PLANNING & DEVELOPMENT REPORT

To: Council

Meeting Date: May 28, 2019

Prepared by: Geoff VanderBaaren
Director of Planning

Date Prepared: May 22, 2019

Subject: Response to Proposed Bill 108 - "More Homes, More Choice Act, 2019" (ERO Posting Nos. 019-0016 and 019-021**)**

Recommendation:

That the Council of the Township of Wellesley forward report P and D ???? dated May 28, 2019 to the Province in response to Bill 108, the Proposed "More Homes, More Choices Act, 2019".

Summary:

On May 2, 2019, the Provincial government released Bill 108, the proposed "More Homes, More Choice Act, 2019". If passed, Bill 108 would make major changes to 13 different Provincial statutes, including the Planning Act, the Development Charges Act, the Ontario Heritage Act and the Local Planning Tribunal Act. Highlights of the proposed changes include: significantly reducing timelines for making planning decisions; substantially changing how growth-related costs are funded through the Development Charges Act; establishing a new approach to the Endangered Species Act; and creating a new process for addressing Heritage Act designations.

Bill 108 would repeal many of the reforms to Ontario's planning system enacted through Bill 139 (the Building Better Communities and Conserving Watersheds Act, 2017) and other amendments over the past decade. These changes would bring back a land use planning appeal system similar to the former Ontario Municipal Board. Attachment A contains a summary of the key legislative changes proposed by Bill 108.

The stated intent of this initiative is to address housing supply and affordability in Ontario by: streamlining development approvals; reducing and providing more certainty about municipal development charges; and creating conditions that would make it easier to build new ownership and rental housing.

Report:

This report provides staff's comments and recommendations on the following Schedules to Bill 108:

- Schedule 6 (Environmental Assessment Act);
- Schedule 7 (Environmental Protection Act);
- Schedule 9 (Local Planning Appeal Tribunal Act);
- Schedule 11 (Ontario Heritage Act);
- Schedule 12 (Planning Act); and

If adopted, this report will be submitted to the ERO as the Townships formal comments on the proposed legislative changes.

More Homes, More Choice: Housing Supply Action Plan

On May 2, 2019 the Provincial government released "More Homes, More Choice: Housing Supply Action Plan, 2019." The new Action Plan sets out several legislative, regulatory and policy changes related to Ontario's land use planning and appeal system. To expedite implementation of the legislative changes outlined in the Action Plan, the government gave first reading to Bill 108 (the More Homes, More Choice Act, 2019) on the same day it released the Action Plan. The 30 day comment period for Bill 108 closes on June 1, 2019.

Bill 108 proposes significant changes to 13 different Provincial statutes across multiple ministries, including the Planning Act, the Development Charges Act, the Ontario Heritage Act and the Local Planning Tribunal Act. Some of the government's stated objectives of Bill 108 include:

- Supporting a range and mix of housing options, and boost housing supply;
- Addressing concerns about the land use planning appeal system;
- Making housing more attainable by reducing costs to build certain types of homes;
- Increasing the certainty of costs of development;
- Providing clearer rules and tools, and create more consistent appeals processes to help conserve cultural heritage resources while allowing housing supply to increase;

Although the focus of Bill 108 is on bringing more housing to market quickly, supply is not the primary factor or the only factor affecting the Province's and the Region's housing market. It is also influenced by a variety of other key economic factors, including lower interest rates, higher after-tax incomes, house price "spill-overs" from the Greater Toronto Area and other economic factors. Consequently, increasing housing supply alone will not solve such a complex and wide-ranging issue as affordable housing. Ongoing Provincial support for community housing will be critical to accommodating people with low and moderate incomes.

Bill 108 would repeal many, but not all, of the planning reforms enacted by Bill 139 (the Building Better Communities and Conserving Watersheds Act, 2017) and earlier amendments. These previous planning reforms supported the development of a more compact, transit-supportive urban form, and to give municipal elected officials greater control over local planning decisions.

