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John Ballantine, Manager

Municipal Finance Policy Branch

Municipal Affairs and Housing

13th Floor, 777 Bay Street

Toronto, ON M5G 2E5

Submitted through Environmental Registry Ontario website

August 15, 2019

Re: ERO File No. 019-0184

Proposal to make changes to O. Reg. 82/98, under the *Development Charges Act, 1997* related to Schedule 3 of the *More Homes, More Choice Act, 2019*.

1. Transition

The date by which all municipalities in Ontario must transition from the current development charges system to the new development charges 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 Ontario 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 will have to 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. Scope of types of development subject to development charges deferral

Deferring development charges for those buildings of land uses which are harder to attract is a practical tool. Especially for purpose built rental housing, this will permit the rental income to be applied to a construction cost directly.

A proposed mechanism is that the development charges payable at building permit issuance are frozen. Therefore any outstanding development charges would not be subject to an increase if a new development charges by-law were enacted by the municipality.

1. Period of time for which the development charge freeze would be in place

It is not practical for a municipality to freeze the amount of development charges to the time of site plan agreement, or zoning by-law amendment, as there can be a time lag of two (2) years until the subject of the site plan agreement is at building permit issuance, or longer with an amendment to the site plan agreement. The same is true for zoning by-law amendments. Additionally, the ZBA is with the property in perpetuity, therefore development may not happen for 10+ years. This is the equivalent of two review cycles of a development charges by-law.

The proposal is to not permit a freeze and the date of the amount of the development charge remain at building permit issuance.

1. Interest rate during deferral and freeze of development charges

It is appropriate to charge interest if deferring, or freezing, development charges and to let the municipalities use existing legislation in setting the interest rate payable.

1. Additional dwelling units

The Town of Plympton-Wyoming DC by-law does not apply the current residential DC for a new dwelling unit within an existing structure (one of the proposed amendments). It does, however, for a second accessory dwelling. Therefore this amount would not be available though second dwelling units can add to the population base to be serviced by Town services. If development charges are not charged on these additional units the burden on municipal services would be even greater.

Thank you for the opportunity to comment on the amended development charges regime 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