




COMMUNICATION UPDATE

TO:	Mayor and Members City Council
DATE:	June 20, 2024
SUBJECT:	Bill 185, <i>Cutting Red Tape to Build More Homes Act, 2024</i> (City Wide)
WARD(S) AFFECTED:	City Wide
SUBMITTED BY:	Anita Fabac Acting Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

The purpose of this Communication update is to provide Council with an update on Bill 185, *Cutting Red Tape to Build More Homes Act, 2024* which received Royal Assent on June 6, 2024. On April 10, 2024, the province introduced Bill 185, *Cutting Red Tape to Build More Homes Act, 2024*. The Environmental Registry of Ontario postings were open for public comment until May 10, 2024. Staff submitted comments on the following Environmental Registry of Ontario postings on May 10, 2024:

- 019-8366 - Regulatory Changes to Remove Barriers from Additional Dwelling Units;
- 019-8368 - Proposed Amendments to Ontario Regulation 73/23: Municipal Data Reporting;
- 019-8369 - Proposed *Planning Act* and *Municipal Act* Changes; and,
- 019-8370 - Proposed Changes to Regulations under the *Planning Act* and *Development Charges Act*.

Staff provided a response to the proposed changes at the May 14, 2024, Planning Committee (PED24097) which assessed the amendments to the *Planning Act* (Schedule 12 of Bill 185) and the *Municipal Act* (Schedule 9 of Bill 185) and confirmed Council's support of staff comments by letter to the Minister of Municipal Affairs and Housing on June 5, 2024.

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

On May 31, 2024, following the Report to Council, Bill 185 was amended to change the definition of “public body” to allow landowners to submit an appeal on an Official Plan Amendment and Zoning By-law Amendment if the amendment affects their lands. Bill 185 received third reading on June 5, 2024.

Royal Assent was received on June 6, 2024, and Bill 185 came into force and effect the same day for most of the amendments, including changes to the *Planning Act*.

Transition regulations apply related to refunds associated with development applications (Site Plan Control, Zoning By-Law Amendment applications) received prior to June 6, 2024. As a result, those applications currently under review will be subject to the applicable fee refunds for the 60, 90 and 120 day timelines.

Summary of Bill 185, Cutting Red Tape to Build More Homes Act, 2024

The amendments made to the *Planning Act* are summarized as follows:

1. Appeal Limitations for Official Plan Amendments / Zoning By-law Amendments*;
2. Repeal of Bill 109 Fee Refunds;
3. Use It or Lose It;
4. Elimination of Mandatory Pre-Consultation;
5. Elimination of Parking Requirements within the Major Transit Station Areas;
6. Additional Residential Unit Regulations;
7. Minister’s Zoning Order Framework; and,
8. *Planning Act* Exemptions for Post Secondary Institutions.

*Bill 185 was updated to continue to provide appeal rights to landowners where the City initiates amendments to the Official Plan and/or Zoning By-law and provided additional transition permissions for appeals already submitted to the Ontario Land Tribunal.

A Transition Regulation was added relating to the repeal of Bill 109 Fee Refunds. While the City is processing applications that would fall under the Transition Regulation (i.e. applications submitted prior to Bill 185 being enacted on June 6, 2024), none of the current applications were beyond the 60, 90, 120 day timelines and no fee refunds will be required.

The amendments made to the *Municipal Act* are summarized into the following categories:

1. Bonusing; and,
2. Allocation of Services.

To date, associated Ontario Regulations have not been provided to support Bill 185.

NEXT STEPS

As a result of the legislative changes staff will be reviewing the impacts on staffing, processing and associated fees, and over the next few months, will be bringing forward the necessary reports to implement the legislative changes.

Please contact Shannon McKie, Acting Director of Development Planning with any questions at Shannon.McKie@hamilton.ca or at (905) 546-2424 Ext. 1288.

APPENDICES AND SCHEDULES ATTACHED

Not applicable.