner in which	
mentioned in subclause (i), the manner in	any capital cost not funded from the special	
which any capital cost not funded from the	account was or will be funded; and	
special account was or will be funded; and	(c) any other information that is prescribed.	
(c)any other information that is prescribed.		
37(9) The treasurer shall give a copy of the	37(9) The treasurer shall give a copy of the	37(9) Before passing a community benefits
statement to the Minister on request	statement to the Minister on request.	charge by-law under subsection (2), the
	1	municipality shall prepare a community
		benefits charge strategy that,
		(a) identifies the facilities, services and
		matters that will be funded with community
		benefits charges; and
		(b) complies with any prescribed
		requirements.
37(10) The council shall ensure that the	37(10) The council shall ensure that the statement	37(10) In preparing the community benefits
statement is made available to the public	is made available to the public	charge strategy, the municipality shall
		consult with such persons and public bodies
		as the municipality considers appropriate.

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		37(11) Only one community benefits
		charge by-law passed by the council of a
		given municipality may be in effect at a
		time.
		37(12) The amount of a community
		benefits charge payable in any particular
		case shall not exceed an amount equal to
		the prescribed percentage of the value of
		the land as of the valuation date.
		37(13) If the owner of land is of the view
		that the amount of the community benefits
		charge exceeds the amount permitted under
		subsection (12), the owner shall, (a) pay the
		charge under protest; and (b) within the
		prescribed time period, provide the
		municipality with an appraisal of the value
		of the land as of the valuation date
		37(14) If an owner of land pays a
		community benefits charge under protest
		but does not provide an appraisal in
		accordance with clause (13) (b), the
		payment is deemed not to have been made
		under protest.
		37(15) If the municipality disputes the
		value of the land identified in the appraisal
		referred to in clause (13) (b), the
		municipality shall, within the prescribed
		time period, provide the owner with an
		appraisal of the value of the land as of the
		valuation date.

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		37(16) If the municipality does not provide
		an appraisal in accordance with subsection
		(15), the municipality shall immediately
		refund to the owner the difference, if any,
		between the amount of the community
		benefits charge imposed by the
		municipality and the maximum amount
		determined in accordance with subsection
		(12) based on the value of the land
		identified in the appraisal referred to in
		clause (13) (b).
		37(17) If the municipality provides an
		appraisal in accordance with subsection
		(15) and the value of the land identified in
		that appraisal is within 5 per cent of the
		value identified in the appraisal referred to
		in clause (13) (b), the municipality shall
		immediately refund to the owner the
		difference, if any, between the amount of
		the community benefits charge imposed by
		the municipality and the maximum amount
		determined in accordance with subsection
		(12) based on the value of the land
		identified in the appraisal referred to in
		clause (13) (b) or subsection (15),
		whichever identifies the higher value of the
		land.

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
		37(18) If the municipality provides an
		appraisal in accordance with subsection
		(15) and the value of the land identified in
		that appraisal is not within 5 per cent of the
		value identified in the appraisal referred to
		in clause (13) (b), the municipality shall 73
		request that a person selected by the owner
		from the list referred to in subsection (22)
		prepare an appraisal of the value of the land
		as of the valuation date.
		37(19) The municipality shall provide the
		owner with the appraisal referred to in
		subsection (18) within the prescribed time
		period.
		37(20) If an appraisal is prepared in
		accordance with subsection (18), the
		municipality shall immediately refund to
		the owner the difference, if any, between
		the amount of the community benefits
		charge imposed by the municipality and the
		maximum amount determined in
		accordance with subsection (12) based on
		the value of the land identified in the
		appraisal referred to in subsection (18)
		37(21) For greater certainty, a refund is not
		required under subsection (16), (17) or (20)
		if the maximum amount determined in
		accordance with subsection (12) based on
		the value of the land identified in the
		applicable appraisal is greater than the
		amount of the community benefits charge
		imposed by the municipality.

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		(22) A municipality that has passed a
		community benefits charge by-law shall
		maintain a list of at least three persons who,
		(a) are not employees of the municipality or
		members of its council; and
		(b) have an agreement with the
		municipality to perform appraisals for the purposes of subsection (18).
		(23) A municipality shall maintain the list
		referred to in subsection (22) until the later
		of,
		(a) the day on which the community
		benefits charge by-law is repealed; and
		(h) the day on which there is no longer any
		(b) the day on which there is no longer any refund that is or could be required to be
		made under subsection (20).
		(24) No person shall construct a building
		on the land proposed for development or
		redevelopment unless,
		(a) the payment required by the community
		benefits charge by-law has been made or
		arrangements for the payment that are
		satisfactory to the council have been made;
		and
		(b) any facilities, services or matters being
		provided in accordance with subsection (6)
		have been provided or arrangements for
		their provision that are satisfactory to the
		council have been made

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
		37(25) All money received by the
		municipality under a community benefits
		charge by-law shall be paid into a special
		account.
		37(26) The money in the special account
		may be invested in securities in which the
		municipality is permitted to invest under
		the Municipal Act, 2001 or the City of
		Toronto Act, 2006, as the case may be, and
		the earnings derived from the investment of
		the money shall be paid into the special
		account.
		37(27) In each calendar year, a
		municipality shall spend or allocate at least
		60 per cent of the monies that are in the
		special account at the beginning of the year.
		37(28) A council of a municipality that
		passes a community benefits charge by-law
		shall provide the prescribed reports and
		information to the prescribed persons or
		classes of persons at such times, in such
		manner and in accordance with such other
		requirements as may be prescribed.

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		37(29) Subsection (30) applies with respect
		to the following:
		1. A special account established in accordance with subsection 37 (5), as it read on the day before the day section 9 of Schedule 12 to the More Homes, More Choice Act, 2019 comes into force.
		2. A reserve fund established in accordance with section 33 of the Development Charges Act, 1997 before the day section 2
		of Schedule 3 to the More Homes, More Choice Act, 2019 comes into force in
		respect of any of the services described in
		subsection 9.1 (3) of the Development Charges Act, 1997.

