

# Housing Supply Action Plan: What Bill 108 and Changes to the Growth Plan Mean to You

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# Bill 108

# LPAT Appeal Process

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- **Changes to allow LPAT to make decisions based on the best planning outcome**

- LPAT process largely based on the former OMB system
- De novo hearings restored
- One hearing, not two
- Appeal tests largely restored; explicit deference to municipal decisions removed
- Limitations on adducing evidence removed; cross-examination permitted



Ontario  
Local Planning Appeal Tribunal

- **Reduced timelines for filing appeals for non-decision**

<b>Instrument</b>	<b>Pre-Bill 139</b>	<b>Bill 139</b>	<b>Bill 108</b>
Official Plan/Official Plan Amendment	180 days	210 days	120 days
Zoning By-law Amendment	120 days	150 days	90 days
Plan of Subdivision	180 days	180 days	120 days

- **Other key changes to the appeal process:**

- Limitations on third party appeals of plans of subdivision and non-decisions on lower-tier OPAs
- Non-parties (i.e. participants) may only make written submissions
- The Tribunal may impose limits on examination and cross-examination
- Potential for increased appeal fees

- **Mediation is a viable option again**

- New authority for the Tribunal to require parties to mediate

# Proposed Transition Regulation (46 day comment period)

Change	Effective Date
<ul style="list-style-type: none"><li>■ Expanded grounds of appeal of decision or non-decision rather than consistency/conformity basis</li></ul>	<ul style="list-style-type: none"><li>■ Decisions or non-decisions not yet scheduled by LPAT for hearing on merits</li></ul>
<ul style="list-style-type: none"><li>■ Limit on third party appeals and reduced timelines for appeals for OPA's</li></ul>	<ul style="list-style-type: none"><li>■ Applies to OPA's where approval authority hasn't issued notice of decision at time of proclamation</li></ul>
<ul style="list-style-type: none"><li>■ Removal of third party appeal right for plans of subdivision conditions or changes to conditions</li></ul>	<ul style="list-style-type: none"><li>■ Applies to decisions where notice given on or after proclamation</li></ul>