Schedule 6 – Proposed Amendments to the Environmental Assessment Act

If passed, Bill 108 would amend the Environmental Assessment Act to include new exemptions for certain undertakings, and to establish new limitations and deadlines for when the Minister could issue orders. The proposed exemptions relate to: Provincial transportation facilities; the Ministry of Natural Resource's Stewardship and Facility Development Projects; the Management Board Secretariat and Ontario Realty Corporation services; Provincial Parks and Conservation Reserves; and the Ministry of Northern Development and Mine's activities under the Mining Act.

For undertakings where municipalities are the proponent, the proposed amendments would exempt Schedules A and A+ of the Municipal Class Environmental Assessment. Schedule A projects generally include normal or emergency operational and maintenance activities (i.e. sidewalk and road repairs). Schedule A+ activities may have been previously approved by a municipal council through annual budgets or specific mandates and required notification of the public. These undertakings are currently preapproved under the Municipal Class Environmental Assessment, but Schedule A+ undertakings currently require public notification. If these undertakings are exempted through Bill 108, then public notification may no longer be required under the Municipal Class Environmental Assessment.

It is expected that the Province, the Region and the area municipalities would continue to coordinate projects to address matters such as traffic management for road projects, even if the undertakings are exempt from the Environmental Assessment Act. Staff support reducing the amount of time required to resolve requests for orders.

Schedule 7 – Proposed Amendments to the Environmental Protection Act

If passed, Bill 108 would amend the Environmental Protection Act to allow a provincial officer to seize the number plates for a vehicle, if the officer believes that the vehicle was used or is being used in connection with an offence under the *Environmental Protection Act*, the *Nutrient Management Act*, the *Ontario Water Resources Act*, the *Pesticides Act*, the *Safe Drinking Water Act*, or the *Toxics Reduction Act*. In addition, Schedule 7 would broaden the scope of administrative penalties to ensure compliance with any requirements or orders made under the *Environmental Protection Act* or the regulations.

Staff have no concerns with the proposed changes.

Schedule 9 – Proposed Amendments to the Local Planning Appeal Tribunal Act

The government is proposing significant changes to the Province's land use planning appeal system, which was overhauled in 2017 following a major review by the former Provincial government. The Township participated in that earlier review and has been supportive of the reforms to the former Ontario Municipal Board, to support timelier decisions making and give more weight to elected municipal councils.

Bill 108 amends both the Planning Act and the Local Planning Tribunal Act (formerly called the Ontario Municipal Board Act) to reverse some of the key changes to Ontario's planning appeal system. The key proposed changes to the Local Planning Tribunal Act include:

- Providing for mandatory case management conferences for appeals of official plans/official plan amendments, zoning by-law amendments and plans of subdivision;
- Providing for mandatory mediation or other dispute resolution processes in specified circumstances;
- Repealing provisions relating to the Tribunal's ability to state a case in writing for the opinion of the Divisional Court on a question of law;
- Restoring the rights to examine or cross-examine witnesses, and allowing the Tribunal to limit any examination or cross-examination of a witness in specific circumstances;
- Limiting the submissions by non-parties to a proceeding before the Tribunal to written submissions only, but providing the Tribunal with the authority to examine such parties; and
- Providing the Tribunal with the power to determine fees for classes of persons, or classes of matters.

The government has not released details on how these changes will be implemented. There remain matters to be dealt with through regulation, including the transition of matters currently before the LPAT to the new rules once in force. Transition regulations may deal with different classes of matters differently, and may make modifications to the application of the LPAT Act as it read before the effective date of the amendments for some matters. There is presently a regulation that sets the time lines for the disposition of matters by the LPAT. There has been no indication that regulation would be repealed or replaced.

