Table 1 below includes a summary of the proposed changes proposed in Bill 185, some of which are in the legislation, and some in government releases advising of proposed approaches to non-legislative matters.

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Parking Standards Planning Act **(**Environmental Registry of Ontario 019-8369**)**	Bill 185 would limit the ability of official plans and zoning by-laws to contain policies and provisions respectively that require an owner to provide or maintain parking facilities within protected major transit station areas (PMTSAs), major transit station areas (MTSAs), and other prescribed lands.	Staff support the objective of intensification within PMTSAs and recognize the importance of intensification and transit-oriented development in reducing car dependency and promoting sustainable urban growth. However, we have concerns with a “one size fits all” application of this amendment, particularly in the Newmarket context. Staff are also seeking clarity from the Province on proposed subsection 16 (24) and the application of this policy. **Challenges with Universal Application:** As currently proposed, subsections 16 (22) to (24) would rely on the private market to determine parking needs while applying across all municipalities irrespective of the sophistication of their available transportation, pedestrian, and cycling networks. While this approach may be suitable in certain urban contexts with robust transit options and well-connected pedestrian and cycling networks, limiting a municipality’s ability to require parking could have unintended consequences. • Urbanizing areas may lack multimodal transportation systems to offset a potential ‘no minimum’ parking regime. • Visitors and residents may seek parking in nearby lower-density residential neighborhoods which could strain existing off-street supply in these areas and create tensions between different land uses. • New businesses within PMTSAs in lower density or urbanizing areas may be impacted if customers avoid these areas due to parking challenges, affecting local economies and the viability of large and small retail establishments. • Municipalities may face pressure to provide adequate parking infrastructure (e.g. public parking lots) to offset the demand and may not have the resources to do so. **Equity Considerations:** To ensure fairness and inclusivity, parking policies and regulations should consider the specific needs of each municipality. Vulnerable populations, such as elderly or disabled individuals, require convenient parking access. Some areas may benefit by limiting outdated parking requirements due to limited land supply and high land values, while other areas require more flexibility to update/modernize their parking requirements and to phase out surface parking lots in PMTSA over time. **Recommendation:** Staff recommend striking a balance between encouraging development in PMTSAs with a no-parking regime and ensuring practical parking solutions. A flexible implementation approach, tailored to each municipality’s unique circumstances, which considers the need for visitor parking, loading, local transit availability, land use patterns, and existing infrastructure, are key considerations to the success and vibrancy of each PMTSA. Municipalities should assess their specific transportation contexts and tailor parking policies and provisions accordingly. While there may be positive impacts by reducing or eliminating parking minimums in areas supported by an established and connected transit network, adapting parking policies regulations to local contexts is essential for achieving more effective and context-appropriate outcomes. Staff recommend that subsections 16(22) to (24) be amended to encouraging policies or the policies deleted altogether.
Pre-application Consultations Planning Act **(**Environmental	Pre-application consultations with municipalities will be voluntary and not mandatory. The fee refund provisions put in place by Bill 109, if a municipality did not make a decision within specified times, are proposed to be revoked. While applications filed after July 1, 2023, and before the deletion date of the fee refund requirements may still be	**Recommendation**: Staff support the deletion of provisions related to the fee refunds, which will have positive implications for the development approvals process in Newmarket. However, Staff have concerns with the new approach to pre-application consultation. While making pre-application consultations voluntary provides flexibility to developers and municipalities, it may lead to inconsistent practices. Some applicants may choose not to engage in consultations, resulting in incomplete or suboptimal applications.

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Registry of Ontario 019-8369**)**	eligible for a fee refund, the deletion date of the fee refund requirement stops the clock on these refunds. Applicants can now bring a motion to the Tribunal at any time during pre-consultation for a determination as to whether the requirements for a complete application are reasonable or have been met.	**Ontario Land Tribunal (OLT) Motions during Pre-Consultation:** Allowing applicants to bring motions to the OLT during pre-consultation could lead to legal disputes before applications are even formally submitted. The 30-day window for disputing incomplete application determinations may not align with complex projects. Applicants may rush to file motions, potentially compromising the quality of their submissions (e.g., plans and studies). OLT involvement at this early stage could strain municipal resources and delay the circulation and approvals process. **Recommendation:** Staff recommend striking a balance between flexibility and consistency in the pre-application consultation process. The Province should consider refining the legislation to encourage collaboration between municipalities and developers. This can be mitigated by requiring applicants with complex applications to consult with municipalities during the pre-application stage, while allowing flexibility for others. Applicants should also be required to review and comply with terms of reference (e.g., plans, studies) to ensure the quality of submissions therefore expediting the application review process.
