



Proposed Development Processes in Response to Provincial Legislation (Bills 109, 23, 97)

Development Services Committee
June 13, 2023



Agenda

1. Context – Legislative Change Affecting Planning Matters
2. Proposed New Development Processes
3. Next Steps



Context – Legislative Change Affecting Planning Matters

- ***More Homes for Everyone Act (Bill 109)*** included provisions that require application fee refunds if the City does not issue a decision in the prescribed time frame (came into effect January 1, 2023)
- **Helping Homebuyers, Protecting Tenants Act, 2023 (Bill 97)**, if enacted proposes to delay in effect date of fee refund provisions to July 1, 2023
- Affects Site Plan, Zoning By- Law Amendment and Combined Zoning By-Law and Official Plan Amendment applications



Development Application Fee Refunds (Bill 109)

Refund	Planning Application Type(s)		
	Official Plan Zoning <u>Decision</u>	Zoning <u>Decision</u>	Site Plan <u>Approval</u>
None	Within 120 days	Within 90 days	Within 60 days
50%	Within 121 and 179 days	Within 91 days and 149 days	Within 61 and 89 days
75%	Within 180 and 239 days	Within 150 and 209 days	Within 90 and 119 days
100%	240 days and later	210 days and later	120 days and later



Context – Legislative Change Affecting Planning Matters

- *More Homes Built Faster Act, 2022* (Bill 23) received Royal Assent on November 28, 2022:
 - Amended *Planning Act, Development Charges Act, Municipal Act, Ontario Heritage Act, Ontario Land Tribunal Act, Conservation Authorities Act*
 - Development application implications – no site plan for 10 units or less, permits additional dwelling units and restricts urban design to safety and sustainability
- Draft Official Plan Amendment and Pre-consultation Bylaw reported to DSC on November 29, 2022 and Statutory Public meeting held on December 7, 2022
 - Materials were informed through staff working group with York Region and local municipalities
- Meetings held with stakeholders including Markham City Builders and BILD