Overall, the changes proposed by Bill 108 essentially return the practice and procedures for appeals of planning matters to those under the former Ontario Municipal Board. There is potential to achieve efficiencies and reduce the time to resolve appeals through the case management process and the power of the Tribunal to require mediation or other dispute resolution to resolve one or more issues in an appeal. While the explicit power to limit examination and cross-examination accorded to the Tribunal may permit efficiencies in the hearings, it is anticipated that the exercise of that power may result in challenges.

Recommendation
The government should consult with municipalities and affected stakeholders prior to amending the implementing regulations to the LPAT Act, or approving any proposed changes to the LPAT's Rules of Practice and Procedure.

Schedule 11 – Proposed Amendments to the Ontario Heritage Act

Bill 108 proposes several key changes to the Ontario Heritage Act (OHA), including:
- Establishing principles that municipalities must consider when making decisions under Parts IV (Conservation of Property of Cultural Heritage Value or Interest) and V (Heritage Conservation Districts) of the Act;
- Creating regulatory authority to establish mandatory requirements for the content of designation heritage conservation by-laws;
- Revising the process for adding properties not yet designated (known as "listed") to the municipal heritage register, by notifying property owners if their property is "listed" and enabling them to object to the municipal council; and

- Requiring that municipal decisions regarding heritage designations and alterations be appealable to the LPAT.

Staff generally support any changes that would facilitate a timelier and more transparent heritage conservation process for property owners and the public. However some of the proposed changes may have a detrimental effect on the heritage conservation efforts of the Township. Currently, municipal councils have the authority to make final decisions with respect to the conservation, alteration or demolition of designated heritage structures. Bill 108 would enable property owners to appeal such council decisions to the LPAT, rather than the Conservation Review Board.

Staff do not support transferring this important responsibility to an adjudicating body that is not elected or accountable to the local community. Decisions regarding heritage conservation should be in the hands of members of the community who understand its unique traditions, its local history and valuable cultural heritage resources. Currently, the Conservation Review Board hears disputes on matters relating to the protection of cultural heritage, and provides expert recommendations on the matters to local councils. The proposed changes will mean that the LPAT will adjudicate disputes and render binding decisions to area municipalities on local cultural heritage matters.

In addition, staff also question whether transferring heritage-related appeals to the LPAT will have any meaningful impact on the supply of new housing in Ontario. Although heritage-related issues often generate much publicity and debate, they only affect a small percentage of housing applications in a municipality. In fact, transferring such appeals to the LPAT may potentially increase delays further by diverting the Tribunal's resources from larger housing proposals that require more immediate attention.

Recommendations
a) The Province should not transfer the authority to make final decisions with respect to heritage-related matters to the LPAT; and
b) In drafting the prescribed principles noted above, the Province should consider incorporating those principles that form the basis of existing international heritage conventions and charters, and Parks Canada's Standards and Guidelines for the Conservation of Historic Places in Canada.

Schedule 12 – Proposed Amendments to the Planning Act

1. Additional residential unit policies
The Planning Act currently requires local official plans to authorize a second dwelling unit on a residential property. The second unit could be located either in an existing detached, semi-detached or row house, or in an ancillary building or structure on the property (e.g., above laneway garages). Bill 108 would amend the Act to permit two units in the primary dwelling, and one unit in an ancillary building or structure. This would allow up to three units on a property instead of two.

We generally support this change to make it easier for homeowners to create residential units above garages, in basements and in laneways. Most second units are created in established neighbourhoods that are near schools, recreational facilities and other amenities. They also help provide affordable housing options and can be more affordable than apartment rentals. The Region's Ontario Renovates program provides up to $25,000 as a forgivable loan to create or legalize an affordable second unit.

Despite our support for this proposal, there are some ongoing challenges to creating additional units on existing properties, such as:

- the high cost of retrofitting a home or ancillary building to add additional units, including the need to ensure fire and building code compliance; and
- the ability to meet municipal parking requirements.

