April 3, 2020

Ministry of Municipal Affairs and Housing

Municipal Finance Policy Branch

College Park 13th floor, 777 Bay Street

Toronto ON M7A 2J3

Dear John Ballantine:

**Re: ERO #019-1406 – Proposed Regulatory Matters Pertaining to Community Benefits Authority Under the *Planning Act*, the *Development Charges Act*, and the *Building Code Act***

The Township of Springwater has had an opportunity to review the proposed regulatory matters pertaining to Community Benefits Authority released on February 28, 2020.

Township Council reviewed the matter at its meeting held on March 18, 2020 and provide the following comments.

Requirements of the Community Benefit Charge (CBC) strategy and of consultation

The regulation proposes that the requirements for the CBC Strategy are similar to those for a background study under the *Development Charges (DC) Act*, and that the consultation is to be determined by the municipality.

Township comments: The Township of Springwater supports these aspects of the proposal.

Eligible services under the *DC Act*

The regulation proposes to reverse the initial proposal regarding public libraries, parks development and recreational facilities. They would remain as eligible services under the *DC Act*, and would now be funded at 100% instead of the current 90%. In addition, general services are proposed to no longer be an eligible service under the *DC Act*.

Township comments: The Township supports public libraries, parks development and recreational facilities remaining as eligible services under the *DC Act*, and funded at 100%. The growth-related costs for these services should continue to be funded from DCs, which are based on the cost to provide those services, rather than a land value which is not tied to the cost to provide the service.

Regarding general services, the costs of DC Charges background studies and growth-related planning studies such as Official Plan Updates and Zoning By-law Updates would no longer be able to be funded from DCs. The Township would be required to fund the entire cost from taxation rather than the current 10%. The Township recommends reconsideration of this so that these growth-related costs can continue to be funded from DCs.

Excluded services for which CBCs may not be charged

The proposed regulation does not change the list of services excluded from the June 2019 regulation. They include cultural or entertainment facilities, tourism facilities, hospitals, landfill sites and services, facilities for the thermal treatment of waste and headquarters for the general administration of municipalities and local boards.

Township comments: Given that these services were not previously eligible for DC funding, there would be no change for the municipality.

Timeline to transition to the new CBC regime

The regulation proposes to amend the timeline from January 1, 2021 to 12 months after the regulation comes into effect. This will provide municipalities more time to determine if, and how, they wish to implement a CBC Strategy.

Township comments: The Township of Springwater supports the amended timeline of at least 12 months after the regulation comes into effect in order to have sufficient time to determine if, and how, a CBC Strategy will be implemented.

CBC by-law notice and minimum interest rate for refunds

The proposed regulations for by-law notice and minimum interest rate on successfully appealed by-laws are similar to those already in place for DC by-laws.

Township comments: The Township of Springwater supports these aspects of the proposal.

Types of development excluded from the CBC

The proposed regulation does not make any change to the types of development excluded from the payment of the CBC. This list includes long-term care homes, retirement homes, universities and colleges, certain developments of the Royal Canadian Legion, hospices and non-profit housing.

Township comments: The Township of Springwater supports this aspect of the proposal.

*Building Code* applicable law

The regulation proposes to change the *Building Code* *Act* to require payment of the CBC prior to building permit issuance.

Township comments: The Township of Springwater supports this aspect of the proposal.

Sincerely,

Jane Corbeil, CPA, CMA

Director of Finance/Treasurer

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