

APPENDIX A to SRPI.23.059

Bill 109

The following chart outlines a comprehensive list of changes that were introduced with Bill 109.

Change	Description	Implications to the City
<p>Revised Statutory Approval Timelines for the approval of Development Applications:</p>	<p>Municipalities are required to refund fees to applicants for site plan, zoning by-law and official plan amendment applications if a decision is not made within the legislated timelines as follows:</p> <ul style="list-style-type: none"> • refund of 50% for ZBLA (90 days), combined ZBLA/OPAs (120 days) and Site Plan (60 days). • refund of 75% for ZBLA (150 days), combined ZBLA/OPAs (180 days) and Site Plan (90 days). • refund of 100% for ZBLA (180 days), combined ZBLA/OPAs (240 days) and Site Plan (120 days). 	<ul style="list-style-type: none"> • The timing and duration of this process is often beyond the municipality's control, as in the case of delayed responses and incomplete submissions from applicants. Another source of delay in the process comes from time spent waiting for comments from public agencies, including provincial ministries • Significant Loss of revenue to the City
<p>Site Plan Control</p>	<ul style="list-style-type: none"> • municipalities can enact by-laws to mandate pre-consultation prior to application submission. • the complete application requirements applicable to OPAs, ZBLAs and Draft Plans of Subdivision are now applicable to Site Plan applications • requirement for municipal authorities to delegate Site Plan approval to a designated individual • appeal period increased from 30 to 60 days. 	<ul style="list-style-type: none"> • Coordination of comments and issuing SPA within 60 days or refunds are required resulting in loss of revenue to the City. • Delegated authority for site plan approval in effect at the City • City has a process in place for issuing notice of complete applications for Site plans

<p>Plans of Subdivision</p>	<ul style="list-style-type: none"> • propose to establish a discretionary authority to allow municipalities to reinstate draft plans of subdivision that have lapsed within the past five years without a new application • Minister has the authority to prescribe, by regulation, matters that cannot form the basis of draft plan of subdivision conditions. 	<ul style="list-style-type: none"> • Some conditions are at the discretion of the Minister which limits City's ability to impose some conditions.
<p>Community infrastructure and housing accelerator (CIHA)</p>	<ul style="list-style-type: none"> • The Province will speed up approvals for housing and community infrastructure, like hospitals and community centres, while increasing transparency and accountability through a new Community Infrastructure and Housing Accelerator (CIHA) which will include public notice and consultation requirements • for a municipally initiated request for a zoning order, called the "Community Infrastructure and Housing Accelerator." The legislation requires public consultation and is specifically not permitted to apply to any lands within the Greenbelt. In making a decision under this new power, the policies of the provincial policy statement, provincial plan, or official plan will apply. • A wide range of developments can be subject to this new tool including all types of housing, employment and economic development and mixed-use developments. • This new order power does not replace the ministerial zoning order powers under <u>section</u> 	<ul style="list-style-type: none"> • May offer Council some flexibility in accelerating desired development in some areas of the City, as deemed appropriate.

	<p><u>47</u> of the <i>Planning Act</i> and is not subject to appeal.</p>	
<p>CBC By-law Reviews</p>	<ul style="list-style-type: none"> • Periodic reviews of the CBC by-law will be required, being at least every five years. 	<ul style="list-style-type: none"> • Council must declare whether its CBC by-law needs to be revised before the end of by-law period. Otherwise, the by-law would be deemed to have expired at the end of the 5-year Council period.
<p>Parkland Requirements for TOCs</p>	<ul style="list-style-type: none"> • Maximum parkland contributions for “Transit-Oriented Communities” will be imposed, specifically 10% of lands or the value of the lands if five hectares or less, or 15% of the lands or value of the lands if greater than five hectares in area. 	<ul style="list-style-type: none"> • Loss of revenue to the City to improve or create sufficient parkland.
<p>Ministerial Powers Regarding Official Plan Approvals</p>	<ul style="list-style-type: none"> • The proposed changes would give the Minister new discretionary authority when making decisions on certain OPAs, or new Official Plans. The Minister would be permitted to refer these matters to the Tribunal for a recommendation on whether the Minister should approve or modify the OPA or new official plan, or for a final decision. In either instance, the Tribunal would be able to hold a hearing before making its recommendation or rendering its decision. • The changes would also allow the Minister to suspend the time period in which to decide on all 	<ul style="list-style-type: none"> • Reduces City’s control over some Official Plan Amendments

	<p>official plan matters subject to Minister's approval (with transition for matters that are currently before the Minister).</p> <ul style="list-style-type: none"> • Where the Minister is the approval authority, they can refer all or part of an Official Plan to the Ontario Land Tribunal for a recommendation or a decision. • decisions are not subject to appeal • Minister can suspend the timeline in which a decision must be rendered. 	
<p>Regulation-Making Authority for the Use of Surety Bonds</p>	<ul style="list-style-type: none"> • Allows the Minister to make regulations prescribing and defining surety bonds (and other prescribed instruments). Such instruments would authorize landowners and applicants to stipulate the type of surety bond (or other prescribed instrument) to secure obligations imposed by the municipality in connection with land use planning approvals. 	<ul style="list-style-type: none"> • A less secure option for obtaining financial obligations by the developer to the City.