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Submitted through Environmental Registry Ontario website

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Re: ERO File No. 019-0183

 Proposed new regulation pertaining to the community benefits authority under the *Planning Act*

1. Transition

The date by which all municipalities in Ontario must transition from the current development charges system to the community benefits system is January 1, 2021. The difficulty with this is that any budgets for planning reviews were set in January 2019. At the time the More Homes, More Choice Act was not being considered. To have all the municipalities requesting proposals from the few firms which assist the municipalities with the development charges/community benefits by-laws will create a situation whereby all 444 municipalities are vying for their services. Without the funds in a current budget, all will be tendering after the 2020 budgets have been set - the end of January at best.

Many municipalities can only budget one major planning review or study per budget year. The County of Lambton has had their Official Plan approved by the Ministry of Municipal Affairs and Housing and the Local Planning Appeal Tribunal this year. Several of the lower-tier, and smaller, municipalities in Lambton County, including Plympton-Wyoming, were planning on an Official Plan Review in 2020. This review must be postponed until 2021 to accommodate the new development charges and community benefits by-laws.

A proposal is to amend the draft regulation to permit the required review and public consultation to take place as the current development charges by-laws are expiring. This would extend the transition time to June 6, 2024 at the latest.

1. Reporting on community benefits

As all monies (revenues and expenditures) must be reported through the Financial Information Report (FIR), this reporting is an added burden to Treasury Department. A proposal is to create an internal, to the Provincial government, system which transfers the information which is already reported.

1. Reporting on parkland

As all monies (revenues and expenditures) must be reported through the FIR, this reporting is an added burden to Treasury Department. A proposal is to create an internal, to the Provincial government, system which transfers the information which is already reported.

1. Exemptions from community benefits

The current exemptions from development charges are limited to schools, any municipality or local board and places of worship. The proposed exemptions include long-term care homes, retirement homes and non-project housing. As many of these facilities are privately run, they should not be excluded solely based on land use.

1. Community benefits formula

The community benefits formula is to ensure 'that historically collected [revenues] for "soft services" … are maintained' and 'to make costs of development more predictable'. Under the parkland dedication and cash-in-lieu of parkland dedication were predictable 'commercial and industrial purposes, 2% and in all other cases 5%' (Planning Act, 1990 section 42(1)). The current development changes by-law is clear as to the manner and amount of the charges.

The maintenance of revenues to the municipalities will be difficult as charges for several 'soft services' will not be permitted to be collected, including cultural facilities, buildings and fleets which serve infrastructure departments and buildings and other items for general governance of municipalities. Additionally, only capital infrastructure that is needed for community services but not operating expenses.

It is difficult to ensure that this change in charges and parkland dedication will be revenue neutral without knowing the prescribed rate which can be charged.

A proposal is to restore the existing development charges framework or show how those facilities which are currently permitted will be permitted, though within a different framework.

1. Appraisals for community benefits

If a municipality believes an appraisal does not reflect the true value of the lands, it is too low; the municipality can provide its own appraisal. This should not be at the municipality's expense, nor should the third one, should this be required. Save and except the foregoing, the appeal mechanisms are agreeable.

1. Excluded services for community benefits

This list of excluded community benefits does not contain any exclusions or additions to what was permitted previously. Therefore no comments are forthcoming from the Town of Plympton-Wyoming.

1. Community planning permit system

As the Town of Plympton-Wyoming has not used a community planning permit system, there are no comments on this proposal.

Thank you for the opportunity to comment on the community benefit system provisions under the More Homes, More Choices Act, 2019. This regulation will affect many in the Province of Ontario and it is important to create the best legislation possible.

Regards,



 Sarah Baldwin, MCIP, RPP

Planner, for Town of Plympton-Wyoming

cc. Carolyn Tripp, Chief Administrative Officer, Town of Plympton-Wyoming