Ontario Land Tribunal appeals Planning Act **(**Environmental Registry of Ontario 019-8369**)**	Private sector applications for urban boundary (settlement area) expansions can be appealed to the Tribunal. Prohibition on third party appeals of official plan amendments and re-zonings. Appeals are proposed to only be filed by the applicant, minister, public bodies and specified persons (generally utility companies that made submissions). Third party appeals filed prior to the legislation coming into force, and where the hearing has not started, will be dismissed. Changes are proposed to Ontario Regulation 549/06 – Prescribed Time Period under the Planning Act that would re-establish the prescribed time period for a municipality to review new evidence introduced in a hearing at the Ontario Land Tribunal. This change would enable the provisions related to sending new information and material back to a municipality to operate effectively and expediently.	***For appeals to urban boundary expansions, see comments **in Table 2** under the PPS 2024 Unless you are a specified person or public body, you will be unable to appeal any official plan, official plan amendment, zoning by-law, or zoning by-law amendment adopted by a municipality, regardless of whether you made oral submissions at a public meeting or written submissions to the municipality. The removal of appeal rights applies to both private applications and municipally initiated amendments. **Recommendation:** While this measure aims to streamline the development approvals process and reduce appeals to official plans/official plan amendments and re-zoning applications, staff have concerns with the impact of limiting third party appeals on the broader public interest which may lead to less balanced decision-making.
Minister's Zoning Orders/Community Infrastructure Housing Accelerators Planning Act **(**Environmental Registry of Ontario 019-8369**)**	New framework in place for requesting an MZO, including criteria that will consider whether an MZO delivers on provincial priorities, and whether it is supported by a municipal council or a mayor with strong mayor powers. These are not legislative changes, but in a document released online. The requirements include demonstrating why the normal municipal process cannot be used, as well as information on Indigenous engagement and public consultation. The authority for the issuance of Ministerial Zoning Orders remains, with the ability for municipalities to request an order included as one of two potential pathways. An expanded guide to requests for zoning orders can be found here. The Community Infrastructure Housing Accelerator process introduced by Bill 23 is proposed to be repealed.	**Recommendation:** Staff support one simplified process for circumstances in which a provincial process is required that aligns provincial priorities, and where it is necessary to not use a planning process under the Planning Act. The new framework for requesting Minister's Zoning Orders (MZOs) represents a positive step toward more transparent and accountable decision-making which considers local priorities and processes.

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Lapsing provisions for site plan control and draft plan of subdivision approval Planning Act	Developments with approved site plans which do not pull permits within a period of time can have their approvals withdrawn. The time period will be set by regulation, with a default of no less than three years if a regulation does not apply**.** Draft plans of subdivisions also will have mandatory lapsing provisions, with the time frames to be set by regulation. In instances where there is an appeal, the lapsing of the approval would not begin until the Ontario Land Tribunal has issued its decision. Further, where a draft plan of subdivision was approved on or before March 27, 1995, the approval will lapse on the third anniversary of the changes coming into effect. Draft plans of subdivisions that were approved before March 27, 1995 will lapse if not registered within three years of the bill passing.	**Recommendation**: Staff support the implementation of a sunset clause for the approval of applications for site plan control and draft plan of subdivision. When developers invest time and resources to see a development through to the site plan approval and building permit stage, it demonstrates their commitment to the project. It may also increase the likelihood of construction, thereby reducing speculative development. Developers have an incentive to move forward avoiding prolonged periods where land is undeveloped. In turn, it encourages timely development therefore aligning with the Town's objectives to meet its targets under the Housing Pledge. Staff reserve further comment until we have had an opportunity to review the regulations for draft plan of subdivision(s).
Municipal Planning Data Reporting Planning Act regulation (Environmental Registry of Ontario 019- 8368)	Proposed amendments to regulation related to information reported to the Province on a quarterly and annual basis. The proposed amendments include a requirement to prepare a summary table, which outlines key statistics for each quarterly report, a requirement to publish this summary to municipal webpages, beginning October 1, 2024.	**Recommendation:** Staff request the Province provides the 50 municipalities a user-friendly platform that allows for efficient reporting and consistency of data to be shared amongst the municipalities. Amendments 2 and 3 may be difficult to track. Planning staff do not actively track the registration of plans of subdivision and condominium, which would require a new process. Staff are seeking clarity on what constitutes a 'submission' under 5b?
Upper tier municipalities Planning Act **(**Environmental Registry of Ontario 019-8370**)**	Proposed amendments specify the upper-tier municipalities, including York Region, that no longer will have planning responsibilities on the later of the day Bill 185 receives Royal Assent and July 1, 2024.	*Key changes and comments are summarized in Staff's Regional Planning Transition matrix.
