

Staff Report

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Report To:	General Government Committee	
Date of Meeting:	May 6, 2024	Report Number: FSD-024-24
Submitted By:	Trevor Pinn, Deputy CAO/Treasurer, Finance and Technology; Carlos Salazar, Deputy CAO, Planning and Infrastructure Services	
Reviewed By:	Mary-Anne Dempster, CAO	Resolution #:
Authored by:	Amanda Crompton, Principal Planner Trevor Pinn, Deputy CAO/Treasurer, Finance and Technology	
File Number:	PLN 1.1.31	By-law #:
Report Subject:	Cutting Red Tape to Build More Homes Act 2024 (Bill 185) Comments	

Recommendation:

1. That Report FSD-024-24, and any related delegations or communication items, be received for information;
2. That Report FSD-024-24 be adopted as the Municipality of Clarington's comments to the Province on the Cutting Red Tape to Build More Homes Act 2024 (Bill 185);
3. That a copy of Report FSD-024-24 and Council's decision be sent to the Ministry of Municipal Affairs and Housing, Ministry of Red Tape Reduction, the Region of Durham and the other Durham Region area municipalities; and
4. That all interested parties listed in Report FSD-024-24 and any delegations be advised of Council's direction.

Report Overview

On April 10, 2024, the Ontario government released a suite of proposed legislative, regulatory and policy changes as part of the “Spring 2024 Red Tape Reduction Package” aimed at achieving its goal of building 1.5 million homes by 2031. These changes, which follow previous rounds of legislation introduced by the Government, would impact Clarington’s powers under the *Planning Act*, *Development Charges Act* and *Municipal Act*.

Two major pieces of legislative and policy changes were released for consultation: *Cutting Red Tape to Build More Homes Act (Bill 185)* and an updated draft of a new Provincial Planning Statement.

The deadline to submit comments to the Province is May 10, 2024. Staff plan to submit Municipal comments by May 10, subject to Council ratification/modification.

The purpose of this report is to (i) summarize the Province’s changes under Bill 185, (ii) present staff’s comments on the changes submitted to the Province as draft to meet the tight commenting deadline, and (iii) bring forward recommendations to address potential implications of the legislation for Council’s consideration.

Comments on the new draft Provincial Planning Statement 2024 will be presented in a separate Planning and Development Report (see Report PDS-017-24) at the May 13, 2024 Planning and Development Committee.

1. Background

- 1.1 On April 10, 2024, the Government of Ontario introduced Bill 185: Cutting Red Tape to Build More Homes Act, 2024, to achieve its goal of building 1.5 million homes by 2031. These changes, which follow previous rounds of legislation introduced by the Provincial Government, would impact Clarington’s powers under the *Planning Act*, *Development Charges Act*, and *Municipal Act*.
- 1.2 On the same day, the Province released an updated draft of a new Provincial Planning Statement (PPS) 2024. This release comes one year after the first draft of the new PPS was issued for comment. Staff comments on the new PPS will be detailed in a separate report to Planning and Development Committee on May 13, 2024 (Report PDS-017-24).
- 1.3 The following proposals were posted for consultation with a commenting deadline of May 10, 2024:
 - [ERO #019-8462](#): An updated proposed Provincial Planning Statement, with new and updated policies for feedback based on the results of the 2023 consultation of the proposed Provincial Planning Statement (ERO #019-6813);
 - [ERO #019-8366](#): Removing barriers to additional residential units;

- [ERO #019-8368](#): Proposed amendments to Ontario Regulation 73/23: Municipal Planning Data Reporting regulation;
- [ERO #019-8369](#): Changes to the *Planning Act*, City of Toronto Act, 2006, and *Municipal Act*, 2001;
- [ERO #019-8370](#): Regulatory changes under the Planning Act and *Development Charges Act*, 1997: Newspaper Notice Requirements and Consequential Housekeeping Changes; and
- [ERO #019-8371](#): Changes to the *Development Charges Act*, 1997, to enhance municipalities' ability to invest in housing-enabling infrastructure.

