

Committee of the Whole (1) Report

DATE: Tuesday, September 17, 2019

WARD(S): ALL

TITLE: GUIDELINE REVIEW FOR THE IMPLEMENTATION OF SECTION 37 OF THE PLANNING ACT (FILE NO.26.17)

FROM:

Jason Schmidt-Shoukri, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To seek approval to discontinue the review of proposed revisions to the ‘Guidelines for the Implementation of Section 37 of the *Planning Act*’ (‘the Guideline’). Bill 108, More Homes, More Choices Act, introduced by the Ontario Government on May 2, 2019, replaces Section 37 with a new Community Benefits Charge (CBC) process that staff will report on in the upcoming months.

Report Highlights

- Council approved a recommendation on May 1, 2019 for staff to consult with the development industry and the public on the proposed amendments to the “Guidelines for the Implementation of Section 37 of the *Planning Act*” and to report back by the 4th quarter of 2019
- On May 2, 2019 Bill 108 More Homes, More Choice Act, 2019 was introduced and received Royal Assent on June 6, 2019 that substantially changes Section 37 and replaces it with a new Community Benefits Charge
- Due to the Bill 108 amendments, the review of the Section 37 Guideline is no longer necessary and should be discontinued
- Staff will report separately on the new Community Benefits Charge

Recommendations

1. The review of the “Guidelines for the Implementation of Section 37 of the Planning Act” as presented to the Committee of the Whole on April 2, 2019 be discontinued because Bill 108 More Homes, More Choice Act, 2019 will replace the Section 37 policies of the *Planning Act*, with a new Community Benefits Charge that will be reported on separately by staff.

Background

On May 1, 2019 Council approved the following recommendation:

1. That staff consult with the development industry and the public on proposed amendments to the ‘Guidelines for the Implementation of Section 37 of the *Planning Act*, and
2. That staff report back to Committee of the Whole in the 4th quarter of 2019 on the recommended amendments to the ‘Guidelines for the Implementation of Section 37 of the *Planning Act*’.

On May 2, 2019 Bill 108 More Homes, More Choice Act, 2019 was introduced and received Royal Assent on June 6, 2019. Bill 108 includes amendments to the *Planning Act* including substantive changes to Section 37 and the parkland dedication policies in Section 42. A new Community Benefits Charge (CBC) has been identified under Bill 108 that will replace existing density bonusing provisions, in some cases parkland dedication, and soft services from the *Development Charges Act*.

The regulations for the CBC are not yet approved and the changes to the *Planning Act* are not in-force. The *Planning Act* changes will be in-force when the transition regulations are approved (anticipated time January 1, 2020).

Staff are analyzing the legislation.

Previous Reports/Authority

Item 1, Report No. 14, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 1, 2019 can be found here: <https://pub-vaughan.escribemeetings.com/filestream.ashx?DocumentId=15941>

Analysis and Options

Working with the Guideline for 4 years, staff determined several improvements can be made, as well as amendments to enhance the document’s readability. A proposed revised Guideline was appended to the report for circulation to the development industry and community.

Bill 108 fundamentally changes the current Section 37 process and replaces it with a Community Benefits Charge. Consequently, continued review of the current Section 37

Guideline is no longer necessary as it will be replaced by a future CBC Guideline or process.

Comments received through the Section 37 Guideline review will be considered through the CBC review.

Financial Impact

N/A.

Broader Regional Impacts/Considerations

N/A.

Conclusion

The continued review of the 'Guidelines for the Implementation of Section 37 of the *Planning Act*' is no longer necessary because the Section 37 policies will be replaced with a new Community Benefits Charge implemented through Bill 108.

For more information, please contact: David Marcucci, Senior Planner-LPAT, Policy Planning and Environmental Sustainability Department. EXT 8410

Prepared by

David Marcucci, Senior Planner LPAT
Fausto Filipetto, Manager of Long Range Planning
Bill Kiru, Director, Policy Planning and Environmental Sustainability