One way to address these challenges is to encourage more home builders and residential land developers to accommodate additional units in new construction. Designing new houses to accommodate a second unit at the outset can be more efficient than retrofitting an existing home to have a second unit. While a home with a second unit may be more expensive to purchase initially, the ability to combine a new home purchase with the purchase of an income property may be attractive to some home buyers.

Recommendations

a) The Province should review the Ontario Building Code to address barriers specific to make the creation of second units easier, including making it less onerous for developers to rough in secondary units during the construction of a new home, while maintaining safety of future residents; and

b) The Province should examine ways to encourage more home builders and residential land developers to accommodate additional units in new construction. This could include financial incentives through the Development Charges Act or modifications to the Ontario Building Code.

2. Inclusionary zoning policies

Inclusionary zoning is a planning tool that a lower-tier municipality may use to require affordable housing units to be included in residential developments of 10 units or more. The use of this tool is discretionary, and it is typically applied to create affordable housing for low and moderate-income households.

If a municipality chooses to use inclusionary zoning, the Planning Act currently enables a municipality to apply it within all or parts of their community. There are no restrictions on where it can be applied. This gives municipalities the flexibility to adapt inclusionary zoning to reflect local context, and to apply it where it is needed most. To date, none of the Region's seven area municipalities have established inclusionary zoning policies in their official plans. If approved, Bill 108 would amend the Planning Act to restrict the parts of a community that a municipality could apply inclusionary zoning if it chose to use it. Under the proposed amendment, a municipality could only use inclusionary zoning in Major Transit Station Areas (MTSAs), or areas where a development permit system has been adopted or established in response to an order made by the Minister.

These changes appear to preclude municipalities that do not have significant public transit from using this tool to provide affordable housing. Affordable housing is not only a challenge to larger urban centres, but smaller centres also struggle to make housing more affordable. Staff does not support creating restrictions on which parts of a community a municipality can apply inclusionary zoning. Fundamentally, this works against the goal of building complete communities that provide a diverse range and mix of housing options, including affordable housing. The Province's goal, and indeed every municipality's goal, should be to build more affordable housing wherever it is needed most in a community, not just within major transit station areas.

Recommendation
The Province should not amend subsection 16(5) of the Planning Act to restrict the areas where non-prescribed municipalities can apply inclusionary zoning. Municipalities should continue to have the ability to tailor inclusionary zoning to address local needs.

3. Reduction of decision timelines
The proposed amendment would significantly reduce the timelines for municipalities and the Province to make a decision on a development application before an appeal can be filed, as follows:

- Official Plans and amendments from 210 to 120 days
- Zoning by-laws from 150 to 90 days (except where there is a concurrent official plan amendment)
- Plans of subdivision from 180 to 120 days

Undue delays and uncertainty in the approval process can increase a developer's or home builder's costs and financial risks, resulting in less new housing supply, higher housing prices and a less efficient housing market. However, reducing the current timelines under the Planning Act will not necessarily bring needed housing to market quicker and could actually have a detrimental effect.

Process delays can occur for many reasons, including the need to extend public consultation on contentious development projects. They can also occur when developers propose changes to their applications midway through the process. Other delays can arise when major gaps or omissions are identified in an applicant's submission materials.

With respect to plans of subdivisions, once a municipality has granted draft approval of a plan, the developer controls how quickly to register the plan and bring new housing to market. The timing for registration depends on a range of factors, including market conditions, financial considerations, and the staging of development of surrounding lands. As a result, reducing decision timelines by 60 days as proposed would not yield significant time savings and could inadvertently increase delays by:

- Increasing the number of appeals for non-decisions, thereby diverting municipal resources away from applications already in the queue or from municipal official plan and zoning by-law updates; and

- Prompting more appeals to the LPAT from the public on development applications approved with insufficient consultation with affected residents (see comments below with respect to Bill 108's restrictions on third party appeals)

Staff believe the current timelines are appropriate and provide a good balance between a municipality's responsibility for making informed decisions, and a developer's expectation for a timely and efficient approval process.