1.4 Over the last three years, there have been no fewer than ten bills brought forward by the Province related to matters of land use planning, development and municipal regulatory powers. The following past staff reports are of particular relevance to the matters outlined in this report:

- June 3, 2019, Planning and Development Committee, [PSD-027-19 More Homes, More Choices Act, 2019 \(Bill 108\)](#);
- December 5, 2022, Planning and Development Committee, [PDS-051-22 More Homes for Everyone Act, 2022 \(Bill 109\)](#);
- December 5, 2022, Planning and Development Committee, [PDS-054-22 More Homes Built Faster Act, 2022 \(Bill 23\)](#); and
- June 27, 2023, Planning and Development Committee, [PDS-037-23 Helping Homebuyers, Protecting Tenants Act, 2023 \(Bill 97\) and Proposed Provincial Planning Statement, 2023](#).

Although the above bills received Royal Assent and are in effect, bill numbers are referenced throughout the report for ease of recognition.

Summary of Proposed Changes Under Bill 185

- 1.5 [Bill 185: Cutting Red Tape to Build More Homes Act, 2024](#) includes amendments to 15 Acts. Some of the changes are new, whereas others are carried forward, amended, or revoked from previous legislation.
- 1.6 As Bill 185 is considered an omnibus bill, there are several items that will have no impact to the Municipality. The following are the schedules to the bill, items impacting the Municipality will be expanded in following paragraphs:

Schedule	Impacted Act	Summary of Change
1	An Act to Incorporate the Trinity College School	Provides the capacity, rights, powers and privileges of a natural person and changes to the governing body
2	Arts Council Act	Renames the Province of Ontario Council for the Arts to the Ontario Arts Council
3	Building Opportunities in the Skilled Trades Act	Permits the Registrar to delegate their powers and duties to employees
4	City of Toronto Act, 2006	Changes to the City of Toronto Act which mirror changes to the Municipal Act (to be discussed below)
5	Coroners Act	Requires the sheriff to provide information as may be prescribed
6	Development Charges Act, 1997	See Section 2 of this Report
7	Hazel McCallion Act, 2023	Renames the act to include “Peel Restructuring” rather than “Peel Dissolution”. Provides update mandate for the transition board to provide recommendations on the transfer of powers, responsibilities or jurisdiction of the Region with respect to land use planning, water and wastewater, storm water, highways and waste management
8	Line Fences Act	Changes the definition of “appeals division”, adds a new section sets out by which means any document is required to be sent, served or given. Changes to allow the Minister to appoint a referee or deputy referees, previously the

Schedule	Impacted Act	Summary of Change
		Lieutenant Governor in Council Other housekeeping and consequential amendments
9	Municipal Act, 2001	See Section 3 of this Report
10	Niagara Parks Act	Remove the requirement that members of the Commission be appointed annually, changed to a term as determined by council for the municipality
11	Ontario Energy Board Act, 1998	Changes subsection 90(2) to provide that the requirements to obtain leave to construct applies to the relocation or reconstruction of a hydrocarbon line only if the conditions prescribed in the regulations are met, 92(2) is also re-enacted
12	Planning Act	See Section 4 of this Report
13	Poet Laureate of Ontario Act	Amendments to reflect the name change to the Ontario Arts Council
14	Redeemer Reformed Christian College Act	Reduces the size of the board of governors and other related amendments
15	Université de Hearst Act, 2021	Changes the composition of the board of governors of the University

1.7 The following three sections summarize the proposed changes that have an impact to the Municipality of Clarington.

2. Summary of Proposed Changes to the *Development Charges Act, 1997*

Redefines eligible capital costs

- 2.1 Reinstates background studies, such as master plans and development charge (DC) background studies, as eligible capital costs for DCs.
- 2.2 This change ensures that the costs associated with studies related to growth, such as official plans, road needs studies, master plans and other studies, are paid for by the growth that they facilitate. The Municipality's current DC by-law was adopted prior to the change, so there is no change or financial impact; however, as we are underway with our new DC background study, we will be able to maintain the studies as an eligible cost for recovery.