(30) The following rules apply with respect to a special account or reserve fund described in subsection (29):
1. If the municipality passes a community benefits charge by-law under this section before the specified date, the municipality shall, on the day it passes the by-law, allocate the money in the special account or reserve fund to the special account referred to in subsection (25).
2. If the municipality has not passed a community benefits charge by-law under this section before the specified date, the special account or reserve fund is deemed to be a general capital reserve fund for the same purposes for which the money in the special account or reserve fund was collected.
3. Despite paragraph 2, subsection 417 (4) of the Municipal Act, 2001 and any equivalent provision of, or made under, the City of Toronto Act, 2006 do not apply with respect to the general capital reserve fund referred to in paragraph 2.
4. If paragraph 2 applies and the municipality passes a community benefits charge by-law under this section on or after the specified date, the municipality shall, on the day it passes the by-law, allocate any money remaining in the general capital reserve fund referred to in paragraph 2 to

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
		the special account referred to in subsection (25).
		37(31) If the municipality passes a community benefits charge by-law under this section before the specified date, any credit under section 38 of the Development Charges Act, 1997 that was held as of the day before the day the by-law is passed and that relates to any of the services described in subsection 9.1 (3) of that Act may be used by the holder of the credit with respect to a community benefits charge that the holder is required to pay under a community benefits charge by-law
N/A	N/A	<ul> <li>37.1 (1) In this section,</li> <li>"by-law described in the repealed subsection 37 (1)" means a by-law passed under section 34 that includes, under subsection 37 (1) as it read on the day before the effective date, any requirement to provide facilities, services or matters; ("règlement municipal visé au paragraphe 37 (1) abrogé")</li> <li>"effective date" means the day section 9 of Schedule 12 to the <i>More Homes, More Choice Act, 2019</i> comes into force. ("date d'effet")</li> </ul>

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
N/A	N/A	<ul> <li>37.1 (2) Despite their repeal by section 9 of Schedule 12 to the <i>More Homes, More Choice Act, 2019</i>, the following provisions continue to apply to a local municipality until the applicable date described in subsection (5) of this section:</li> <li>1. Subsections 37 (1) to (4), as they read on the day before the effective date.</li> <li>2. Subsection 37 (5), as it read on the day before the effective date, except that the reference to a special account in that subsection shall be read as a reference to the special account referred to in subsection 37 (25).</li> </ul>

N/A	N/A	37.1(3) On and after the applicable date described in subsection (5), the following rules apply if, before that date, the local municipality has passed a by-law described in the repealed subsection 37 (1):
		1. Subsections 37 (1) to (4), as they read on the day before the effective date, continue to apply with respect to the by-law and the lands that are the subject of the by-law.
		2. Subsection 37 (5), as it read on the day before the effective date, continues to apply with respect to the by-law and the lands that are the subject of the by-law, except that the reference to a special account in that subsection shall be read as a reference to the special account referred to in subsection 37 (25).
		3. Despite subsections 2 (4) and 9 (1) of the <i>Development Charges Act, 1997</i> , the development or redevelopment of the lands that are the subject of the by-law is subject to any development charge by-law that relates to any of the services described in subsection 9.1 (3) of that Act and that applied to the lands on the day before the applicable date described in subsection (5) of this section, regardless of whether the development charge by-law has expired or been repealed.
		4. For the purposes of paragraph 3, the following rules apply:

i. the reference to a development charge by law is a reference to the by-law, as it read on the day before the applicable date described in subsection (5),
ii. despite section 34 of the <i>Development</i> <i>Charges Act, 1997</i> , if paragraph 3 applies with respect to a development charge by-law, the municipality shall pay each development charge collected under the by-law into the special account referred to in subsection 37 (25) of this Act.
5. The development or redevelopment of the lands that are the subject of the by-law described in the repealed subsection 37 (1) is not subject to a community benefits charge by-law passed under section 37.
6. The development or redevelopment of the lands that are the subject of the by-law described in the repealed subsection 37 (1) is subject to any by-law under section 42, as it read on the day before the day subsection 12 (3) of Schedule 12 to the <i>More Homes, More Choice Act, 2019</i> comes into force, that applied to the lands on the day before the effective date, regardless of whether the by-law has been repealed.
7. For the purposes of paragraph 6, the reference to a by-law under section 42 is a reference to the by-law, as it read on the day before the effective date.

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N/A	N/A	37.1(4) Subsection (3) does not apply with respect to the lands that are the subject of a by-law described in the repealed subsection 37 (1) if, on or after the applicable date
		<ul><li>described in subsection (5), the by-law,</li><li>(a) is amended to remove any requirement to provide facilities, services or matters that was included under subsection 37 (1), as it read on the day before the effective date; or</li></ul>
		(b) is repealed.
N/A	N/A	37.1(5) The applicable date referred to in subsections (2), (3) and (4) and paragraph 5 of subsection 51.1 (7) is the earlier of,
		(a) the day the municipality passes a by-law under section 37; and
		(b) the date prescribed under the <i>Development Charges Act, 1997</i> for the purposes of section 9.1 of that Act.
38(5) If a notice of appeal is filed under subsection (4), subsections 34 (23) to (26) apply with necessary modifications to the appeal.	<ul> <li>38(5) If a notice of appeal is filed under subsection (4) or (4.1), subsections 34 (23) to (26), as they read on the day before subsection 12 (2) of Schedule 3 to the <i>Building Better</i></li> </ul>	38(5) If a notice of appeal is filed under subsection (4) or (4.1), <b>subsections 34 (23)</b> <b>to (26) apply</b> with necessary modifications to the appeal.
	<i>Communities and Conserving Watersheds Act,</i> 2017 comes into force, apply with necessary modifications to the appeal.	

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
42 (0.1) In this section, "dwelling unit" means any property that is used or designed for use as a domestic establishment in which one or more persons may sleep and prepare and serve meals; ("logement") "effective date" means the day subsection 28 (1) of the <i>Smart Growth for Our</i>	<ul> <li>42 (0.1) In this section,</li> <li>"dwelling unit" means any property that is used or designed for use as a domestic establishment in which one or more persons may sleep and prepare and serve meals; ("logement")</li> <li>"effective date" means the day subsection 28 (1) of the <i>Smart Growth for Our Communities Act</i>,</li> </ul>	Repealed
<i>Communities Act, 2015</i> comes into force. ("date d'effet")	2015 comes into force. ("date d'effet")	
Repealed	Repealed	42(2) Subject to paragraph 6 of subsection 37.1 (3), a by-law under subsection (1) is of no force and effect if a community benefits charge by-law under section 37 passed by the council of the local municipality is in force
42(3) Subject to subsection (4), as an alternative to requiring the conveyance provided for in subsection (1), in the case of land proposed for development or redevelopment for residential purposes, the by-law may require that land be conveyed to the municipality for park or other public recreational purposes at a rate of one hectare for each 300 dwelling units proposed or at such lesser rate as may be specified in the by-law.	42(3) Subject to subsection (4), as an alternative to requiring the conveyance provided for in subsection (1), in the case of land proposed for development or redevelopment for residential purposes, the by-law may require that land be conveyed to the municipality for park or other public recreational purposes at a rate of one hectare for each 300 dwelling units proposed or at such lesser rate as may be specified in the by- law.	Repealed