One of the challenges with the timelines for planning decisions is that after a development application has been deemed complete by the municipality, it has no ability to pause the timelines (i.e., "stop the clock") if the applicant requests a major revision to the application, or issues arise during the municipality's review and processing of the application (e.g., the applicant's submission contains errors or omissions). Depending on the application, such revisions or issues can add significant time to the approval process.

Recommendations

a) The Province should maintain the current timelines under the Planning Act to ensure municipalities have sufficient time to review applications and make a decision. If the Province decides to change the current timelines, it should consider adopting a sliding scale approach that would set timelines based on the level of complexity of the application. This approach could, for example, set shorter timelines for smaller development proposals and longer timelines for more complex ones; and

b) The Province should establish a mechanism for a municipality to pause the decision timelines, if it identifies significant errors or omissions in the applicant's submission materials after the application has been deemed complete by the municipality.

4. Repeals to portions of Bill 139 (the Building Better Communities and Conserving Wetlands Act, 2017)

In 2017, the Province introduced a number of positive changes to the Planning Act through Bill 139. Bill 108 would repeal recent amendments to the Planning Act that:

- restricted the grounds of appeal in many instances to inconsistency with a provincial policy statement and non-conformity with a provincial or official plan;
- limited the introduction of new evidence or information at hearings; and
- imposed a two-step appeal process, limiting the Local Planning Appeal Tribunal's ability to make a final decision on a first appeal and requiring it to provide municipalities with an opportunity to make a new decision before it could issue a final decision on a second appeal. Bill 108 reverts back to the single appeal process providing the Tribunal with the authority to render a final decision at the first instance.

Staff do not support repealing the restriction on the grounds of appeal to conformity or consistency matters as it will establish a lower threshold for appeals. The current test for appeals is appropriate and affords municipalities more flexibility in determining the best options for their community. Maintaining the current legal test for appeals would also help to ensure that municipal council decisions stand, and that the Tribunal is tasked only with valid planning disputes.

Further, staff do not support returning to “de novo” hearings as proposed because it undermines local municipal decision-making processes. The Tribunal should not be given the power to review and make final decisions on substantially revised development applications. Reverting back to “de novo” hearings provide the opportunity for an applicant to submit inadequate information as part of their initial submission knowing that they can introduce new information as part of an appeal. Further, it would scale back the public’s participation in the hearing by limiting persons who are not parties to written submission only.

If passed, Bill 108 would return to a single hearing similar to the former OMB process. This process would provide the Tribunal with the authority to change a municipal council’s decision, without sending it back to council for reassessment, based on what the Tribunal believes to be the “best” planning outcome.

Staff do not support this proposed change as it works against the policy-making authority of elected councils, particularly as it relates to “de novo” hearings and the introduction of new information during the appeals process. Municipal planning decisions typical undergo extensive public consultation, professional analysis and debate at council. Such decisions should not be easily dismantled or overturned on appeal.

Recommendations

a) The Province should maintain the current grounds of appeal for major land use planning decisions to issues of consistency with the Provincial Policy Statement, and/or conformity with the Growth Plan for the Greater Golden Horseshoe and, or in the case of a local official plan amendment, conformity with the upper-tier municipality’s official plan;

b) If the government decides to revert to the previous standard for appeals, the government should seek way to require the Tribunal to exercise its dismissal powers more frequently, provided a dismissal is properly justified and will meet any challenge for judicial review;

c) The Province should introduce a more robust pre-screening tool to identify appeals without merit. One pre-screening criterion could be to require that appeals relate to identifiable pieces of land. Appeals should also relate to site-specific policies to assist with scoping an appeal and/or determining its validity;

c) The Province should not return to “de novo” hearings to ensure that planning appeals are considered in the context of the application and supporting information submitted to a municipality before municipal council made its decision;