Repeals mandatory phase-in

- 2.3 Repeals the mandatory five-year phase-in of DC rates that was introduced through Bill 23. This phase-in would reduce the charge, which is based on the costs that are needed to facilitate growth, by 20% in the first year, 15% in the second year, 10% in the third year and 5% in the fourth year. The impact of the phase-in was that up to 20% of the growth-related capital would have to be funded by other sources, such as taxes.
- 2.4 As the Municipality's DC study was adopted in 2021, we were operating under the former rules and not subject to the phase-in. The proposed change is welcomed as we are currently undergoing our new DC background study. The result will be that all of the eligible costs will be included in the DCs collected, subject to exceptions for prescribed properties.

Reduces time limit on DC freeze

- 2.5 Reduces the time limit on the DC freeze from two years to 18 months from when a site plan application (or zoning application) is submitted to the municipality.
- 2.6 As the Municipality is able to charge interest, the impacts are not large; however, the greater impact is around a change in DC studies where there may be larger changes in the value of the charge. The reduction in time limit reduces the potential lost revenue related to the cost of capital infrastructure. As it relates to the Municipality's ability to meet our housing pledge, the change in the time limit is an incentive for developers to start the building process as they will lose the lower rate after 18 months rather than 24 months.

Implements affordable residential unit exemptions

- 3.7 Implements the Affordable Residential Unit exemptions on June 1, 2024. This will result in qualifying properties being exempt from DCs subject to maintaining their qualifying status.

3. Summary of Proposed Changes to the *Municipal Act, 2001*

Changes to Bonusing Rules

- 3.1 The proposed legislation adds section 106.1 which allows the Province to make regulations authorizing municipalities to grant assistance to a specified manufacturing, industrial or commercial business if the Province considers that it is necessary or desirable in the provincial interest to attract investment in Ontario.
- 3.2 Within the regulations, the Province may set out the types of assistance that may be granted as well as impose restrictions, limits or conditions.
- 3.3 This change could allow municipalities to provide grants, or tax incentives to the prescribed types of manufacturing, commercial or industrial businesses in an effort to support economic development. This is similar to recent Provincial and Federal support for electric vehicle manufacturers to locate plants in Southwestern Ontario. Currently, the only way to provide any financial support is through a Community Improvement Plan, which may not be able to provide the types of economic development incentives required. Another example could be providing financial incentives for physician attraction to the Municipality.
- 3.4 Further, as experienced in the pandemic, the ability to support businesses impacted by a pandemic, natural disaster, or civil unrest is restricted due to the bonusing rules. These changes could, if prescribed, allow the Municipality to provide support to businesses experiencing harsh impacts from external factors.

4. Summary of Proposed Changes to the *Planning Act*

Removes upper-tier planning responsibilities

- 4.1 In 2022, Bill 23 introduced the concept of an “upper-tier municipality without planning responsibilities”. Upon proclamation, the specified upper-tier municipalities will no longer (i) exercise approval authority over lower-tier planning decisions, (ii) maintain an upper-tier official plan, or (iii) have appeal rights as a public body on *Planning Act* applications.
- 4.2 Under Bill 185, the Region of York, Region of Peel and Region of Halton will become “upper-tier municipalities without planning responsibilities” on July 1, 2024. The Region of Durham, Region of Waterloo, Region of Niagara and County of Simcoe will become

“upper-tier municipalities without planning responsibilities” at a future date to be named by proclamation of the Lieutenant Governor.

Adds new parking restrictions

- 4.3 Prohibits municipal councils from approving official plans or enacting zoning by-laws with minimum parking requirements in Protected Major Transit Station Areas (PMTSA) and other areas where minimum densities are required by official plans or provincial policies.