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
42(4) The alternative requirement authorized by subsection (3) may not be	42(4) The alternative requirement authorized by subsection (3) may not be provided for in a by-	Repealed
provided for in a by-law passed under this	law passed under this section unless there is an	
section unless there is an official plan in	official plan in effect in the local municipality that	
effect in the local municipality that contains	contains specific policies dealing with the	
specific policies dealing with the provision of lands for park or other public recreational	provision of lands for park or other public recreational purposes and the use of the	
purposes and the use of the alternative	alternative requirement.	
requirement.	anemative requirement.	
42(4.1) Before adopting the official plan	42(4.1) Before adopting the official plan policies	Repealed
policies described in subsection (4), the local	described in subsection (4), the local municipality	_
municipality shall prepare and make	shall prepare and make available to the public a	
available to the public a parks plan that	parks plan that examines the need for parkland in	
examines the need for parkland in the	the municipality.	
municipality.42(4.2) In preparing the parks plan, the	42(4.2) In preparing the parks plan, the	Repealed
municipality,	municipality,	Repeated
(a) shall consult with every school	(a) shall consult with every school board that has	
board that has jurisdiction in the	jurisdiction in the municipality; and	
municipality; and		
(b) more concult with only other persons	(b) may consult with any other persons or public bodies that the municipality considers	
(b) may consult with any other persons or public bodies that the municipality	appropriate.	
considers appropriate	appropriate.	
42(4.3) For greater certainty, subsection	42(4.3) For greater certainty, subsection (4.1) and	Repealed
(4.1) and clause $(4.2)$ (a) do not apply with	clause (4.2) (a) do not apply with respect to	-
respect to official plan policies adopted	official plan policies adopted before the effective	
before the effective date	date.	D 11
42(6.0.1) If a rate authorized by subsection	42(6.0.1) If a rate authorized by subsection (3)	Repealed
(3) applies, the council may require a payment in lieu, calculated by using a rate of	applies, the council may require a payment in lieu, calculated by using a rate of one hectare for	
one hectare for each 500 dwelling units	each 500 dwelling units proposed or such lesser	
proposed or such lesser rate as may be	rate as may be specified in the by-law.	
specified in the by-law.	·····	

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
42(6.0.2) If a by-law passed under this	42(6.0.2) If a by-law passed under this section	Repealed
section requires a payment in lieu that	requires a payment in lieu that exceeds the	
exceeds the amount calculated under	amount calculated under subsection (6.0.1), in	
subsection (6.0.1), in circumstances where	circumstances where the alternative requirement	
the alternative requirement set out in	set out in subsection (3) applies, the by-law is	
subsection (3) applies, the by-law is deemed	deemed to be amended to be consistent with	
to be amended to be consistent with	subsection (6.0.1).	
subsection (6.0.1).		
42(6.0.3) If, on or before the effective date,	42(6.0.3) If, on or before the effective date, in	Repealed
in circumstances where the alternative	circumstances where the alternative requirement	
requirement set out in subsection (3) applies,	set out in subsection (3) applies, a payment in lieu	
a payment in lieu has been made or	has been made or arrangements for a payment in	
arrangements for a payment in lieu that are	lieu that are satisfactory to the council have been	
satisfactory to the council have been made,	made, subsections $(6.0.1)$ and $(6.0.2)$ do not	
subsections (6.0.1) and (6.0.2) do not apply	apply.	
42(6.1) If a payment is required under	42(6.1) If a payment is required under subsection	42(6.1) If a payment is required under
subsection (6) or (6.0.1), no person shall	(6) or $(6.0.1)$ , no person shall construct a building	subsection (6), no person shall construct a
construct a building on the land proposed for	on the land proposed for development or	building on the land proposed for
development or redevelopment unless the	redevelopment unless the payment has been made	development or redevelopment unless the
payment has been made or arrangements for	or arrangements for the payment that are	payment has been made or arrangements
the payment that are satisfactory to the	satisfactory to the council have been made.	for the payment that are satisfactory to the
council have been made.		council have been made.
42(6.2) If land in a local municipality is	42(6.2) If land in a local municipality is proposed	42(6.2) If land in a local municipality is
proposed for redevelopment, a part of the	for redevelopment, a part of the land meets	proposed for redevelopment, a part of the
land meets sustainability criteria set out in	sustainability criteria set out in the official plan	land meets sustainability criteria set out in
the official plan and the conditions set out in	and the conditions set out in subsection (6.3) are	the official plan and the conditions set out
subsection (6.3) are met, the council shall	met, the council shall reduce the amount of any	in subsection (6.3) are met, the council
reduce the amount of any payment required	payment required under subsection (6) or (6.0.1)	shall reduce the amount of any payment
under subsection $(6)$ or $(6.0.1)$ by the value	by the value of that part.	required under <b>subsection</b> (6) by the value
of that part.		of that part.

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
42(6.3) The conditions mentioned in	42(6.3) The conditions mentioned in subsection	42(6.3) The conditions mentioned in
subsection (6.2) are:	(6.2) are:	subsection (6.2) are:
1.The official plan contains policies relating	1. The official plan contains policies relating to the	1. The official plan contains policies
to the reduction of payments required under subsection (6) or (6.0.1).	reduction of payments required under subsection (6) or (6.0.1).	relating to the reduction of payments required under <b>subsection (6).</b>
2.No land is available to be conveyed for park or other public recreational purposes under this section.	2.No land is available to be conveyed for park or other public recreational purposes under this section.	2.No land is available to be conveyed for park or other public recreational purposes under this section.
(6.4) For the purposes of subsections (6), (6.0.1) and (6.2), the value of the land shall be determined as of the day before the day the building permit is issued in respect of the development or redevelopment or, if more than one building permit is required for the development or redevelopment, as of the day before the day the first permit is issued.	42(6.4) For the purposes of subsections (6), (6.0.1) and (6.2), the value of the land shall be determined as of the day before the day the building permit is issued in respect of the development or redevelopment or, if more than one building permit is required for the development or redevelopment, as of the day before the day the first permit is issued.	42(6.4) For the purposes of <b>subsections</b> (6) and (6.2), the value of the land shall be determined as of the day before the day the building permit is issued in respect of the development or redevelopment or, if more than one building permit is required for the development or redevelopment, as of the day before the day the first permit is issued.
42(15) All money received by the municipality under subsections (6), (6.0.1) and (14) and all money received on the sale of land under subsection (5), less any amount spent by the municipality out of its general funds in respect of the land, shall be paid into a special account and spent only for the acquisition of land to be used for park or other public recreational purposes, including the erection, improvement or repair of buildings and the acquisition of machinery for park or other public recreational purposes.	42(15) All money received by the municipality under subsections (6), (6.0.1) and (14) and all money received on the sale of land under subsection (5), less any amount spent by the municipality out of its general funds in respect of the land, shall be paid into a special account and spent only for the acquisition of land to be used for park or other public recreational purposes, including the erection, improvement or repair of buildings and the acquisition of machinery for park or other public recreational purposes.	42(15) All money received by the municipality under <b>subsections (6) and</b> (14) and all money received on the sale of land under subsection (5), less any amount spent by the municipality out of its general funds in respect of the land, shall be paid into a special account and spent only for the acquisition of land to be used for park or other public recreational purposes, including the erection, improvement or repair of buildings and the acquisition of machinery for park or other public recreational purposes.

