

Item PH12.7 - City Comments

- Bill 185 - Cutting Red Tape to Build More Homes Act, 2024,
- Provincial Planning Statement 2024 and
- New Minister Zoning Order Framework

Planning and Housing Committee

May 9, 2024



Overview

April 10, 2024, the Province released legislative and policy changes with a **30-day** window to provide comments

- Cutting Red Tape to Build More Homes Act, 2024 (Bill 185)
 - A total of 17 Acts were included, including Planning Act, City of Toronto Act, Development Charges Act and others
- Proposed Provincial Planning Statement 2024 (PPS 2024)
 - Combines PPS 2020 and portions of Growth Plan 2020 (Growth Plan to be repealed)
 - The PPS 2024 represents a revised version of the PPS 2023.
- Proposed new Minister's Zoning Order Framework

Report Recommendations

- City Council
 - endorse the Key Recommendations (Attachment 1)
 - endorse specific comments/recommendations
 - PPS 2024 (Attachment 2), Bill 185 (Attachment 3) and, Development Charges Act (Attachment 4)
 - authorize staff to submit comments on any associated regulations and report to Council on the implications to the City



Thematic Staff Comments

1. Housing and Development Approvals
2. Economic Development and Employment Lands
3. Infrastructure and Development Charges
4. Regional Planning and the Environment
5. Implementation

Planning Act - Third Party Appeals

- **Proposed change:** Limiting third party appeals to the Ontario Land Tribunal (OLT).
- **Potential impacts:** May streamline appeal process. However, this would restrict appeal rights of certain groups and limit community input in the planning process.
- **Recommendation: Partially Support**
 - Limit appeal restrictions to affordable housing proposals and zoning to implement PMTSAs
 - Include Major Facilities as eligible appeal party
 - Extend timelines for planning approval

Planning Act - Fee Refunds

- **Proposed change:** Eliminates application fee refunds introduced by Bill 109.
- **Potential impacts:** It will eliminate financial risk in the future.
- **Recommendation: Support**
 - Fee refund transition provision should be strengthened

Planning Act and City of Toronto Act - Streamlining student housing approvals

- **Proposed change:** Exempts “undertakings” of post-secondary institutions and affiliated institutions from the *Planning Act* and parts of the *City of Toronto Act*.
- **Potential impacts:** Would limit the City’s ability to plan infrastructure for post-secondary institutions and address critical and technical issues through Site Plan Control.
- **Recommendation: Do Not Support**
 - Do not exempt post-secondary institutions from the *Planning Act* and parts of the *City of Toronto Act*.

Planning Act - Replacing the Community Infrastructure and Housing Accelerator with a new MZO framework

- **Proposed change:** Removes CIHA and replaces with MZO Framework.
- **Potential impacts:** The MZO Framework provides more clarity regarding submission requirements, including rationale for why an MZO is being requested and a description of any engagements undertaken.
- **Recommendation: Support**

PPS 2024 - Eliminating Municipal Comprehensive Reviews

- **Proposed change:** Removes the need for a municipality to undertake a Municipal Comprehensive Review.
- **Potential impacts:** Employment Area conversion requests and Settlement Area Boundary Expansions could occur anytime.
- **Recommendation: Do Not Support**
 - Conversions should only be considered during a 5-year Official Plan Review
 - Settlement Area Boundary Expansions should only be considered during a 5-year Official Plan Review

PPS 2024 - Land Use Compatibility

- **Proposed change:** Requires municipalities to permit sensitive land uses (i.e. Residential) in lands intended to serve as a buffer to prevent adverse effects.
- **Potential impacts:** Could increase the risk of land use incompatibility causing adverse effects on both sensitive land uses and businesses in employment areas.
- **Recommendation: Do Not Support**
 - Compatibility of land uses would be determined prior to permitting the use
 - Prohibit sensitive land uses in buffer areas that are intended to prevent adverse effects

PPS 2024 - Enabling Greenfield Development

- **Proposed change:** Multiple Growth Plan policies were weakened or not carried over into the proposed PPS 2024, including: Intensification Targets, Density Targets, test for allowing Settlement Area Boundary Expansions.
- **Potential impacts:**
 - Indirect: Loss of permeable lands, natural space, and agricultural lands
 - Direct: Regional congestion, economic impact, increased risk of downstream impacts on Toronto
- **Recommendation: Do Not Support**
 - Carry over existing Growth Plan policies that encourage more intensification and a compact built form.

Development Charges



Development Charges Act - Summary

- Bill 185 changes to the DCA primarily reverse some, but not all, of the previous Bill 23 changes, and include:
 - Reinstating studies as an eligible cost
 - Repealing the 5-year phase-in
 - Reducing the time limit on DC freeze from 2 years to 18 months
 - New streamlined process for scoped bylaw amendments
- In addition, Affordable and Attainable Unit exemptions are proclaimed into force on **June 1, 2024**.

Development Charges Act - Potential Impacts

- Bill 185 changes are estimated to reduce Bill 23 impacts (estimated previously at **\$2.3 billion over 10 years**) by approximately **\$144 million over a 10-year period**.
- While staff support the changes, additional recommendations support fiscal sustainability of growth, and include:
 - The Province make the City whole
 - Housing DC service be added back
 - Repeal phase-in for all permits issued after Bill 185 comes into effect
 - Reinstate concurrent calculation and collection of DCs
 - Additional changes to support longer term supply of affordable, attainable, non-profit and rental housing
 - The Province provide direct incentives instead of discounts and exemptions to municipal growth funding tools

Thank you