Eliminates third-party appeal rights

- 4.4 Removes permission for a third-party, such as a landowner, ratepayer or other member of the public, to appeal approved official plans, official plan amendments, zoning by-laws and zoning by-law amendments.

Makes pre-application consultation voluntary and removes application fee refunds

- 4.5 Removes a municipality’s authority to require pre-consultation applications for official plan amendments, zoning by-law amendments, site plan approval and draft plans of subdivision. These pre-application consultations, which currently have a fee associated with them, would now become voluntary; however, municipalities retain the authority to deem an application “complete” or “incomplete”.
- 4.6 Allows an applicant to challenge complete application requirements to the Ontario Land Tribunal (OLT) at any time after the application fee has been paid or pre-consultation has begun. Currently, applicants have 30-days to dispute an “incomplete application” determination.
- 4.7 Removes the fee refund provisions from the *Planning Act* for zoning by-law amendment and site plan control applications, which were introduced in 2022 through Bill 109. Clarington will no longer be required to refund planning application fees to an applicant if a decision is not made within legislative timelines.

Introduces new appeal rights for settlement area expansion applications

- 4.8 Allows applicants to appeal a municipality’s refusal or non-decision on a privately requested official plan or zoning by-law amendment that would change the boundary of a “settlement area”, provided the lands are outside of the Greenbelt Area.
- 4.9 This new appeal right under the *Planning Act* is paired with new criteria for assessing settlement area boundary expansion proposals in the new PPS as detailed in Report PDS-017-24.

Creates “use it or lose it” tools

- 4.10 Creates “use it or lose it” tools that would (i) expand municipal authority to attach lapsing provisions to approved site plans, (ii) require approval authorities to provide lapsing provisions to draft plans of subdivision/condominiums and (iii) authorize municipalities to adopt policies that enable servicing capacity to be allocated or reallocated to other projects if the approved development has not proceeded after a specified period. The Municipality currently has similar tools in place for site plans and subdivision applications.
- 4.11 Authorizes a municipality, under the *Municipal Act*, to adopt a municipal allocation by-law, which may include (i) a system for tracking the water supply and sewage capacity available to support approved developments, and (ii) criteria to determine the circumstances for when allocation of water supply and sewage capacity is assigned, withdrawn or reallocated.
- 4.12 Repeals the section of the *Planning Act* that allows municipalities to pass by-laws establishing a system for allocating water and sewage services to land that is the subject of an application.

Introduces new additional residential unit regulations

- 4.13 Enhances the Minister’s regulation-making authority to remove zoning barriers to building additional residential units (ARUs), such as maximum lot coverage and limits on bedrooms allowed per lot.
- 4.14 Creates a regulation-making authority that would enable the establishment of requirements and standards to facilitate planning approvals for ARUs.
- 4.15 Changes were previously made to the *Planning Act* through the Bill 23 which allowed three units per lot “as-of-right” in existing residential areas and removed specific ARU barriers, such as parking requirements, parkland requirements, minimum unit sizes, and development charges. These changes stand, and the new proposed changes aim to further facilitate the creation of more ARUs.

Removes the Community Infrastructure and Housing Accelerator tool

- 4.16 Removes the Community Infrastructure and Housing Accelerator (CIHA) tool from the *Planning Act*. However, a Minister’s Zoning Order (MZO) can still be used under section 47 of the *Planning Act* to regulate the use of land in Ontario.
- 4.17 The Municipality submitted a request for a CIHA order to facilitate an affordable housing development at 200 Baseline Road West. With the proposed removal of the CIHA tool, staff support the Minister considering a MZO for these lands.

- 4.18 The Ministry introduced a new framework for how requests for MZO's will be considered. The framework details the types of requests that will be considered, submission expectations and the assessment process.