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
42(17) The treasurer of the municipality	42(17) The treasurer of the municipality shall	42(17) A council of a municipality that
shall each year, on or before the date	each year, on or before the date specified by the	passes a by-law under this section shall
specified by the council, give the council a	council, give the council a financial statement	provide the prescribed reports and
financial statement relating to the special	relating to the special account.	information
account.		to the prescribed persons or classes of
		persons at such times, in such manner and
		in accordance with such other requirements
		as may be prescribed.
42(18) The statement shall include, for the	42(18) The statement shall include, for the	
preceding year,	preceding year,	
(a) statements of the opening and closing		
balances of the special account and of	(a)statements of the opening and closing balances	
the transactions relating to the	of the special account and of the transactions	
account;	relating to the account;	
(b) statements identifying,		
(i) any land or machinery acquired	(b)statements identifying,	
during the year with funds from		
the special account,	(i) any land or machinery acquired during the year	
(ii) any building erected, improved or	with funds from the special account,	
repaired during the year with		
funds from the special account,	(ii)any building erected, improved or repaired	
(iii) details of the amounts spent, and	during the year with funds from the special	
(iv) for each asset mentioned in	account,	
subclauses (i) and (ii), the manner		
in which any capital cost not	(iii)details of the amounts spent, and	
funded from the special account		
was or will be funded; and	(iv)for each asset mentioned in subclauses (i) and	
	(ii), the manner in which any capital cost not	
(c)any other information that is prescribed	funded from the special account was or will be	
	funded; and	
	(c)any other information that is prescribed.	

Current Version (2019)	Bill 108 Proposed Amendments
42(19) The treasurer shall give a copy of the	
statement to the Minister on request.	
42(20) The council shall ensure that the statement is made available to the public.	
45(1.0.3) The council of a local municipality may, by by-law, establish criteria for the purposes of clause (1.0.1) (b) and the following provisions, as they read on the day before section 14 of Schedule 3 to the <i>Building Better Communities</i> <i>and Conserving Watersheds Act, 2017</i> comes into force, apply, with necessary modifications, in respect of the by-law:	45(1.0.3) The council of a local municipality may, by by-law, establish criteria for the purposes of clause (1.0.1) (b) the following provisions apply with necessary modifications, in respect of the by-law:
45(17) Despite the <i>Statutory Powers Procedure</i> <i>Act</i> and subsection (16), the Tribunal may dismiss all or part of an appeal without holding a hearing, on its own initiative or on the motion of any party, if,	45 (17) Despite the Statutory Powers Procedure Act and subsection (16), the Tribunal may, on its own initiative or on the motion of any party, dismiss all or part of an appeal without holding a hearing if,
<ul> <li>51(20) At least 14 days before a decision is made by an approval authority under subsection (31), the approval authority shall ensure that,</li> <li>(a) notice of the application is given, if required by regulation, in the manner and to the persons and public bodies and containing the information prescribed; and</li> <li>(b) a public meeting is held, if required by regulation, notice of which shall be given in the manner and to the persons and public bodies and containing the information prescribed.</li> </ul>	51(20) Before a decision is made by an approval authority under subsection (31), the approval authority shall ensure that a public meeting is held, if required by regulation, notice of which shall be given in the manner and to the persons and public bodies prescribed and shall contain the information prescribed
	<ul> <li>42(19) The treasurer shall give a copy of the statement to the Minister on request.</li> <li>42(20) The council shall ensure that the statement is made available to the public.</li> <li>45(1.0.3) The council of a local municipality may, by by-law, establish criteria for the purposes of clause (1.0.1) (b) and the following provisions, as they read on the day before section 14 of Schedule 3 to the <i>Building Better Communities and Conserving Watersheds Act, 2017</i> comes into force, apply, with necessary modifications, in respect of the by-law:</li> <li>45(17) Despite the <i>Statutory Powers Procedure Act</i> and subsection (16), the Tribunal may dismiss all or part of an appeal without holding a hearing, on its own initiative or on the motion of any party, if,</li> <li>51(20) At least 14 days before a decision is made by an approval authority under subsection (31), the approval authority shall ensure that,</li> <li>(a) notice of the application is given, if required by regulation, in the manner and to the persons and public bodies and containing the information prescribed; and</li> <li>(b) a public meeting is held, if required by regulation, notice of which shall be given in the manner and to the persons and public bodies and</li> </ul>

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
51(21) An approval authority may request	51(21) An approval authority may request that a	51(21) An approval authority may request
that a local municipality or a planning board	local municipality or a planning board having	that a local municipality or a planning
having jurisdiction over the land that is	jurisdiction over the land that is proposed to be	board having jurisdiction over the land that
proposed to be subdivided give notice of the	subdivided give notice of the application or hold	is proposed to be subdivided hold the
application or hold the public meeting	the public meeting referred to in subsection (20)	public meeting referred to in subsection
referred to in subsection (20) or do both.	or do both.	(20).
51(21.1) A local municipality or planning	51(21.1) A local municipality or planning board	51(21.1) A local municipality or planning
board that is requested to give the notice	that is requested to give the notice referred to in	board that is requested to hold the public
referred to in clause (20) (a) shall ensure	clause (20) (a) shall ensure that,	meeting referred to in subsection (20) shall
that,		ensure that, (a) notice of the meeting is
(a) the notice is given in accordance with	(a) the notice is given in accordance with the	given in accordance with subsection (20);
the regulation made under clause	regulation made under clause (20) (a); and	(b) the public meeting is held; and (c) the
(20) (a); and	(b) the prescribed information and material are	prescribed information and material are
(b) the prescribed information	submitted to the approval authority within 15	submitted to the approval authority within
and material are submitted to the approval	days after the notice is given	15 days after the meeting is held.
authority within 15 days after the notice is		
given.		
51(21.2) A local municipality or planning	51(21.2) A local municipality or planning board	N/A
board that is requested to hold the public	that is requested to hold the public meeting	
meeting referred to in clause (20) (b) shall	referred to in clause (20) (b) shall ensure that,	
ensure that,		
(a)notice of the meeting is given in	(a) notice of the meeting is given in accordance	
accordance with the regulation made under	with the regulation made under clause (20) (b);	
clause (20) (b);		
(b)the public meeting is held; and	(b) the public meeting is held; and	
(c)the prescribed information and material		
are submitted to the approval authority	(c) the prescribed information and material are	
within 15 days after the meeting is held.	submitted to the approval authority within 15	
	days after the meeting is held.	