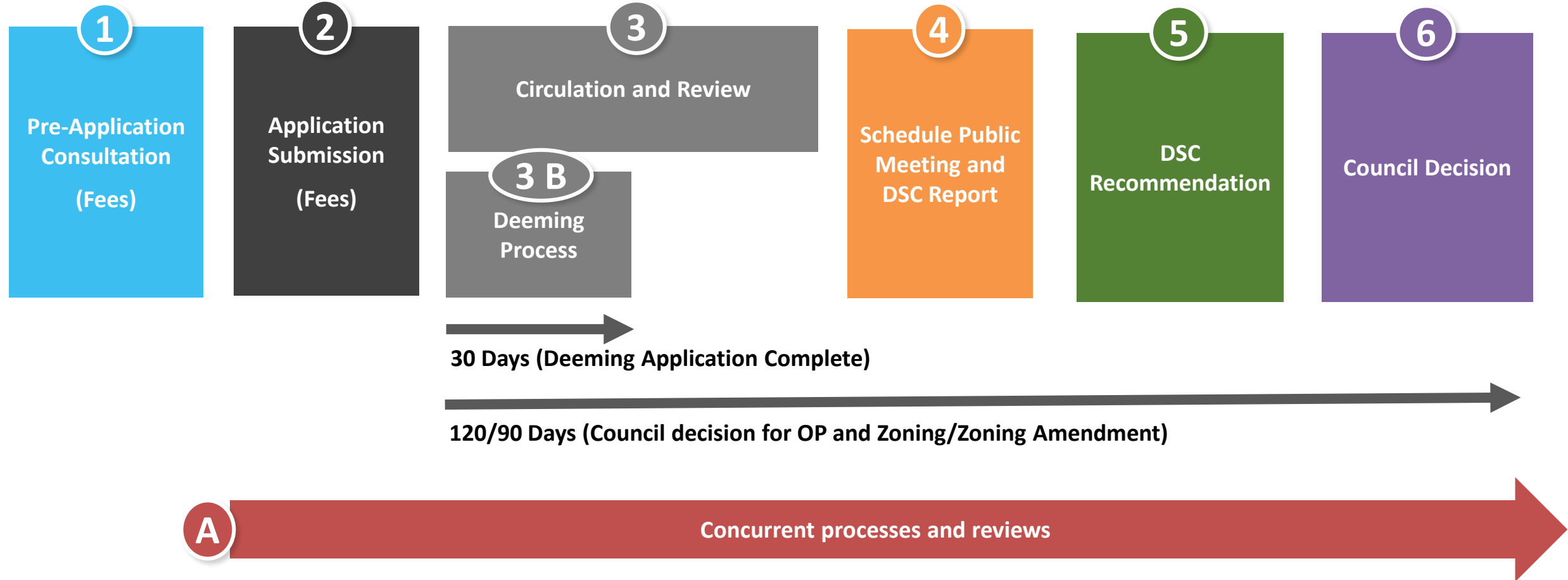


New Development Processes

- Objective of new development processes is to issue decision(s) within prescribed timeframes resulting in no application fee refunds
- The following instruments are recommended for approval:
 - Official Plan Amendment (Region has delegated approval to City)
 - Various Bylaw updates:
 - Municipal Servicing
 - Pre-consultation
 - Development Fee
 - Municipal Act Fee



Planning Process: **OP/Zoning**

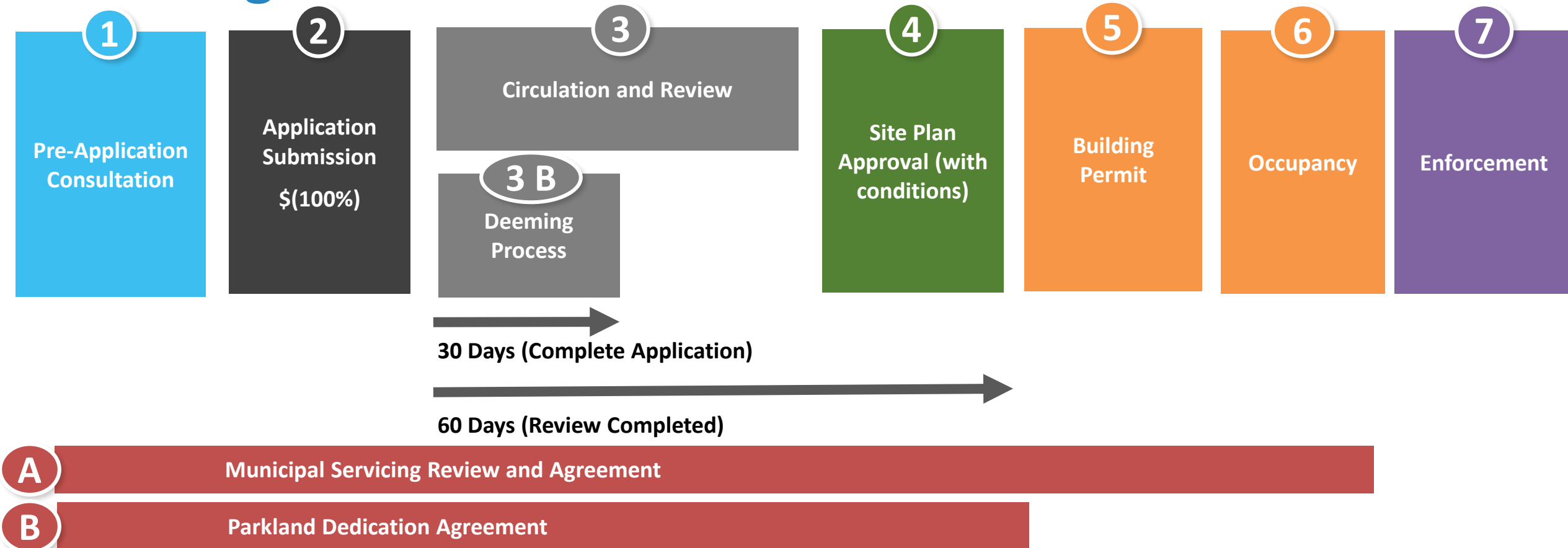


120 and 90 day timelines re-start if application is deemed incomplete





Planning Process: **Site Plan**



60 day timeline re-start if application is deemed incomplete





Next Steps

- Staff recommend that Council approve the instruments to implement the new development processes
- Ongoing training for staff and development of process supports
- Ongoing implementation of process improvements as part of LEAN review
- Staff will continue to monitor implementation and effectiveness of new development processes