



County of Simcoe
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May 30, 2019

Planning Act Review
Provincial Planning Policy Branch
Ministry of Municipal Affairs and Housing
777 Bay Street, Suite 425 (13th Floor)
Toronto, ON, M5G 2E5

Dear Sirs:

**RE: County of Simcoe Comments on Bill 108 - (Schedule 12) – the proposed More Homes, More Choice Act: Amendments to the *Planning Act*
ERO number 019-0016**

Thank you for the opportunity to provide comments on Bill 108 - (Schedule 12) – the proposed More Homes, More Choice Act: Amendments to the *Planning Act*.

The County of Simcoe notes that many of the proposed changes will fall to our local municipalities for implementation. The County recognizes that a number of the changes are intended to streamline the planning review and approvals process, as well as the appeals process under the Local Planning Appeal Tribunal (LPAT). The County supports changes that will assist our local municipalities in bringing increased and affordable housing supply to market in a more-timely manner.

This letter provides a summary of the County's comments and suggestions related to these potential amendments to the *Planning Act*.

Given that the OMB was in place for 86 years and the LPAT has been in place for a mere 14 months, the LPAT should be permitted to demonstrate the anticipated value of LPAT proceedings, and that consideration should be given to refine the LPAT application process after it has been fully tested.

The County requests that the re-introduction of "de novo" hearings be re-considered as this will diminish the powers of municipalities.

The proposed changes need to provide greater deference to local decision making on *Planning Act* applications. Repealing the requirement that LPAT appeals be made exclusively on the basis that approval of the planning instrument is inconsistent with the Provincial Policy Statement, fails to conform or conflicts with a provincial plan, or fails to conform with an Official Plan, will open up the ability for those to appeal on non-planning related grounds and will potentially increase the number of appeals received.

By removing the existing restrictions on a party's ability to introduce evidence and to call and examine witnesses at LPAT hearings, will potentially increase the length and cost of the hearings for municipalities.

The County has concerns with the decrease in time limit for the approval authority to make a decision on planning applications and for appeals to be filed. The time frames proposed are even shorter than the pre-Bill 139 *Planning Act*.

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

Furthermore, Subsection 17 (40.1) of the Act is proposed to be repealed, removing the ability for planning authorities to extend the time for appeal by up to 90 days. Given the time required to review and circulate new adopted Official Plans, it will be a challenge for the County to issue a decision within the 120 day timeframe. The County is suggesting that the government consider amending the dates to the pre-Bill 139 dates as shown above.

We support the changes regarding the restriction of third party appeals of plans of subdivision.

The above provides an overview of the comments/concerns that the County of Simcoe has with the proposed changes to the *Planning Act*. Thank you for the opportunity to provide feedback on the proposed changes. If you have any questions with respect to this correspondence, please do not hesitate to contact the undersigned.

Sincerely,
The Corporation of the County of Simcoe



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