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
51(34) If an application is made for	51(34) If an application is made for approval of a	51(34) If an application is made for
approval of a plan of subdivision and the	plan of subdivision and the approval authority	approval of a plan of subdivision and the
approval authority fails to make a decision	fails to make a decision under subsection (31) on	approval authority fails to make a decision
under subsection (31) on it within 180 days	it within 180 days after the day the application is	under subsection (31) on it within <b>120 days</b>
after the day the application is received by	received by the approval authority, the applicant	after the day the application is received by
the approval authority, the applicant may	may appeal to the Tribunal with respect to the	the approval authority, the applicant may
appeal to the Municipal Board with respect	proposed subdivision by filing a notice with the	appeal to the Tribunal with respect to the
to the proposed subdivision by filing a notice	approval authority, accompanied by the fee	proposed subdivision by filing a notice with
with the approval authority, accompanied by	charged under the Local Planning Appeal	the approval authority, accompanied by the
the fee prescribed under the Ontario	Tribunal Act, 2017.	fee charged under the Local Planning
Municipal Board Act.		Appeal Tribunal Act, 2017.
51(39) Subject to subsection (43), not later	51(39) Subject to subsection (43), not later than	51(39) Subject to subsection (43), not later
than 20 days after the day that the giving of	20 days after the day that the giving of notice	than 20 days after the day that the giving of
notice under subsection (37) is completed,	under subsection (37) is completed, any of the	notice under subsection (37) is completed,
any of the following may appeal the	following may appeal the decision, the lapsing	any of the following may appeal the
decision, the lapsing provision or any of the	provision or any of the conditions to the Tribunal	decision, the lapsing provision or any of the
conditions to the Municipal Board by filing	by filing with the approval authority a notice of	conditions to the Tribunal by filing with the
with the approval authority a notice of	appeal that must set out the reasons for the appeal,	approval authority a notice of appeal that
appeal that must set out the reasons for the	accompanied by the fee charged under the Local	must set out the reasons for the appeal,
appeal, accompanied by the fee prescribed	Planning Appeal Tribunal Act, 2017	accompanied by the fee charged under
under the Ontario Municipal Board Act:		the Local Planning Appeal Tribunal Act,
		2017
	2. A person or public body who, before the	
2. A person or public body who, before the	approval authority made its decision, made oral	
approval authority made its decision, made	submissions at a public meeting or written	2. A public body that, before the approval
oral submissions at a public meeting or	submissions to the approval authority.	authority made its decision, made oral
written submissions to the approval		submissions at a public meeting or written
authority.		submissions to the approval authority.
N/A	N/A	51(39) 2.1 A person listed in subsection
		(48.3) who, before the approval authority
		made its decision, made oral submissions at
		a public meeting or written submissions to
		the approval authority.

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
51(43) At any time before the approval of	51(43) At any time before the approval of the	51(43) At any time before the approval of
the final plan of subdivision under	final plan of subdivision under subsection (58),	the final plan of subdivision under
subsection (58), any of the following may	any of the following may appeal any of the	subsection (58), any of the following may
appeal any of the conditions to the	conditions to the Tribunal by filing with the	appeal any of the conditions to the Tribunal
Municipal Board by filing with the approval	approval authority a notice of appeal that must set	by filing with the approval authority a
authority a notice of appeal that must set out	out the reasons for the appeal, accompanied by	notice of appeal that must set out the
the reasons for the appeal, accompanied by	the fee charged under the Local Planning Appeal	reasons for the appeal, accompanied by the
the fee prescribed under the Ontario	Tribunal Act, 2017:	fee charged under the Local Planning
Municipal Board Act:		Appeal Tribunal Act, 2017:
	1. The applicant.	
1.The applicant.		
	2. A public body that, before the approval	
2.A public body that, before the approval	authority made its decision, made oral	2.1 A person listed in subsection (48.3)
authority made its decision, made oral	submissions at a public meeting or written	who, before the approval authority made its
submissions at a public meeting or written	submissions to the approval authority.	decision, made oral submissions at a public
submissions to the approval authority.		meeting or written submissions to the
	3. The Minister.	approval authority.
3.The Minister.		
	4. The municipality in which the land is located or	
4. The municipality in which the land is	the planning board in whose planning area the	
located or the planning board in whose	land is located.	
planning area the land is located.		
	5. If the land is not located in a municipality or in	
5.If the land is not located in a municipality	the planning area of a planning board, any public	
or in the planning area of a planning board,	body.	
any public body.		

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
51(48) Any of the following may appeal any	51(48) Any of the following may appeal any of	51(48) Any of the following may appeal
of the changed conditions imposed by the	the changed conditions imposed by the approval	any of the changed conditions imposed by
approval authority to the Municipal Board	authority to the Tribunal by filing with the	the approval authority to the Tribunal by
by filing with the approval authority a notice	approval authority a notice of appeal that must set	filing with the approval authority a notice
of appeal that must set out the reasons for	out the reasons for the appeal, accompanied by	of appeal that must set out the reasons for
the appeal, accompanied by the fee	the fee charged under the Local Planning Appeal	the appeal, accompanied by the fee charged
prescribed under the Ontario Municipal	Tribunal Act, 2017:	under the Local Planning Appeal Tribunal
Board Act:		Act, 2017:
	2. A person or public body who, before the	
2. A person or public body who, before the	approval authority gave approval to the draft plan	2. A public body that, before the approval
approval authority gave approval to the draft	of subdivision, made oral submissions at a public	authority gave approval to the draft plan of
plan of subdivision, made oral submissions	meeting or written submissions to the approval	subdivision, made oral submissions at a
at a public meeting or written submissions to	authority or made a written request to be notified	public meeting or written submissions to
the approval authority or made a written	of changes to the conditions.	the approval authority or made a written
request to be notified of changes to the		request to be notified of changes to the
conditions.		conditions.
		51(48) 2.1 A person listed in subsection
		(48.3) who, before the approval authority
		gave approval to the draft plan of
		subdivision, made oral submissions at a
		public meeting or written submissions to
		the approval authority or made a written
		request to be notified of changes to the
		conditions.

N/A	N/A	<ul> <li>51(48.3) The following are listed for the purposes of paragraph 2.1 of subsection (39), paragraph 2.1 of subsection (43) and paragraph 2.1 of subsection (48):</li> <li>1. A corporation operating an electric utility in the local municipality or planning area to which the plan of subdivision would apply.</li> <li>2. Ontario Power Generation Inc.</li> <li>3. Hydro One Inc.</li> <li>4. A company operating a natural gas utility in the local municipality or planning area to which the plan of subdivision would apply.</li> <li>5. A company operating an oil or natural gas pipeline in the local municipality or planning area to which the plan of subdivision would apply.</li> <li>6. A person required to prepare a risk and safety management plan in respect of an operation under Ontario Regulation 211/01</li> </ul>
		operation under Ontario Regulation 211/01 (Propane Storage and Handling) made under the Technical Standards and Safety Act, 2000, if any part of the distance established as the hazard distance applicable to the operation and referenced in the risk and safety management plan is within the area to which the plan of subdivision would apply.