Exempts community service facilities and post-secondary institutions from *Planning Act* requirements

- 4.19 Enables a streamlined approvals pathway for prescribed class(es) of community service facility projects, such as public schools, hospitals and long-term care facilities.
- 4.20 Exempts publicly assisted universities from the *Planning Act* for student housing projects on and off campus.

Allows digital public notice

- 4.21 Enables municipalities to provide notice of a public meeting on a municipal website, instead of in a newspaper (if there is no local print newspaper available).

Proposes changes to the Provincial data reporting requirements

- 4.22 Adds new items that need to be reported to the Province quarterly and annually. Municipalities would be required to report on several new planning actions, share additional geospatial data indicating available serviced land, and publicly share a summary table with the total number of applications reported, submitted, decided on, and the number of housing units approved for that quarter.
- 4.23 The summary table would be required to be published on the municipal website by October 1, 2024.

5. Key Comments and Concerns on Bill 185

General Comments

- 5.1 Staff recognizes the need to address the housing crisis in Ontario and generally supports the Province's efforts to improve housing supply and affordability.
- 5.2 However, staff are concerned about the extent to which planning matters currently under the jurisdiction of municipalities and subject to public participation are proposed to be exempted from the *Planning Act* and/or subject to future provincial regulations and out of the hands of local government.
- 5.3 It is challenging for staff to provide informed and fulsome comments on such extensive legislative changes within the 30-day commenting period. This is particularly so when many details required to fully understand the impacts of the proposed changes are not

included in the information currently available (including those that are to be prescribed through regulations at a later date).

- 5.4 Staff will submit draft comments to the Province to meet the commenting deadline of May 10, 2024.

Regional Planning Framework

- 5.5 Regional planning provides a valuable role coordinating long-term land use planning and infrastructure across municipalities to maximize efficiency and return on public investment.
- 5.6 **The Province is requested to provide information about how upper-tier municipalities without planning responsibilities would continue to implement capital projects for transportation and servicing infrastructure.**
- 5.7 **The Province is requested to provide information about how and over what time period the transfer of powers to lower tier municipalities will occur.**
- 5.8 The removal of Durham Region from *Planning Act* processes means that Clarington will assume responsibility for all planning matters. This will place increased pressure on existing municipal staff to carry out these functions and will impact application processing timelines in situations where in-house expertise to complete adequate review is not currently present.
- 5.9 Similar comments as outlined above have previously been submitted to the Province in response to Bill 23 and Bill 109.

Development Review Process Changes

- 5.10 Clarington's By-law 2007-132 requires that pre-consultation with the Municipality occur prior to the submission and acceptance of development applications. Clarington would no longer have the authority to require participation in the pre-consultation process, which facilitates the presentation and discussion of development proposals with relevant staff and external agencies.
- 5.11 In response to changes made through Bill 109 (application fee refunds), staff implemented an enhanced two-stage pre-application consultation process (see [Report PDS-051-22](#)). Stage 1 aimed to provide preliminary comments on a development proposal and determine application requirements, and Stage 2 focused on screening the materials and studies before submission to verify adequacy and completeness.
- 5.12 The proposed removal of the Bill 109 fee refund requirements would allow the pre-application process to return to a single consultation meeting.

- 5.13 **The Province is requested not to make pre-application consultation voluntary. Pre-application consultation provides the opportunity to clarify the development review process and the supporting materials and information that will be required to support the *Planning Act* application.**
- 5.14 Currently, the Municipality's practice is to determine the requirements of a complete application through the mandatory pre-consultation process in accordance with the policies of the Clarington Official Plan and the Pre-consultation By-law. These requirements (studies, assessments, drawings) are tailored to the specific development proposal and communicated to applicants via the minutes of the pre-consultation meeting.
- 5.15 Should Bill 185 be passed as proposed, staff will need to consider alternatives to identify and communicate complete application requirements. This may require an amendment to the Clarington Official Plan, and current consultation processes.
- 5.16 In addition, applicants would be permitted to dispute if the information or material required for an official plan amendment, zoning by-law amendment, site plan, or draft plan of subdivision application by the municipality is reasonable at any time. This could disrupt the pre-application consultation process further, by having our complete application requirements disputed before an application is deemed "complete" or "incomplete".

