

### Niagara Region Comments and Analysis on Bill 185

Topic	Summary of Regional Comments
Repeal of Mandatory Phase In	<ul style="list-style-type: none"> <li>Regional staff are supportive of this proposed change. The Region is currently in year two of the phase-in provision, meaning that our DC rates currently represent 85% of the rates determined in our 2022 DC By-law Update. As a result of the phase-in provisions, \$7.6 million has been included as part of the 2024 Regional Budget to fund the Region's DC Reserves, \$7 million from the general tax levy and \$600,000 funded by reserve per our funding strategy outlined in CSD 14-2023.</li> <li>If phase-in requirements for DC rates is removed, the Region would have the ability to charge 100% of the DC rates as calculated during the DC Background Study process.</li> </ul>
Eligible Capital Costs	<ul style="list-style-type: none"> <li>Expanding the eligibility costs to reinstate growth-related studies once more is supported by Regional staff. This change would allow the Region to share the cost of master plans that support growth related infrastructure estimated at \$6.3 million in the current DC study alone and that are required on an on-going basis.</li> </ul>
"Use It or Lose It" Tool: Municipal Servicing Allocations	<ul style="list-style-type: none"> <li>The Region's Growth Management Division is in the process of developing a formalized program for considering allocations of water supply and sewage capacity from Regional infrastructure. A coordinated approach between the Region and the local area municipalities will continue to be essential to ensure appropriate servicing capacity is available for new and existing development across Niagara.</li> <li>Regional staff support the proposed change as an option available to municipalities where deemed appropriate.</li> </ul>

Topic	Summary of Regional Comments
Limits to Third Party Appeals	<ul style="list-style-type: none"> <li>• The proposed change will remove the Region’s right to appeal, which will limit the ability to protect Regional interests as part of the development approvals process. Regional staff recommend that upper-tier municipalities without planning responsibilities be recognized as an agency, or “specialized person” permitted to appeal the subject plans, by-laws, and applications.</li> <li>• The transition rules for existing appeals could mean that appeals the Region is or has an interest in participating in may be dismissed if a hearing has not already been scheduled.</li> </ul>
Support Streamlined Housing Development	<ul style="list-style-type: none"> <li>• The Niagara Official Plan supports intensification within the urban area and the streamlining of approvals that would help to address gaps in the Region’s housing supply.</li> <li>• Further funding commitments may be needed from Provincial and Federal governments to support the expansion and enhancement of the Region’s transit system to avoid potential conflicts related to the removal of parking requirements.</li> </ul>
Granting Assistance for Manufacturing and Related Industries	<ul style="list-style-type: none"> <li>• Further details are required to assess the financial impact of these regulations to the Niagara Region. The Province should ensure that any funding that is authorized under these regulations is undertaken in a manner that is fiscally responsible for the municipality.</li> <li>• Regional staff would also caution that the regulations should be structured in a manner that would avoid a “race to the bottom” scenario for municipalities, which would lead to a competition for a particular manufacturing business or other industrial or commercial enterprise.</li> </ul>

Topic	Summary of Regional Comments
Changes to the Development Approvals Process	<ul style="list-style-type: none"><li>• Regional staff support the removal of the fee refund provisions.</li><li>• The Niagara Region will have limited opportunity to establish submission requirements for applicants who choose not to proceed with the pre-consultation process, which can result in the submission of incomplete information and delays in processing development applications.</li><li>• Niagara Region charges a fee for all pre-consultations. In the absence of a pre-consultation meeting, the Region will need to adjust related review fees to ensure cost-recovery is maintained.</li></ul>
Minister's Zoning Orders	<ul style="list-style-type: none"><li>• Regional staff support the provision of further criteria and structure for the use of Minister's Zoning Orders. The Province should ensure that the Region is consulted on matters related to servicing, growth management, and other infrastructure matters under its jurisdiction.</li></ul>