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
		7. A company operating a railway line any part of which is located within 300 metres of any part of the area to which the plan of subdivision would apply.
		8. A company operating as a telecommunication infrastructure provider in the area to which the plan of subdivision would apply.
51(52.4) When subsection (52.3) applies, the Municipal Board may, on its own initiative or on a motion by the approval authority or any party, consider whether the information and material could have materially affected the approval authority's decision and, if the Board determined that it could have done so, it shall not be admitted into evidence until subsection (52.5) has been complied with and the prescribed time period has elapsed.	51(52.4) If subsection (52.3) applies and if the approval authority so requests, the Tribunal shall not admit the information and material into evidence until subsection (52.5) has been complied with and the prescribed time period has elapsed.	51(52.4) When subsection (52.3) applies, the Tribunal may, on its own initiative or on a motion by the approval authority or any party, consider whether the information and material could have materially affected the approval authority's decision and, if the Tribunal determines that it could have done so, it shall not be admitted into evidence until subsection (52.5) has been complied with and the prescribed time period has elapsed.
51(53) Despite the <i>Statutory Powers</i> <i>Procedure Act</i> and subsection (52), the Municipal Board may dismiss an appeal without holding a hearing on its own initiative or on the motion of any party, if,	51(53) Despite the <i>Statutory Powers Procedure</i> <i>Act</i> and subsection (52), the Tribunal may dismiss an appeal without holding a hearing on its own initiative or on the motion of any party, if,	51(53) Despite the Statutory Powers Procedure Act and subsection (52), the Tribunal may, on its own initiative or on the motion of any party, dismiss an appeal without holding a hearing if,

Planning Act (pre Bill 139)	Current Version (2019)	Bill 108 Proposed Amendments
51.1 (0.1) In this section,	51.1 (0.1) In this section,	51.1(0.1) In this section, "effective date"
"dwelling unit" means any property that is	"dwelling unit" means any property that is used or	means the day section 9 of Schedule 12 to
used or designed for use as a domestic	designed for use as a domestic establishment in	the More Homes, More Choice Act, 2019
establishment in which one or more persons	which one or more persons may sleep and prepare	comes into force.
may sleep and prepare and serve meals;	and serve meals; ("logement")	
("logement")	"effective date" means the day subsection 32 (1)	
"effective date" means the day subsection 32	of the Smart Growth for Our Communities Act,	
(1) of the Smart Growth for Our	2015 comes into force. ("date d'effet")	
Communities Act, 2015 comes into force.		
("date d'effet")		
51.1(2) If the approval authority has	51.1(2) If the approval authority has imposed a	Repealed
imposed a condition under subsection (1)	condition under subsection (1) requiring land to	
requiring land to be conveyed to the	be conveyed to the municipality and if the	
municipality and if the municipality has an	municipality has an official plan that contains	
official plan that contains specific policies	specific policies relating to the provision of lands	
relating to the provision of lands for park or	for park or other public recreational purposes, the	
other public recreational purposes, the	municipality, in the case of a subdivision	
municipality, in the case of a subdivision	proposed for residential purposes, may, in lieu of	
proposed for residential purposes, may, in	such conveyance, require that land included in the	
lieu of such conveyance, require that land	plan be conveyed to the municipality for park or	
included in the plan be conveyed to the	other public recreational purposes at a rate of one	
municipality for park or other public	hectare for each 300 dwelling units proposed or at	
recreational purposes at a rate of one hectare	such lesser rate as may be determined by the	
for each 300 dwelling units proposed or at	municipality.	
such lesser rate as may be determined by the		
municipality		
51.1(2.1) Before adopting the official plan	51.1(2.1) Before adopting the official plan	Repealed
policies described in subsection (2), the	policies described in subsection (2), the	
municipality shall prepare and make	municipality shall prepare and make available to	
available to the public a parks plan that	the public a parks plan that examines the need	
examines the need for parkland in the	for parkland in the municipality.	
municipality		

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51.1(2.2) In preparing the parks plan, the municipality,	51.1(2.2) In preparing the parks plan, the municipality,	Repealed
(a)shall consult with every school board that has jurisdiction in the municipality; and	(a)shall consult with every school board that has jurisdiction in the municipality; and	
(b)may consult with any other persons or public bodies that the municipality considers appropriate.	(b)may consult with any other persons or public bodies that the municipality considers appropriate.	
51.1(2.3) For greater certainty, subsection (2.1) and clause (2.2) (a) do not apply with respect to official plan policies adopted before the effective date.	51.1(2.3) For greater certainty, subsection (2.1) and clause (2.2) (a) do not apply with respect to official plan policies adopted before the effective date.	Repealed
51.1(3) If the approval authority has imposed a condition under subsection (1) requiring land to be conveyed to the municipality and subsection (2) does not apply, the municipality may require a payment in lieu, to the value of the land otherwise required to be conveyed	<ul> <li>51.1(3) If the approval authority has imposed a condition under subsection (1) requiring land to be conveyed to the municipality and subsection</li> <li>(2) does not apply, the municipality may require a payment in lieu, to the value of the land otherwise required to be conveyed.</li> </ul>	51.1(3) If the approval authority has imposed a condition under subsection (1) requiring land to be conveyed to the municipality, the municipality may require a payment in lieu, to the value of the land otherwise required to be conveyed.
51.1(3.1) If the approval authority has imposed a condition under subsection (1) requiring land to be conveyed to the municipality and subsection (2) applies, the municipality may require a payment in lieu, calculated by using a rate of one hectare for each 500 dwelling units proposed or such lesser rate as may be determined by the municipality.	51.1(3.1) If the approval authority has imposed a condition under subsection (1) requiring land to be conveyed to the municipality and subsection (2) applies, the municipality may require a payment in lieu, calculated by using a rate of one hectare for each 500 dwelling units proposed or such lesser rate as may be determined by the municipality	Repealed

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51.1(3.2) If the draft plan of subdivision is approved on or before the effective date, the approval authority has imposed a condition	51(3.2) If the draft plan of subdivision is approved on or before the effective date, the approval authority has imposed a condition under	Repealed
under subsection (1) requiring land to be conveyed to the municipality and subsection	subsection (1) requiring land to be conveyed to the municipality and subsection (2) applies,	
<ul><li>(2) applies,</li><li>(a) subsection (3.1) does not apply; and</li></ul>	(a) subsection (3.1) does not apply; and	
(b)subsection (3), as it reads on the day before the effective date, continues to apply.	(b) subsection (3), as it reads on the day before the effective date, continues to apply.	
51.1(4) For the purpose of determining the amount of any payment required under subsection (3) or (3.1), the value of the land shall be determined as of the day before the day of the approval of the draft plan of subdivision.	51.1(4) For the purpose of determining the amount of any payment required under subsection (3) or (3.1), the value of the land shall be determined as of the day before the day of the approval of the draft plan of subdivision.	51.1(4) For the purpose of determining the amount of any payment required under <b>subsection (3),</b> the value of the land shall be determined as of the day before the day of the approval of the draft plan of subdivision.
51.1(5) Subsections 42 (5) and (12) to (20) apply with necessary modifications to a conveyance of land or a payment of money under this section	51.1(5) Subsections 42 (5) and (12) to (20) apply with necessary modifications to a conveyance of land or a payment of money under this section.	<ul><li>51.1(5) Subsections 42 (5) and (12) to</li><li>(17) apply with necessary modifications to a conveyance of land or a payment of money under this section.</li></ul>
		51.1(6) The development or redevelopment of land within a plan of subdivision is not subject to a community benefits charge bylaw
		under section 37, if the approval of the plan of subdivision is the subject of a condition that is imposed under subsection (1) on or after the effective date.