d) If the Province decides to return to “de novo” hearing, the Province should explore ways to require the Tribunal to exercise its powers to remit matters back to municipal council for input prior to making a final determination on a planning appeal. The Province should also not limit submissions by non-parties to proceeding before the LPAT to written submissions only;

e) The Province should maintain the current “two-step” appeal process in the Planning Act to give municipalities an opportunity to make a second planning decision, prior to the LPAT overturning a municipal council’s planning decision and substituting it with its own decision; and

g) If the Province decides to delete the current “two-step” appeal process, the Province should seeks ways to require the LPAT to enforce the current “have regard to” language in the Planning Act, to give greater weight to democratically elected council decisions.

5. Restricting third party appeals for non-decisions on official plans

Currently, section 17 (40) of the Planning Act enables any person or public body to file an appeal to the LPAT with respect to official plans, if no decision was given within the specified timeline (i.e., appeals for non-decisions). Bill 108 proposes to limit the right to file such appeals to: the municipality that adopted the official plan; the Minister or; in the case of official plan amendments, the person or public body that requested the amendment. Third party individuals or community interest groups would no longer have the right to file such appeals to the LPAT.

Staff does not object in principal to this change to help reduce the potential for appeals for non-decisions. Restricting third party appeals for non-decisions would give municipalities more time to resolve any community issues outside the more rigid and expensive LPAT process. Once a decision is made by council, any individuals or community interest groups who do not agree with the decision would still have the right to file an appeal.

6. Restricting third party appeals of plans of subdivision

Currently, under section 51(39) of the Planning Act, any person or public body who participated in the public process leading up to a municipal council’s decision to approve a draft plan of subdivision has the right to appeal council’s decision to the LPAT. Bill 108 proposes to amend this section so that only the applicant, the municipality, the Minister, or a public body have right to appeal a council decision on draft plan of subdivision. Individuals, adjoining developers, and community groups would no longer be able to file an appeal, regardless of the potential impacts the plan of subdivision may have on them.

Staff do not support this change because it weakens citizen involvement in local land use planning process. An important principle of land use planning is to foster public participation and engagement in the decision-making processes. This is especially crucial for individuals that may be directly impacted by a municipality’s decision to approve a plan of subdivision. As a result, the Planning Act should not remove the right for individuals or community groups to appeal a plan of subdivision to the LPAT.

Recommendation

- The Province should not amend the Planning Act to remove the rights of individuals, adjoining land owners, or community groups to appeal a municipal council's decision to approve a plan of subdivision.

7. Section 37 Bonusing Provisions of the Planning Act

Section 37 currently permits municipalities to allow increased height or density of development in exchange for improved community facilities or services. Under Section 37, as amended, a municipality may by by-law impose community benefits charges against land to pay for capital costs of facilities, services and matters required because of development or redevelopment in the area to which the bylaw applies. A community benefits charge may be imposed in respect of development or redevelopment that meets specified requirements set out in the Act.

The Act provides that a community benefits charge may not be imposed with respect to facilities, services or matters that are prescribed or that are associated with any of the services set out in subsection 2 (4) of the Development Charges Act, 1997. The amount of the charge cannot exceed an amount equal to the prescribed percentage of the value of the land as of the day before the day the building permit is issued in respect of the development or redevelopment. A dispute resolution process is provided in cases where the landowner is of the view that the charge exceeds the maximum allowable charge. All money received under a community benefits charge by-law must be paid into a special account and a municipality must spend or allocate 60% of the monies in the special account each year. Requiring 60% of the funds to be spent every year is not reasonable for small to medium sized municipalities as it may take multiple years to build up enough funds to make meaningful improvements to parks and community facilities.

There will also be caps on the amount of funds that can be collected. Many of the details noted in these changes to the Planning Act are to be implemented through regulation which is currently unknown. There needs to be meaningful consultation with municipalities prior to release of these regulations.

