

APPENDIX C to SRPI.23.059

Bill 97

On April 6, 2023, Ontario announced the next steps in its plan to build 1.5 million homes by 2031. Two key components of this announcement are the introduction of Bill 97, the *Helping Homebuyers, Protecting Tenants Act, 2023* (“**Bill 97**”), and the release of a draft Provincial Planning Statement to replace the current Provincial Policy Statement and the Growth Plan.

The following chart outlines a comprehensive list of changes that were introduced with Bill 97, which is not in effect at the time of writing this report.

Change	Description	Implications to the City
Site Plan Control	<ul style="list-style-type: none"> Allows site plan control to apply to developments of less than 10 residential units where the development is proposed within 120 metres of a shoreline or 300 metres of a railway line. A similar amendment is proposed to the site plan control sections of the <i>Planning Act</i> through Schedule 6 of Bill 97. 	<ul style="list-style-type: none"> City can amend Site Plan Control By-law to now include these areas.
Fee Refund Provisions	<ul style="list-style-type: none"> delays the effective date of the Bill 109 application fee refund requirements until July 1, 2023. Any refunds that would have been owed prior to that date are proposed to be retroactively voided. 	<ul style="list-style-type: none"> Staff has time to implement the new CAP process to meet the prescribe timelines and reduce need to refund
Area of Employment	<ul style="list-style-type: none"> proposes to expressly exclude institutional uses and commercial uses, which include retail and office uses not associated with primary industrial uses, from the list of uses. 	<ul style="list-style-type: none"> appears to allow municipalities to maintain the status quo, provided it adopts official plan policies that specifically authorize the continuation of that lawfully existing use prior to the modified “area of employment” definition coming into effect

<p>Appeals of Interim Control By-laws</p>	<ul style="list-style-type: none"> • Section 38 of the <i>Planning Act</i> permits a municipality to pass an interim control by-law (“ICBL”). An ICBL may be passed without notice and may prohibit the use of land, buildings or structures for the purposes set out in the ICBL, and for the period of time set out in the ICBL (not to exceed two years). • proposes amendments to section 38 of the <i>Planning Act</i> to shorten the period of time within which the clerk of a municipality is required to give notice of the ICBL (from 30 days to 20 days) and to enable an individual who received notice of the passing of an ICBL to file an appeal at the time of initial passing (rather than at the time of extension). 	<ul style="list-style-type: none"> • Notice of ICBL will have to be issued more timely and allows ICBL’s to be appealed within the first year of its passing.
--	---	--