Public notices Planning Act regulations, Development Charges Act regulation **(**Environmental Registry of Ontario 019-8370**)**	Proposed amendments to regulations would enable municipalities to provide notice of new planning applications and community benefits charge by-laws under the Planning Act or give notice on the municipal website under the Development Charges Act if there if no local newspaper. The ministry is also working to identify best practices for public engagement, including how municipalities engage culturally diverse communities through non-English and French languages.	**Recommendation:** Staff support these changes to modernize the method in which a municipality provides notice on new planning applications and community benefits charge by-laws. In lieu of letter notices and/or postings in local newspapers, the Province and municipalities should continue to explore opportunities and options to make the notification process as equitable as possible as not all people have easy access to the internet.
Additional Residential Unit Regulations Planning Act (Environmental Registry of Ontario 019-8366)	Proposed amendments would give the Minister new regulation-making powers to remove zoning barriers for small multi-unit residential developments. Part V of the Planning Act contains the tools to control land use including zoning by-laws, minor variances, site plan control, community benefits charge, parkland conveyance, among others. Section 70.2 of the Planning Act pertains to the regulation of a community planning permit system (formerly known as a development permit system). Bill 185 proposes to add a new section 49.3 to the Planning Act, which would *authorize regulations that provide for the non-application of any provision of Part V of the Planning Act or a regulation under section 70.2 of the Planning Act, or that set out restrictions or limitations with respect to its application, to ARUs that*	**Recommendation** While Staff support removing zoning barriers, where reasonable, to facilitate ARUs, there is a need to strike the right balance between good design and streamlining the process, while allowing municipalities to make decisions on zoning provisions that suit the local context. **Discussion Questions from the Province** **Are there specific zoning by-law barriers standards or requirements that frustrate the development of ARUs (e.g., maximum building height, minimum lot size, side and rear lot setbacks, lot coverage, maximum number of bedrooms permitted per lot, and angular plane requirements, etc.)?** • **Angular Plane Requirements:** Since ARUs are typically limited to single detached, semi-detached, and rowhouses, the application of angular planes should be minimal. Angular planes are typically applied to

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	meet prescribed criteria. Corresponding changes to the general regulation-making powers of the Province under section 70 of the Planning Act are also proposed.	mid-rise building typologies (e.g. exceeding 5-6 storeys) and aim to reduce shadow impact from taller structures on lower residential neighborhoods. • **Removing Minimum Lot Size Provisions for Garden Suites** • **Minimizing Overly Restrictive Parking Requirements:** Stringent parking regulations can hinder ARU development. Relaxing parking demands could facilitate the creation of additional units. • **Restrictions on Projections into Side Yards:** Limitations on permitted projections into side yards can impact the feasibility of separate entrances for ARUs. • **Rear Yard Setbacks for Garden Suites:** Minimizing excessive rear yard setbacks to remove barriers for garden suites. Adjusting setback requirements may encourage more ARU construction. • **Maximum Number of Bedrooms:** Some by-laws restrict the number of bedrooms in ARUs. Revisiting these limits could enhance housing options. • **Inclusion of Garden Suites in Accessory Structure Lot Coverage Calculations:** Considering garden suites within lot coverage calculations for accessory structures can affect their feasibility. **2. Are there any other changes that would help support development of ARUs?** Financial Support and Grants: Offering financial assistance or grants specifically for ARU development can encourage homeowners to create additional units. This could include provincial funding for design, construction, or energy-efficient features. Streamlined Permitting and Approval Processes: Simplifying the permitting and approval procedures for ARUs (e.g. creating an ARU 'template') can reduce barriers. Expedited processes and clear guidelines can encourage homeowners to invest in these units. Promotion of Innovative Housing Models: Exploring innovative housing models, such as tiny homes, modular units, or co-housing, can diversify ARU options. Encouraging experimentation can lead to more affordable and sustainable solutions.
Community Service Facilities & Post Secondary Institutions Planning Act **(**Environmental Registry of Ontario 019-8370**)**	New section added to the Planning Act to authorize regulations that provide for the non-application of any provision of the Planning Act or a regulation to prescribed classes of community service facilities to provide a new expeditated approval process for such community service facilities. Community service facilities currently being contemplated for such exemptions include schools, hospitals and long-term care homes. Bill 185 includes an exemption from the Planning Act for any undertaking of a publicly assisted post-secondary institution.	**Recommendation:** The proposed legislation does not identify what constitutes an undertaking for the purposes of this exemption, which will be subject to prescribed limits. Staff would like to know what the municipality's role is in this process. Would it be similar to an MZO? Would community service facilities and student housing for post-secondary institutions be subject to site plan control? Staff are unclear what this process entails and may have further comments and/or questions for the Province once information is provided through the respective regulation.
