

C <u>7</u>
COMMUNICATION
CW (1) <u>OCT 7/19</u>
ITEM - <u>12</u>

DATE: OCTOBER 3, 2019

TO: HONOURABLE MAYOR BEVILACQUA AND MEMBERS OF COUNCIL

FROM: WENDY LAW
DEPUTY CITY MANAGER, ADMINISTRATIVE SERVICES & CITY SOLICITOR

RE: REPORT NO. 29, ITEM NO. 12
COMMITTEE OF THE WHOLE (1) – OCTOBER 7, 2019
BILL 108 TRANSITIONAL REGULATION AMENDMENTS

Purpose

To provide Council with additional information with respect to Bill 108 Transitional Regulation Amendments.

Analysis

Attached is a letter from the Association of Municipalities of Ontario dated July 31, 2019 that was recently sent to the Minister of Municipal Affairs, the Honourable Steve Clark. It specifically addresses transitional issues under On. Reg. 303/19 and is highly relevant to this agenda item. AMO's comments on consistency of appeal standards parallels what is in the current staff report before council. Please turn your attention to the paragraph titled "Transition".

Attachments

1. Letter from Association of Municipalities of Ontario dated July 31, 2019.

Respectfully submitted,



Wendy Law
Deputy City Manager, Administrative Services & City Solicitor

Sent by email to: minister.mah@ontario.ca

July 31, 2019

The Honourable Steve Clark
Minister of Municipal Affairs and Housing
College Park, 17th Floor,
777 Bay Street
Toronto, Ontario
M5G 2E5

Dear Minister:

Thank you for the opportunity to comment on the proposed new regulation and regulation changes under the *Planning Act*, including transition matters, related to Schedule 12 of Bill 108 - the *More Homes, More Choice Act*, 2019, ERO #019-0181. The posting references four areas for comment.

Transition

AMO is strongly of the view that where an appeal starts under one set of rules, it should continue through the appeal with that same set of rules. Councils make decisions based on the planning framework of the day. To have a decision made on the basis of compliance and conformity but appealed on the basis of a *de novo* hearing is not reasonable. In our view, a change in the framework and rules mid-process will not lead to an orderly transition. We respectfully ask that decisions that were made under the "compliance/conformity" legislation continue using that same test during appeal. We understand that the number of appeals are not that large so this should not create a hardship for the Local Planning Appeal Tribunal.

Community Planning Permit System

Bill 108 provides the Minister with the power to impose the CPPS approach to planning in areas for the purpose of establishing inclusionary zoning where major transit areas are designated. When the Minister uses these powers, they are sheltered from appeal. AMO continues to support that decisions on local land use planning matters should be determined by local councils. However, given that the *Planning Act* has been amended to permit this tool, AMO urges that if the Minister is contemplating using this tool, there must be early meaningful discussion with potentially impacted municipal governments and sufficient time to complete studies prior to the implementation of these tools.

Additional Residential Unit Requirements

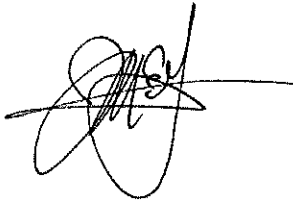
The proposed standard of one space per unit, including tandem parking reflects existing expectations and is supported. It is appreciated that where a local parking by-law requires less parking, that the by-law will prevail.

Housekeeping matters

AMO supports these housekeeping measures which remove redundant notices from the plan of subdivision process and harmonizing the inclusionary zoning regulation with the language of the *Planning Act* as amended by Bill 108.

We look forward to working with the ministry as the remainder of Bill 108 is implemented.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. McGarvey', with a large, sweeping flourish extending to the right.

Jamie McGarvey
AMO President