

New rules for the OMB

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After years of complaints about the OMB, the province introduced many reforms, which took effect on Jan. 1. The changes are intended to return the board to its original role as an appeal body instead of the primary planning decision-maker.

- Cities now have 180 days, twice as long as before, to decide on most large-scale development applications.
- In an appeal to the OMB, a developer can no longer dramatically alter the development plans that are the subject of the appeal from a council decision. If there is new information, the case is returned to the local council.
- Some things can no longer be appealed to the OMB at all. For example, if a municipality rejects an expansion of its boundaries or the conversion of employment lands to residential uses, that decision is final.
- Last-minute complaints are no longer accepted. To appeal a decision to the OMB, an appellant must have made their concerns known *before* a municipal council makes its decision by writing a letter or participating in a public meeting.
- To make sure developments better fit in with the surrounding neighbourhoods, local councils can now put external design standards into their planning documents.
- To prevent urban sprawl and encourage intensification where a municipality wants it, councillors can now approve minimum heights and densities for particular areas. Before, they could only approve maximums.
- Municipalities can set up their own local appeal boards for minor variances and consents, such as splitting residential lots, and bypass the OMB entirely. Decisions on major planning matters like official plan amendments, zoning bylaws and subdivisions can still be appealed to the OMB.

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