Appeal Rights

- 5.17 The new appeal rights for settlement area expansion applications, coupled with the proposed changes in the draft 2024 PPS, allow for settlement area boundary expansions of any size to be decided by the OLT, rather than by the local government. This could result in piecemeal planning that threatens Clarington's ability to plan for and finance growth in an environmentally, socially, and fiscally responsible way.
- 5.18 **The Province is requested to maintain the existing provisions in the *Planning Act* that exclude an applicant from appealing a private application that would expand or alter an in-force settlement area boundary.**
- 5.19 Bill 23 originally proposed to remove third-party appeal rights to the OLT for all planning applications but was revised to only remove third-party appeal rights for minor variance, draft plan of subdivision and consent to sever applications. Bill 185 proposes to extend the same limitation on appeal rights to approved official plans, official plan amendments, zoning by-laws and zoning by-law amendments.
- 5.20 The removal of third-party appeals on *Planning Act* matters means that residents and community groups will lose the right to appeal decisions about land use changes in their neighbourhoods. Should Bill 185 be passed as proposed, staff recommend that

additional opportunities for community engagement be prioritized at the plan-making level.

- 5.21 **The Province is requested to maintain third party appeal rights to the OLT for approved official plans, official plan amendments, zoning by-laws, and zoning by-law amendments.**

Development Charges

- 5.22 Repealing the mandatory five-year phase-in of DC rates will ensure that all development pays its eligible share of the costs and reduce taxpayer subsidies of development costs.
- 5.23 Reducing the DC freeze will incent development as developers have a time limit to avoid DC increased. There is still interest, at a prescribed rate, that can be collected.
- 5.24 There is revenue loss anticipated with the implementation of the Affordable Residential Unit DC exemption.

Planning Act Exemptions

- 5.25 The proposed widening of the scope of the Minister's regulation-making authority to remove zoning barriers to build ARUs and potentially exempt such units from all of Part V (Land Use Controls) of the *Planning Act* would weaken the Municipality's ability to regulate lot and building standards relating to lot coverage, and consequently, the proportion of landscaped open space, among others. In many cases, such regulations were developed to mitigate land use conflicts, nuisance factors, and provide for the enjoyment and protection of personal property.
- 5.26 Should Bill 185 be passed as proposed, staff will need to consider how potential adverse impacts that would have been regulated and mitigated through zoning requirements may continue to be addressed using other available tools and processes to ensure development functions safely and efficiently both at the property and neighbourhood scale. An example of this would be to make sure there continues to be sufficient landscaped open space to provide for proper drainage.
- 5.27 **The Province is requested to provide additional information about the scope of the exemptions from Part V of the *Planning Act* for ARUs in order for municipalities to understand the full impact of the proposed changes prior to enactment.**
- 5.28 Currently, development undertaken by post-secondary institutions would be subject to the land use policies and regulations of Clarington's Official Plan and Zoning By-law and would also be required to go through the development application process (including site plan approval).

- 5.29 **The Province is requested to provide information about the review process proposed to be applicable to undertakings of post-secondary institutions to ensure these developments are located appropriately and are designed to function safely and effectively within the community.**
- 5.30 **The Province is also requested to provide a framework requiring consultation with the affected local municipality.**
- 5.31 The non-application of the *Planning Act* for certain undertakings of school boards, long-term care homes, and hospitals appears to rely on the development of forthcoming regulations.
- 5.32 **The Province is requested to include requirements for consultation with the affected municipality as part of any proposed regulation providing exemptions to the *Planning Act* for community service facilities. Further, the Province is requested to provide information as to what details may be included in such a regulation prior to enactment.**