51.1(7) If the draft plan of subdivision is approved before the effective date and the approval authority has imposed a condition under subsection (1), the following rules apply with respect to the land within the draft plan of subdivision:
1. Subject to paragraph 2, this section, as it read on the day before the day subsection 15 (2) of Schedule 12 to the <i>More Homes</i> , <i>More Choice Act, 2019</i> comes into force, continues to apply with respect to the land.
2. Subsection (5), as it reads on and after the day subsection 15 (2) of Schedule 12 to the <i>More Homes, More Choice Act, 2019</i> comes into force, applies with respect to the land.
3. Subsections 37 (1) to (4), as they read on the day before the effective date, apply with respect to the land.
4. Subsection 37 (5), as it read on the day before the effective date, applies with respect to the land, except that the reference to a special account in that subsection shall be read as a reference to the special account referred to in subsection 37 (25).
5. Despite subsections 2 (4) and 9 (1) of the <i>Development Charges Act, 1997</i> , the development or redevelopment of the land is subject to any development charge by-law that relates to any of the services described in subsection 9.1 (3) of

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		that Act and that applied to the land on the
		day before the applicable date described in
		subsection 37.1 (5) of this Act, regardless
		of whether the development charge by-law
		has expired or been repealed.
		6. For the purposes of paragraph 5, the following rules apply:
		i. the reference to a development charge by-
		law is a reference to the by-law, as it read
		on the day before the
		applicable date described in subsection 37.1
		(5),
		ii. despite section 34 of the <i>Development</i>
		Charges Act, 1997, if paragraph 5 applies
		with respect to a development
		charge by-law, the municipality shall pay
		each development charge collected under
		the by-law into the special account referred
		to in subsection 37 (25) of this Act.
		7. The development or redevelopment of
		the land is not subject to a community
		benefits charge by-law under section 37.
53(7.1) A local municipality or planning	53(7.1) A local municipality or planning board	53(7.1) A local municipality or planning
board that is requested under subsection (6)	that is requested under subsection (6) or (7) to	board that is requested under subsection (6)
or (7) to give notice shall ensure that,	give notice shall ensure that,	or (7) to give notice shall ensure that,
(a)the notice is given in accordance with the	(a)the notice is given in accordance with the	(a)the notice is given in accordance with
regulation made under clause (5) (a); and	regulation made under clause (5) (a); and	clause 5(a); and
(b)the prescribed information and material	(b)the prescribed information and material are	(b) the prescribed information and material
are submitted to the council or the Minister,	submitted to the council or the Minister, as the	are submitted to the council or the Minister,
as the case may be, within 15 days after the	case may be, within 15 days after the notice is	as the case may be, within 15 days after the
notice is given	given.	notice is given.

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53(7.2) A local municipality or planning	53(7.2) A local municipality or planning board	53(7.2) A local municipality or planning
board that is requested under subsection (6)	that is requested under subsection (6) or (7) to	board that is requested under subsection (6)
or (7) to hold a public meeting shall ensure	hold a public meeting shall ensure that,	or (7) to hold a public meeting shall ensure
that,		that,
	(a)notice of the meeting is given in accordance	
(a)notice of the meeting is given in	with the regulation made under clause (5) (b);	(a)notice of the meeting is given in
accordance with the regulation made under		accordance with <b>clause 5(b)</b> ;
clause (5) (b);	(b)the public meeting is held; and	
		(b)the public meeting is held; and
(b)the public meeting is held; and	(c)the prescribed information and material are	
	submitted to the council or the Minister, as the	(c)the prescribed information and material
(c)the prescribed information and material are submitted to the council or the Minister,	case may be, within 15 days after the meeting is held.	are submitted to the council or the Minister,
as the case may be, within 15 days after the	neid.	as the case may be, within 15 days after the meeting is held.
meeting is held.		meeting is neid.
53(31) Despite the <i>Statutory Powers</i>	53(31) Despite the <i>Statutory Powers Procedure</i>	53(31) Despite the <i>Statutory Powers</i>
<i>Procedure Act</i> and subsection (30), the	Act and subsection (30), the Tribunal may dismiss	<i>Procedure Act</i> and subsection (30), the
Municipal Board may dismiss an appeal	an appeal without holding a hearing, on its own	Tribunal may, on its own initiative or on
without holding a hearing, on its own	initiative or on the motion of any party, if,	the motion of any party, dismiss an appeal
initiative or on the motion of any party, if,		without holding a hearing if,
N/A	N/A	70.1 (1) The Minister may make
		regulations,
		(3.1) A regulation made under paragraph
		24.1.3 of subsection (1) may prescribe
		different percentages for different
		municipalities or classes of municipalities
		and for different values of land.

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<ul> <li>70.1 (1) The Minister may make regulations,</li> <li>24.1 prescribing information for the purposes of clause 37 (8) (c);</li> </ul>	<ul> <li>70.1 (1) The Minister may make regulations,</li> <li>24.1 prescribing information for the purposes of clause 37 (8) (c);</li> <li></li> </ul>	<ul> <li>70.1 (1) The Minister may make regulations,</li> <li>24.1 prescribing types of development or redevelopment for the purposes of subsection 37 (4);</li> <li>24.1.1 prescribing facilities, services or matters for the purposes of paragraph 2 of subsection 37 (5);</li> <li>24.1.2 prescribing requirements for the purposes of clause 37 (9) (b);</li> <li>24.1.3 prescribing the percentage referred to in subsection 37 (12) to be applied to the value of land;</li> <li>24.1.4 prescribing time periods for the purposes of clause 37 (13) (b) and subsections 37 (15) and (19);</li> </ul>
70.1(1)	70.1(1)	Repealed
 24.2prescribing information for the purposes	 24.2prescribing information for the purposes of	
of clause 42 (18) (c);	clause 42 (18) (c);	