Recommendation

- That any rate caps established through the Community Benefits Charge by-law be automatically indexed based on property values and construction cost inflation.
- The 60% requirement to spend the funds needs to be removed to recognize the realities of small and medium sized municipalities.

8. Section 42 Parkland Dedication By-laws

Section 42 of the Planning Act allows municipalities to collect 5% of land or cash-in-lieu for residential development and 2% for commercial/industrial development. Under Bill 108 if a municipality passes a community benefits by-law under Section 37, Section 42 (Parkland Dedication) cannot be used for the same development. These two sections are often used together where denser developments are proposed in more urban areas, but these changed do have direct impacts on the Township. As part of the changes to the Development Charges Act the removal of soft services, such as recreation facilities and libraries, will impact how the Township funds these facilities in the future, so more flexible tools under sections 37 and 42 of the Planning Act are required.

Recommendation

- enable municipalities to secure the conveyance of land for park purposes as a condition of the development or redevelopment of land along with the ability to secure a community benefits (facilities) charge in accordance with Section 37 of the Planning Act

9. Mandatory development permit system

Under the Planning Act, a local municipality may by by-law establish a development permit system within the municipality for any area set out in the by-law. A development permit system is a planning tool that provides an alternative to the current development approval processes. It effectively combines zoning, site plan and minor variance applications into a single approval process. By combining these applications into one step, a development permit system can result in faster approvals and give applicant's more certainty about the requirements for development. To date, none of the Region's seven area municipalities have established a development permit system.

Currently, under section 70.2.2 of the Planning Act, the Minister and an upper-tier municipality may require a local municipality to establish a development permit system. If required to do so, the local municipality has discretion to determine what parts of the community would be governed by the development permit system. Anyone who participated in the public process leading up to the municipality's decision to adopt the development permit system can appeal the municipality's decision to the LPAT.

If passed, Bill 108 would amend section 70.2.2 of the Planning Act to:

- remove an upper-tier municipality's ability to require a local municipality to establish a development permit system;
- enable the Minister to not only require a local municipality to establish a development permit system, but also specify what parts of the community would be governed by the system (e.g., major transit station areas and provincially significant employment zones); and
- except for the Minister, remove the right to appeal a municipality's official plan amendment to implement a development permit system.

The government has not said how quickly it intends to use its new authority, or which municipalities it would require to implement the new permit system. However, staff anticipate that the system will be likely aimed primarily at high-growth communities with higher-order transit systems and major transit stations, including potentially the Cities of Cambridge, Kitchener and Waterloo.

Overall, although staff have no objections in principle to the above proposed changes, we would request the Province to consult with municipalities on any future changes to O. Reg.173/16: Community Planning Permits.

Recommendation
The Province should consult with municipalities and other stakeholders on any future changes to O. Reg.173/16: Community Planning Permits.

Proposed Next Steps
The final content of Bill 108 has not yet been determined and proposed regulations are not yet available. Transition and other matters that were addressed in regulations to the LPAT Act are expected to be dealt with in the regulations. In addition, as part of the initial consultation last fall, the Province indicated that it is also considering amendments to the Provincial Policy Statement. However, the Province has not announced any changes to this document to date. Staff will continue to monitor Bill 108 and any proposed changes to the Provincial Policy Statement, and report back to Council as necessary.

Township Strategic Plan:

This report aligns with the initiative of Growth Management/Sustainable Growth with the strategic goal to ensure the Township of Wellesley is carefully planned and that Township policies provide for well managed balanced sustainable growth and directly relates to the strategic objective of developing strong, appropriate, local land use policies and guiding principles in the context of an Official Plan that concurs with Provincial and Regional policy.

Financial Implications:

None.

Other Department / Agency Comments:

None

Legal Considerations:

None

Attachment(s):

None

Department Head: _____

Treasurer: _____

Corporate Management Team (date): _____

Approved by:
Chief Administrative Officer: _____