



May 10, 2024

Ministry of Municipal Affairs and Housing
777 Bay Street
Toronto, ON M7 A 2J3

RE: Environmental Registry of Ontario Posting [ERO 019-8369](#) – Proposed 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 Town of Caledon welcomes the introduction of Bill 185 and commends the Government of Ontario for responding to calls from municipalities for more housing-enabling infrastructure funding and enhanced tools to build homes faster.

Caledon is in full alignment with the overarching goals of the Bill to create efficiencies and improve housing supply and has committed to its own [Housing Pledge](#). This pledge will support achieving our provincial target of 13,000 residential units by 2031, while striving for livable and sustainable rural-urban communities.

Caledon is one of the largest lower-tier municipalities in the Greater Golden Horseshoe, with a land area of 688 square kilometres. The Province and Region of Peel have both identified Caledon as a major growth area, as the population is projected to grow from approximately 81,000 (2021) to 300,000 by 2051, making it one of the fastest growing municipalities in Canada.

Given its distinct geography and quickly growing population, Caledon has an important stake in provincial efforts to shape and accelerate housing development. Caledon represents small but rapidly growing municipalities faced with the challenge of vastly scaling approval processes, development, and enabling-infrastructure to meet growing population pressures. As urbanization accelerates, municipal readiness is important for the continued economic and social development of the province as a whole.

Collaboration with municipalities and consideration of local needs has contributed to strong and sustainable policy in the past. To this end, the comments included in Appendix 1 serve as a channel to further support the province in understanding and addressing local needs. Therein, you will find comments on proposed legislative changes through Bill 185, which include:

- Support for the proposed “Use It or Lose It” provisions that recognize the need to hold developers accountable for the building of houses and that municipalities alone do not control the levers of housing supply.

- Recommendation for a further analysis of the proposed removal of mandatory pre-consultations. The Town is of the opinion that this would likely increase review times and negotiation timelines.

I would be happy to discuss these comments in more detail as necessary, please do not hesitate to contact me with questions or requests for clarification.

Sincerely,
Eric Lucic
Commissioner of Planning and Development and Chief Planner

Appendix 1 Town of Caledon Response to ERO Posting 019-8369

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1. "Use It or Lose It" Tools

a. *Planning Act* - Lapsing Provisions

b. *Municipal Act* -Water and Sewage Supply and Capacity

Caledon appreciates these tools and changes. Enabling municipalities to reallocate servicing capacity from those developers who do not pull building permits within a reasonable amount of time will help municipalities make better use of the infrastructure that is already in place and incent developers to move forward with housing.

Greenfield growth municipalities such as Caledon would benefit from a staged servicing allocation process that includes a) an initial reservation of servicing capacity for developments in the process, including rezonings and b) a final allocation of capacity triggered at the Subdivision approval or Site Plan approval stages (whichever is the later stage of the two and the stage immediately prior to Building Permits). This approach ensures that capacity is allocated only at the stage when the development is proceeding towards construction. If the development application stalls for a few years after servicing capacity is reserved, the municipalities can theoretically withdraw the reserved capacity and move it to other developments which have reached the allocation stages. Caledon also proposes that if a rezoning is approved with a holding provision, its servicing capacity reservation should occur only at the removal of the H, with formal allocation being triggered at the subsequent draft plan of subdivision or site plan approvals.

The Town has a lapsing tool for Draft Plans of Subdivision and Condominium already and would appreciate the proposal to have one for Site Plan approvals.

2. Voluntary Municipal Pre-Application Process

The Town has significant concerns with this proposed change. Pre-consultation meetings help to scope complete application requirements for a development proposal and often identify potential issues early in the development application process. As noted above, since application requirements are discussed during pre-consultation meetings, this mitigates the need for dispute resolution after an application is submitted.

The pre-consultation process established by the Town provides an opportunity to identify necessary application types in support of a development proposal, scope application requirements prior to submission of applications, and identify preliminary issues and/or concerns. These meetings benefit the Town, commenting agencies and development proponents. Furthermore, these meetings assist with reducing or eliminating the need for

resubmissions, thereby reducing the overall approval timeframe and cost of studies for the applicant. Voluntary pre-application consultation could lead to a lack of valuable information being submitted (ie. CEISMPs, Financial Impact Study, Climate Change Strategies, SWM/FSR) and applicants appealing without the Town having the ability to comment. Applicants could submit an application with a draft ZBL/OPA with no documentation or supporting studies and could appeal this right away. This would likely increase review times and negotiation timelines. Accordingly, Bill 185 should be amended to maintain a municipality's authority to require pre-consultation.

3. Settlement Area Boundary Expansions

The Town does not support allowing applicants to appeal a municipality's refusal or failure to make a decision on a privately requested official plan or zoning by-law amendment that would change the boundary of an "area of settlement", outside of the Greenbelt Area.

The proposed changes could result in the Town having to address appeals to the Ontario Land Tribunal, that under the current legislation it would not. request to expand the settlement area that is not supported by Town Council and/or the Minister (if the OPA is exempt from their approval), may now be subject to appeal, whereas currently, it is not. These proposed changes should be removed from Bill 185. These changes are inconsistent with Provincial direction to streamline planning approval that meets local and provincial objectives for compact, transit supportive community building.

Through the Peel MCR and Future Caledon Official Plan thousands of hectares have been added to the urban area within Caledon. It applicants were able to add additional land and appeal decisions this could result in an even larger scale of development occurring without direction. This could result in many unnecessary applications and appeals of these decisions, resulting in increased workload, appeals, and an illogical sequence of development that doesn't make effective and efficient use of existing and planned infrastructure.

4. Exemptions to Universities from the *Planning Act*

The Town is supportive of on-campus exemptions but is concerned with planning implications of off-campus exemptions and request additional clarity around this matter.

5. Minister's Zoning Order Framework and Removal of the Community Infrastructure and Housing Accelerator (CIHA)

The Town appreciates the Province's efforts at streamlining the process and improving transparency of the MZO tool. However, the Town has concerns with this as it is still a framework and is not legislated. The Town recommends that removal of the CIHA tool should

be accompanied by legislated requirements for MZOs for public notification and Council resolution.