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70.1(1)	70.1(1)	70.1(1)
27.requiring that notice be given under subsections 51 (20) and 53 (5); 70.1(1)	27.requiring that notice be given under subsections 51 (20) and 53 (5); 70.1(1)	27.requiring that notice be given under subsection 53 (5); 70.1(1)
31. prescribing any other matter that is referred to in this Act as prescribed, other than matters that are prescribed under sections 70, 70.2 and 70.3	31. respecting any other matter that this Act refers to as a matter prescribed, specified or determined under the regulations, or as a matter otherwise dealt with by the regulations, other than matters respecting which the Lieutenant Governor in Council has authority to make regulations under sections 70 and 70.2, subsection 70.2.2 (5) and section 70.3.	31. respecting any other matter that this Act refers to as a matter prescribed, specified or determined under the regulations, or as a matter otherwise dealt with by the regulations, other than matters respecting which the Lieutenant Governor in Council has authority to make regulations under sections 70 and 70.2, and 70.3.
70.2 (1) The Lieutenant Governor in Council may, by regulation,	70.2 (1) The Lieutenant Governor in Council may, by regulation,	70.2 (1) The Lieutenant Governor in Council may, by regulation,
(a)establish a development permit system that local municipalities may by by-law adopt to control land use development in the municipality; or	(a) establish a development permit system that local municipalities may by by-law adopt to control land use development in the municipality;	(a) vary, supplement or override any provision in Part V as necessary to establish a development permit system, including, for greater certainty, providing that there is no appeal in respect of a by- law passed by a municipality to adopt or establish a development permit system;
		(a.1) vary, supplement or override any municipal by-law passed under Part V as necessary to establish a development permit system;

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70.2.2 (1) The Minister may, by order,	70.2.2 (1) The Minister may, by order,	70.2.2 (1) The Minister may, by order,
	(a) require a local municipality to adopt or	require a local municipality to adopt or
(a)require a local municipality to adopt or	establish a development permit system for one or	establish a development permit system that
establish a development permit system for	more purposes specified under subsection (5); or	applies to,
one or more purposes specified under	(b) require an upper-tier municipality to act under	
subsection (5); or	subsection (3).	(a) the area specified in the order, in the
		case of an order that delineates the area's
(b)require an upper-tier municipality to act		boundaries; or
under subsection (3).		
		(b) an area surrounding and including a
		specified location, in the case of an order
		that does not delineate the area's
70.2.2(2) Devi III (Decordations) of the	70.2.2(2) Dest III (Descelations) of the L $(1, 1)$	boundaries.
70.2.2(2) Part III (Regulations) of the	70.2.2(2) Part III (Regulations) of the <i>Legislation</i>	70.2.2(2) Part III (Regulations) of the
<i>Legislation Act, 2006</i> does not apply to an	Act, 2006 does not apply to an order made under	Legislation Act, 2006 does not apply to an
order made under subsection (1).	subsection (1).	order made under subsection (1).
70.2.2(3) An upper-tier municipality may,	70.2.2(3) An upper-tier municipality may, by by-	70.2.2(3) When an order made under clause
by by-law, require a local municipality that	law, require a local municipality that is its lower-	(1) (a) is in effect, the local municipality
is its lower-tier municipality to adopt or	tier municipality to adopt or establish a	shall, within the time period, if any,
establish a development permit system for	development permit system for one or more	specified in the order, adopt or establish a
one or more purposes specified under	purposes specified under subsection (5).	development permit system in respect of the area referred to in clause (1) (a).
subsection (5).	70.2.2(4) When an order mode under anhanction	
70.2.2(4) When an order made under	70.2.2(4) When an order made under subsection (1) or a by-law passed under subsection (3) is in	70.2.2(4) When an order made under clause $(1)$ (b) is in effect the local municipality.
subsection (1) or a by-law passed under subsection (3) is in effect, the local	effect, the local municipality,	(1) (b) is in effect, the local municipality shall, within the time period, if any,
	effect, the local municipality,	specified in the order, adopt or establish a
municipality,	(a) shall adopt or astablish a davalopment permit	
(a)shall adopt or establish a development	(a) shall adopt or establish a development permit system; and	development permit system in respect of,
permit system; and	(b) has discretion to determine what parts of its	(a) the specified location referred to in
permit system, and	geographic area are to be governed by the	clause (1) (b); and
(b)has discretion to determine what parts of	development permit system.	
its geographic area are to be governed by the	development permit system.	(b) an area surrounding the specified
development permit system.		location referred to in clause (1) (b).
de verophient permit system.		

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70.2.2(5) The Lieutenant Governor in	70.2.2(5) The Lieutenant Governor in Council	70.2.2(5) For the purposes of clause (4) (b),
Council may, by regulation, specify	may, by regulation, specify purposes in respect of	the local municipality has discretion to
purposes in respect of which orders and by-	which orders and by-laws requiring the adoption	determine the boundaries of the area that is
laws requiring the adoption or establishment	or establishment of development permit systems	to be governed by the development permit
of development permit systems may be made	may be made under subsections $(1)$ and $(3)$ .	system.
under subsections (1) and (3).		
N/A	N/A	70.10 (1) The Minister may make regulations providing for transitional matters respecting matters and proceedings that were commenced before, on or after the effective date.
N/A	N/A	70.10 (2) A regulation made under this section may, without limitation,
		(a) determine which matters and proceedings may be continued and disposed of under this Act, as it read on the day before the effective date, and which matters and proceedings must be continued and disposed of under this Act, as it reads on and after the effective date;
		(b) for the purpose of subsection (1), deem a matter or proceeding to have been commenced on the date or in the circumstances specified in the regulation.

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		70.10(3) If a regulation under this section
		provides for a matter or proceeding to be
		continued and disposed of under this Act,
		as it reads on and after the effective date,
		where the notice of appeal was filed under
		subsection 17 (24) or (36), 22 (7) or 34 (11)
		or (19) before the effective date, the
		regulation may also,
		(a) require the Tribunal to give a notice to
		an appellant, specifying the period of time
		during which a new notice of appeal may
		be provided to the Tribunal;
		(b) require the appellant to provide a new
		notice of appeal to the Tribunal within the
		period of time specified by the Tribunal in
		the notice required under clause (a);
		(c) deem an appeal to have been dismissed
		where the new notice of appeal was not
		received within the period of time specified
		by the Tribunal in the notice required under
		clause (a);
		(d) provide that, despite the <i>Local Planning</i>
		Appeal Tribunal Act, 2017, an appellant is
		not required to pay a fee charged under that Act.
		70.10 (4) A regulation made under this
		section prevails over any provision of this
		Act specifically mentioned in the
		regulation.
		-

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		70.10(5) In this section,
		"effective date" means the day section 20
		of Schedule 12 to the More Homes, More
		Choice Act, 2019 comes into force.
		This Schedule comes into force on a day to
		be named by proclamation of the
		Lieutenant Governor