



PLANNING, DEVELOPMENT AND  
LEGISLATIVE SERVICES  
150 Frederick Street, 8<sup>th</sup> floor  
Kitchener Ontario N2G 4J3 Canada  
Telephone: 519-575-4400  
Fax: 519-575-4449  
[www.regionofwaterloo.ca](http://www.regionofwaterloo.ca)

May 10, 2024

Provincial Planning Policy Branch

777 Bay Street  
13th floor  
Toronto, ON  
M7A 2J3  
Canada

**Re: Response to ERO Posting 019-0869 (Planning Act, City of Toronto Act, 2006, and Municipal Act, 2001 Changes (Schedules 4, 9, and 12 of Bill 185 - the proposed Bill 185, Cutting Red Tape to Build More Homes Act, 2024)**

The Region of Waterloo is a key partner to the Province of Ontario, as we plan for growth and housing. Recently the Cutting Red Tape to Build More Homes Act (Bill 185) was released with a focus on speeding up government processes and building at least 1.5 million homes by 2031.

Many of the proposed legislative changes proposed in Bill 185 respond positively to stakeholder feedback, including from the Region of Waterloo, on changes initially brought forward by the Province under the More Homes Built Faster Act (Bill 23), the More Homes for Everyone Act, 2022 (Bill 109) and the More Homes, More Choices Act, 2019 (Bill 108). Specifically, as proposed, Bill 185 would:

- Repeal the 5-year development charge (DC) phase-in rules introduced through the More Homes Built Faster Act, 2022 which require new DC rates to be phased in over 5 years (80% year 1 increasing by 5% increments annually to 100% in year 5). Those municipalities impacted would be able to amend their by-laws through a time limited (6 month) streamlined process (no DC Background Study required).
- Reinstate studies, including DC Background Studies, as eligible capital costs (which were previously removed under the More Homes Built Faster Act, 2022).
- Introduce a new streamlined process to repeal a provision of a DC by-law specifying the date the by-law expires or to amend the provision to extend the expiry date (subject to the 10-year limitations provided in the Development Charges Act).
- Amend the changes made through the More Homes, More Choices Act, 2019 (Bill 108) included the requirement to freeze the development charges imposed on developments when a site plan application (or zoning application) was submitted. The rates are then held for 2 years from the date that the application is approved. The amendment proposes to reduce this period to 18 months.
- Reverse aspects of Bill 109, More Homes for Everyone Act, 2022 that required the refunding of certain planning application fees where Planning Act timelines were not met.

Bill 185 also proposes several amendments to the Planning Act and Municipal Act that will complement other initiatives the Region currently has underway to streamline planning approvals review and could further assist with streamlining planning approvals and accelerate housing supply through:

- Modernizing public notice requirements including allowing public notice for Planning Act applications to be given on a municipal website.
- Requiring municipalities to include lapsing provisions for all new draft approvals for subdivisions and condominiums and require that draft approvals issued prior to 1995 lapse within three years of Bill 185 coming into effect.
- Authorizing municipalities to adopt a by-law providing for the allocation of water supply and sewage capacity for approved developments as well as development applications (described by the province as a “use it or lose it” provision).

As proposed, there are a few aspects of Bill 185 where further consideration should be given to potential, unintended consequences on approvals and housing, including:

- Limiting third party appeals (by persons) to the Ontario Land Tribunal (OLT) on Official Plans, Official Plan Amendments, Zoning By-law and Zoning By-law Amendments. The Province should give consideration to ensuring airport authorities (including those that are municipally owned and operated) and municipalities both as a landowner and as owner and operator of other critical community infrastructure (such as water and wastewater treatment systems, transit services, affordable housing, etc.) maintain appeal rights to ensure that decisions regarding land use and infrastructure are integrated and do not impede the operation of critical services.
- Permitting appeals should a municipality fail to make a decision or refuse an application to expand settlement area boundaries.
- Removing the ability of municipalities to require pre-consultation before the submission of a formal application.

In addition, Bill 185 proposes changes to the Municipal Act. One change would add an additional exemption to the prohibition on bonusing, which provides that if a regulation is made a municipality may grant assistance to a specific manufacturing business or other industrial or commercial enterprise during a specified period if necessary or desirable to attract investment to Ontario. This proposed change will require close coordination with the Province to manage the scope of municipal incentives.

The Region of Waterloo appreciates the opportunity to engage throughout this process and is a partner in moving our shared goals forward.

Yours Sincerely,



Rod Regier

Commissioner, Planning, Development and Legislative Services