



May 2, 2024

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Provincial Land Use Plans Branch  
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## **RE: ERO Posting 019-8369**

Thank you for providing the opportunity for the County of Bruce to comment on ERO Posting 019-8369 on the proposed Planning Act, City of Toronto Act, and Municipal Act changes proposed through Bill 185.

Bill 185 reverses a number of recent decisions that could have been entirely avoided through effective consultation, and creates significant new regulation-making authority.

Bruce County and our eight local municipalities are committed to supporting the province's goals to increase housing supply, bring more affordable housing to market and streamline the development process to get more homes built faster. Bruce County delivers planning services to our eight partner municipalities and delivers a range of housing services, including the construction of County owned/operated housing.

Throughout the recent changes to the Planning System, Bruce County and its partner municipalities have been advancing initiatives to increase the supply of affordable housing by updating planning documents and preparing a new County Official Plan.

Bruce County appreciates the provincial effort, through revisions to 3<sup>rd</sup>-party appeal rights, to increase certainty afforded to Municipalities as they work to prepare and update Official Plans and Zoning by-laws to guide and direct growth and permit appropriate development as-of-right.

Bruce County has some concerns that opportunities for private applications for boundary expansions at any time, and the return of appeal rights in the event of a refusal or non-decision on such expansions, could draw municipal resources away from the important work of planning and facilitating efficient growth within planned service areas.

Bruce County also has some concerns that restrictions to third-party appeal rights could lead concerned members of the public to increase pressure on agencies and First Nations that retain appeal rights, and could lead concerned members of the public to pursue other

avenues such as judicial review, with unknown costs, timeframes, and processes.

If the province moves forward with restricting third-party appeals to the tribunal, there may be benefit to further articulating that decisions that are not appealed, or decisions by the tribunal, are not subject to further review.

Bruce County appreciates the province proposing to eliminate provisions requiring mandatory refunds for zoning amendments and site plan control applications that exceed provincial timelines, so that Municipalities can retain the financial resources required to evaluate what are increasingly complex development proposals. We suggest waiving any outstanding requirements for refunds, and if this cannot be accommodated suggest setting the in-effect date to April 10, 2024 when the legislation was tabled.

Bruce County also appreciates the province providing for lapsing of approvals, in an effort to encourage development proposals to proceed swiftly to construction. Although we have a small number of legacy subdivisions that were approved by the province without lapsing dates before March 27, 1995, we are concerned that lack of flexibility regarding these approvals could lead to proponents filing appeals of conditions in order to delay or avoid their eventual lapsing. We suggest some review of provisions that permit proponents to appeal subdivision conditions at any time up to final approval (or lapsing) of a subdivision, or some expedited process that avoids municipalities needing to commit significant resources to addressing such appeals at the tribunal.

While many of the directions through Bill 185 are welcome, the prospect for provincial regulations that restrict, limit, or otherwise exempt their application may temper municipal interest in taking advantage of tools like lapsing provisions, water and sewer allocation by-laws, community planning permit systems, and planning tools, until the operating environment is more clear.

Bruce County therefore asks the province to commit to timely and robust engagement on proposed regulations through the Environmental Registry and stakeholder engagement and would be pleased to support the province in this regard.

With respect to the specific regulation-making authorities included in Bill 185, Bruce County appreciates the provincial interest in setting appropriate standards that can streamline development and avoid the need for every local municipality to amend plans and by-laws to facilitate increased housing supply or other common priorities.

While it is important to streamline the approvals process, it is also important to ensure that appropriate consideration can be given to planning for community-shaping infrastructure - including schools, long-term care homes, and hospitals, to align the resources, systems and infrastructure that build strong, healthy, and complete communities.

With respect to the authority to grant assistance, we suggest that the province provide greater clarity with respect to whether regulations under this act are anticipated to be issued to multiple municipalities, setting off a competition among communities within Ontario to land investment, or to align incentives for specific initiatives in order to attract specific investments to specific communities in Ontario.

Bruce County Council and staff appreciate the opportunity to provide input on the Planning, City of Toronto, and Municipal Act changes proposed through Bill 185.

Please contact the undersigned should you have any further questions.

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