

## **Passing of Bill 139 – the Building Better Communities and Conserving Watersheds Act, 2017**

Please note that on December 12, the Legislative Assembly passed the [Building Better Communities and Conserving Watersheds Act, 2017](#) which, among other matters, will replace the Ontario Municipal Board with a new tribunal, the Local Planning Appeal Tribunal, and helps ensure that proceedings before the tribunal are faster, fairer and more affordable.

More specifically, the legislation includes reforms that will:

- Reduce the number of appeals by limiting what could be brought before the new tribunal.
- Reduce the length and cost of hearings and create a more level playing field for all participants by introducing timelines and requiring the new tribunal to look for ways, like mediation, to settle major land use planning appeals that could avoid the hearing process altogether.
- Eliminate lengthy and often confrontational examinations and cross-examinations of witnesses by parties and their lawyers at the oral hearings of major land use planning appeals.
- Establish the Local Planning Appeal Support Centre, a new provincial agency, which will provide Ontarians with information about the land use planning appeal process, legal and planning advice, and, in certain cases, may provide legal representation in proceedings before the tribunal.
- Give more weight to key decisions made by municipal officials who have been elected to serve in the interests of the communities they represent.

These and the other reforms in the new legislation stem from last year's [comprehensive review of how the Ontario Municipal Board operates](#) and its role in the province's land-use planning system.

### **Proposed Regulatory Changes**

Some of the changes made through Bill 139 will require corresponding amendments to existing regulations and the creation of new regulations.

## **Planning Act**

Under the Planning Act, the proposed regulatory changes would:

- Require explanations of how planning proposals conform with local planning documents (which would build on other requirements);
- Clarify requirements for municipal notices;
- Make other technical changes; and
- Establish transition rules for planning matters in process at the time of proclamation under the Planning Act.

For more information, including providing comments on these matters please go to the Environmental Bill of Rights Registry:

- [EBR Registry Posting 013-1790](#): Proposed amendments to matters included in **existing regulations under the Planning Act** relating to the Building Better Communities and Conserving Watersheds Act, 2017 (Bill 139).
- [EBR Registry Posting 013-1788](#): Proposed new regulation under the Planning Act to prescribe **transitional provisions** for the Building Better Communities and Conserving Watersheds Act, 2017 (Bill 139).

## **Local Planning Appeal Tribunal Act**

Under the Local Planning Appeal Tribunal Act, 2017, the proposed regulatory changes would:

- Establish transition rules for appeals to the Tribunal under the Planning Act;
- Establish timelines for appeals to the Tribunal under the Planning Act;
- Establish time limits for submissions at oral hearings for major land use planning appeals before the Tribunal; and
- Scope the practices and procedures of the Tribunal in respect of major land use planning appeals.