Financial Assistance to Businesses Municipal Act, 2001	Bill 185 proposes to add a new Section 106.1, which if passed, would allow the Province to make regulations authorizing a municipality to grant assistance, directly or indirectly, to a specified manufacturing business or other industrial or commercial enterprise during a specified	**Recommendation on Section 106.1:** Staff recognize the intention of this new legislation is to attract investment to Ontario, help stimulate economic growth, and create jobs. The legislation would provide the Province, and local municipalities, the ability to target specific sectors (such as manufacturing) for assistance, allowing for strategic economic development, subject to certain conditions. Providing financial

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	period if the Province considers that it is necessary or desirable in the provincial interest to attract investment in Ontario. This regulation-making power would also allow the Province to set out the types of assistance that may be granted as well as impose restrictions, limits, or conditions on the granting of the assistance. The Province may also specify conditions that must be met before the assistance may be granted.	assistance, however, requires resources, which could strain municipal budgets. Staff have questions regarding funding, and where the financial assistance will be coming from. Can the Province clarify what granting assistance entails, whether directly or indirectly? The legislation would require the Province to assess whether assistance is necessary or desirable in the provincial interest. However, Staff have concerns that granting assistance to specific businesses without a transparent decision-making process, or through a process under the Planning Act (e.g. a CIP) may raise concerns about favoritism, the perception of unfair competition, or unequal treatment. Staff are seeking clarity on how the Province intends to involve municipalities in making decisions on who receives assistance? How will the government ensure the granting of funds is a transparent process? The legislation should define clear criteria for granting assistance. Without transparency and accountability mechanisms, there's a risk of misuse or ineffective support. There is also the possibility that decisions on assistance could become politically influenced.
Sewage and Water Allocation Policies Municipal Act, 2001	Bill 185 proposes amendments the Municipal Act, 2001 by adding section 86.1, which provides that a municipality may, by by-law, adopt a policy providing for the allocation of water supply and sewage capacity. Such a policy may include a system for tracking the water supply and sewage capacity available to support approved developments as well as criteria respecting the allocation of water supply and sewage capacity to development applications. Decisions under the policy regarding allocation to individual developments are required to be assigned to an officer, employee or agent of the municipality and such decisions are proposed to be final and not subject to appeal.	**Recommendation on Servicing Allocation:** Newmarket currently tracks servicing allocation with regular reporting to Council in accordance with the Town's servicing allocation policy. Newmarket is also part of a York Region Capacity Assignment Working Group who will be meeting quarterly to discuss servicing allocation. Municipalities should have the option to decide whether or not to delegate decisions on servicing allocation to staff. The Town therefore suggests that subsection 86.1(3) be removed from Bill 185, or that it be revised to replace "must" with "may" in respect of assigning administration of the policy to an officer, employee or agent of the municipality. Newmarket's current framework of reporting to Council for decisions on servicing allocation, in accordance with an established policy, has worked well as a fair and transparent mechanism to assign servicing allocation to approved development.Staff may have further comments once the Province clarifies through the regulations which class of development would be exempted and other details of this provision as they may arise.
Development Charges Development Charges Act, 1997 **(**Environmental Registry of Ontario 019-8371**)**	Five-year phase in of increased development charges introduced in Bill 23 would be revoked. Introduction of new subsection 19(1.3), which allows a municipality to amend a DC By-law to increase a development charge imposed during the first four years that the DC By-law was in force to the amount that could have been charged if the mandatory "phase in" had never been in effect. The above-described increase must be passed within six months after Bill 185 receives royal assent and is currently not proposed to be subject to the normal requirements associated with the passage of a DC By-law (i.e., no background study, public notice or appeals to the Ontario Land Tribunal). Subsection 5 (3) of the *Development Charges Act, 1997* is amended to add the costs of certain studies as capital costs for the purposes of section 5. Specified transition and special rules in section 5 are repealed and new transition rules with respect to the repeal of subsections 5 (7) and (8) are added.	We would be in support of growth management related studies being an eligible DC cost again, but it is not clear if these studies would be covered under Subsection 1-4, or 5. **Phasing-in:** The Town had estimated that the revenue loss from mandatory phasing-in would require a 1-2% tax increase to offset it. We support reversing the five year phase-in introduced through Bill 23. **Subsection 5(3):** The Town had estimated that the revenue loss from excluding services in Subsection 5(3) would require up to a 1% tax increase to offset it. The Town supports a reinstatement of all services rather than just some.