

City Council

Motion without Notice

MM12.29	ACTION			Ward: All
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Bill 138 - Preliminary City Comments - by Councillor Ana Bailão, seconded by Councillor Paula Fletcher

** This Motion has been deemed urgent by the Chair.*

** This Motion is not subject to a vote to waive referral. This Motion has been added to the agenda and is before Council for debate.*

Recommendations

Councillor Ana Bailão, seconded by Councillor Paula Fletcher, recommends that City Council adopt the following recommendations in the report (November 25, 2019) from the Chief Financial Officer and Treasurer and the Chief Planner and Executive Director, City Planning:

1. City Council authorize the City Manager, the Chief Financial Officer and Treasurer and other City Officials, as appropriate, to provide input to the Province on Bill 138 on policy and financial matters and any associated regulations.
2. City Council forward the report (November 25, 2019) from the Chief Financial Officer and Treasurer and the Chief Planner and Executive Director, City Planning, to the Ontario Minister of Municipal Affairs and Housing and the Minister of Finance for their consideration.
3. City Council request the Province to include legislative authority to register agreements on title to the land to which it applies for in-kind contributions, allowing the municipality to enforce the provision of the agreement against the owner, and any and all subsequent owners of the lands.
4. City Council request the Province to include legislative authority to register priority lien agreements against the land to which it applies for Development Charges deferrals, allowing the municipality to enforce the provision of the agreement against the owner, and any and all subsequent owners of the land, including the requirement for adequate security.
5. City Council request the Province to reinstate a municipality's authority to apply the Inclusionary Zoning provisions of the Planning Act more broadly than in Protected Major Transit Station and Minister ordered Development Permit System areas.
6. City Council request the Province to remove the provision for appeal rights of the municipality's Community Benefits Charge by-law and use the forthcoming Community Benefits Charge Regulation to provide transparency on the components and maximum value of

the charge and required consultation.

7. City Council request the Province to remedy the fundamental structural issues of using a land value tool to address cost recovery based services for the 'soft' Development Charges and Section 37 portions of the Community Benefits Charge by-law and to retain separate provisions for parkland dedication under the Planning Act, in order to ensure revenue neutrality for municipalities.

8. City Council request that proclamation of amendments to the Development Charges Act occurs no sooner than the Community Benefits Change by-law coming into full force and effect to maintain the Province's stated objectives of revenue neutrality for municipalities and that growth-pays-for-growth.

9. City Council request the Province to provide for the minimum of two years from the date of the proclamation of the new Community Benefits provisions in the Planning Act for municipalities to bring a Community Benefits Charge by-law into force.

Summary

On November 6, 2019, the Minister of Finance released Bill 138, Plan to Build Ontario Together Act. Bill 138 proposes to amend 40 statutes, among other matters, it proposes amendments to Bill 108 affecting the Planning Act and Development Charges Act.

The report (November 25, 2019) from the Chief Financial Officer and Treasurer and the Chief Planner and Executive Director, City Planning highlights opportunities to request further amendments to Bill 138 that will allow the City to meet its obligations under the Provincial Policy Statement to plan for strong, sustainable and resilient communities.

Background Information (City Council)

Member Motion MM12.29

(November 25, 2019) Report from the Chief Financial Officer and Treasurer and the Chief Planner and Executive Director, City Planning on Bill 138 - Preliminary City Comments (<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-140626.pdf>)