Parking restrictions in PMTSAs

- 5.33 The proposal to prohibit municipalities from setting parking minimums in PMTSAs would result in developers deciding parking requirements based on market demands. Staff support the concept of reduced parking in areas supported by higher order and local transit, such as PMTSAs, however the transit infrastructure should be in place to support the reduced rate.
- 5.34 **The Province is requested to allow local municipalities to determine parking requirements in PMTSAs until the transit infrastructure (GO Train) is in operation in the PMTSA.**

Public Engagement

- 5.35 Until recently, Clarington published notice of publicly initiated amendments affecting a large geographic area in the newspaper. However, with the ceasing of local print newspaper, this option for providing public notice is no longer available. Proposed public notice changes, which staff support, will enable the Municipality to give notification of any publicly initiated amendment on a website.

Resource, Time and Transition Considerations

- 5.36 Municipalities would be given the authority to enact by-laws under the *Municipal Act* to track water supply and sewage capacity and to set criteria for when an approved development can have their allocation withdrawn, which could require new processes and additional staff resources.

- 5.37 Lower-tier municipalities, such as Clarington, will assume responsibility for all planning in their geographies when Durham Region's powers are removed (except for matters requiring provincial approval). These changes will require additional staff resources and time to adjust to absorbing the Region's Official Plan and components of the planning processes currently handled by Regional planning staff.
- 5.38 Since April 2023, Clarington and other large and fast-growing municipalities have been required to report municipal planning data to the Province. The increased reporting requirements would require additional staff time to assemble, coordinate and publish the new metrics.
- 5.39 The municipal resources required to review, understand, adapt and implement the multitude of legislative changes that have been rolled out over the last two years have been extensive. The continual need to pivot and adapt policy and processes to comply with the continually changing provincial planning framework has diverted resources from the efficient processing of development applications and progressing our secondary plan program to enable development to take place in these designated growth areas to deliver the much-needed housing units.
- 5.40 Staff is hopeful that Bill 185 and the proposed PPS, 2024 represent the last round of substantial changes to the legislative and policy framework for a while to enable municipalities to focus on completing the necessary planning studies and working with the development community to move towards achieving the 2031 housing targets.

6. Financial Considerations

- 6.1 The proposed changes to the *Development Charges Act* will reduce the negative impacts of Bill 23, which removed studies as eligible expenses and introduced a phase-in of development charges over five years. The proposed changes will ensure that growth pays for growth to a greater extent.
- 6.2 Proposed changes to the *Planning Act* removes the requirement for refunding planning application fees. As the Municipality had established requirements for pre-consultation, few refunds were provided, so the change is not expected to have a large impact.
- 6.3 On a related note, the Province has eliminated the ability for municipalities to mandate pre-consultation meetings. This will remove approximately \$160,000 from revenues in the budget, which will have to be funded from other fees, reserves or changes to the tax levy.
- 6.4 With the proposed removal of mandatory pre-consultation meetings and the increased threat of an OLT appeal regarding 'complete application' requirements, additional resources including development engineering staff and legislative services staff will be needed. The early engineering review that was completed as part of the pre-

consultation will now be required earlier in the process, and much quicker so as to prevent an appeal. Staff also anticipate the need for additional legislative services staff as the Province has opened the door for appeals before an application has been submitted.

7. Strategic Plan

7.1 Not Applicable

8. Concurrence

This report has been reviewed by the Deputy CAO of Planning and Infrastructure who concurs with the recommendation.

9. Conclusion

It is respectfully recommended that Council adopt this Report as the comments to be provided to the Province, that a copy of this report be sent to the Province and other parties as our comments on the proposed changes.

Staff Contacts:

Amanda Crompton, Principal Planner, 905-623-3379 ext.2444 or acrompton@clarington.net.

Trevor Pinn, CPA, CA, Deputy CAO/Treasurer, 905-623-3379 ext.2602 or tpinn@clarington.net.

Attachments:

Not Applicable

Interested Parties:

List of Interested Parties available from the Department.