



INFORMATION REPORT
TOWN OF NEWMARKET
395 Mulock Drive
P.O. Box 328
Newmarket, ON L3Y 4X7

www.newmarket.ca
info@newmarket.ca
905.895.5193

September 26, 2017

Planning and Building Services Information Report 2017-37

TO: Mayor and Members of Council
SLT/OLT

SUBJECT: Assigning By-law Numbers to Ontario Municipal Board Decisions

ORIGIN: Planning and Building Services

In accordance with the Procedure By-law, any Member of Council may request through Legislative Services that this Information Report be placed on an upcoming Committee of the Whole agenda for discussion.

Purpose

The purpose of this Information Report is to inform Council on the new procedure staff are implementing to assign by-law numbers to Official Plan and Zoning By-law Amendments approved by the Ontario Municipal Board (OMB).

Background

Official Plan and Zoning By-law Amendments are typically approved by Council and brought into force through the adoption of a by-law by Council. Every by-law has a unique number based on the year it was passed. Staff frequently use these numbers to track and file Official Plan and Zoning By-law Amendments.

On the other hand, there are certain occasions where the Ontario Municipal Board will approve an Official Plan Amendment or Zoning By-law Amendment. In those circumstances, the OMB approved by-law does not need to come before Council because there is no decision to be made. Historically, these OMB approved by-laws were not given unique numbers by the Town and that has led to some administrative confusion.

As a result, staff from Legislative Services, Legal, and Planning have:

1. Developed a new process which will assign a unique number to every by-law – regardless of whether it was adopted by Council or by the OMB; and
2. Assigned numbers to any OMB approved by-laws that were passed in the last few years, and have listed those in this report.

1) New Process for Future OMB Approved By-laws

Going forward:

1. A by-law number will be assigned to all draft by-laws provided to the OMB.
2. When the OMB issues their decision, the approved by-law is attached.
3. All OMB adopted by-laws will be referenced within the semi-annual Litigation and Risk Management Information Report to Council.

In light of Bill 139, the Building Better Communities and Conserving Watersheds Act, 2017, staff will review this process if the OMB is dissolved and a new planning appeals process is put into place, if required.

2) Adding Numbers to By-laws Approved by OMB over Last Few Years

At this time, there are eight historical by-laws which have been approved by the OMB but have not been assigned a by-law number. Most files amended both the Official Plan and Zoning By-law so there are two new by-law numbers for each file; an Official Plan Amendment (OPA) By-law Number and a Zoning By-law Amendment (ZBA) Number. Staff have assigned by-laws based on the year they were approved, as follows:

File Name/Reference	OPA By-law # assigned	ZBA By-law # assigned
Cougs-Silken Laumann OPA #17, ZBA Exception 128	2015-68	2015-69
Glenway OPA #16, ZBA Exceptions 122 to 128	2014-64	2014-25
550 & 536 Mulock Court OPA #15, ZBA Exception 126	2015-66	2015-67
17645 Yonge St – Slessor/Redwood ZBA Exception 119	n/a	2013-68
Copper Hills / East side of Leslie Street, south Side of Kingdale ZBA Exception 74	n/a	2017-51

Public Consultation

No public consultation has occurred relative to this Information Report.

Business Plan and Strategic Plan Linkages

This process will assist the Town in continuing to be Well-equipped & Managed as it will be implementing policy that reflects sound and accountable governance and good administrative practices.

Human Resource Considerations

There are no Human Resource impacts associated with this Information Report.

Budget Impact

There are no Capital or Operating Budget impacts associated with this Information Report.

Contact


For more information on this report, contact Meghan White, Planner, 905-953-5321, ext. 2460, or by email at mwhite@newmarket.ca



Meghan White, Planner



Rick Nethery, Director of Planning & Building Services



Peter Noehammer, Commissioner Development and Infrastructure Services