
Subject: Implications of Bill 108: *More Homes, More Choice Act, 2019*

Report to: Planning and Economic Development Committee

Report date: Wednesday, June 12, 2019

Recommendations

1. That Report PDS 26-2019 **BE RECEIVED** for information;
2. That staff **BE DIRECTED** to continue to provide detailed comments on Bill 108 and any associated matters, as needed;
3. That a copy of Report PDS 26-2019 **BE CIRCULATED** to local area municipal Planning Directors, Area Treasurers, CAOs, and MPPs; and
4. That staff **REPORT** any further material legislative changes in Bill 108 that may arise in the future to Council.

Key Facts

- The purpose of this report is to provide a synopsis of the proposed amendments in *Bill 108 – More Homes, More Choice Act, 2019*.
- On May 2, 2019, Ministry of Municipal Affairs and Housing (MMAH) announced its 'Housing Supply Action Plan' and concurrently introduced *Bill 108: More Homes, More Choice Act, 2019*.
- Bill 108 proposes to amend 13 pieces of legislation, overlapping a number of Provincial Ministries. It will have a significant impact on the Region's land use planning function and administration of development charges.
- Commenting periods on Bill 108 matters were limited, and concluded June 1, 2019.
- Regional staff applied Corporate's One Team approach to review Bill 108, including regular correspondence with internal departments, local area municipal planners, and drafting submissions to the Province in a timely manner.
- Regional staff comments submitted to the Province through the Environmental Registry of Ontario (ERO) are included as appendices to this report. Also included is a May 29, 2019 letter from the Region's development charge consultant, Watson and Associates Economists Ltd. The Watson letter was submitted to the ERO on behalf of many municipal clients and is provided here for information.

Financial Considerations

There are no financial considerations directly linked to this report.

Proposed amendments in Bill 108 may reduce the amount of development-related charges collected by Niagara Region and its local municipalities. This could result in less available funding for Regional programs and initiatives and may result in deferral of growth-related capital infrastructure.

The changes identified may have significant financial impact for the Region. The full cost and administrative burden cannot be determined without additional details that will be found in the regulations which have not been released.

Analysis

On May 2, 2019, the MMAH announced the 'Housing Supply Action Plan' (<https://www.ontario.ca/page/more-homes-more-choice-ontarios-housing-supply-action-plan>).

The stated intent of the Plan is to cut red tape and make housing more affordable. The Plan includes amendments to 13 Acts (in Bill 108) as well as changes to the Building Code and the introduction of the 2019 Growth Plan (in effect May 16, 2019). The Building Code changes and Growth Plan are not the subject of this report.

Bill 108 would reverse several of the *Planning Act, 1990*, and *Ontario Municipal Board Act, 1990*, (now *Local Planning Appeal Board Act, 2017*) changes made by the previous Government through *Bill 139: Building Better Communities and Conserving Watersheds Act, 2017*. The Bill 139 changes have been in effect since April 2018. A description of the Bill 108 changes are provided in this report.

A significant change is the proposed new method for collecting fees for parkland and other soft services. Regional staff is note that the new method will not lead to appropriate parkland contribution or adequate recovery of growth-related soft costs.

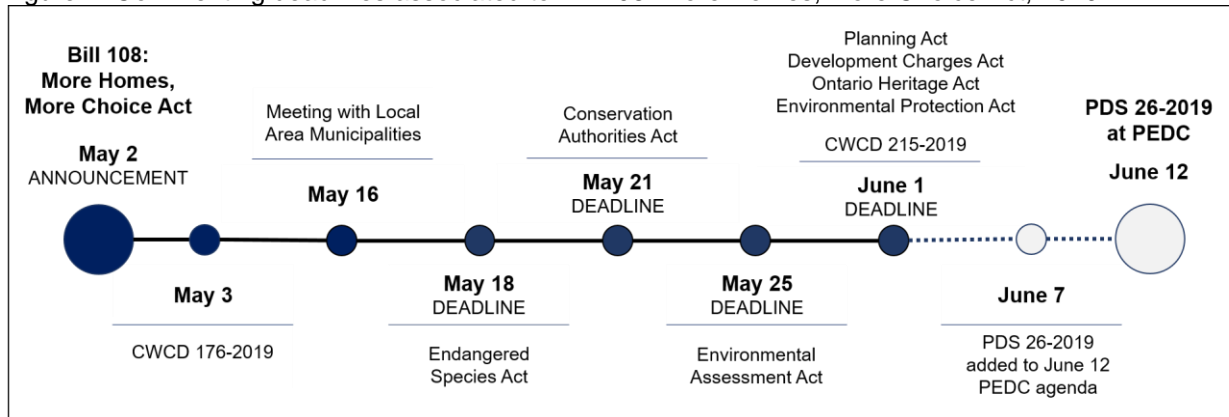
Not all legislation in Bill 108 was open for comment to the Province. The Environmental Registry (ERO) had seven postings for comment, relating to the following Acts:

- *Conservation Authorities Act, 1990*
- *Development Charges Act, 1997*
- *Endangered Species Act, 2007*
- *Environmental Assessment Act, 1990*
- *Environmental Protection Act, 1990*
- *Ontario Heritage Act, 1990*
- *Planning Act, 1990*

Submissions on the above-noted Acts were staggered, with the last ending on June 1, 2019.

Figure 1 illustrates the Bill 108 commenting deadlines and Regional/local municipality consultation.

Figure 1: Commenting deadlines associated to Bill 108: More Homes, More Choice Act, 2019



Regional staff's comments are attached to this Report.

Regional staff deployed a One Team approach to assemble internal comments, as well as liaise with local area planning directors through hosting a roundtable discussion.

The following sections provide an overview of the Bill 108 key changes.

Conservation Authorities Act, 1990

Bill 108 proposes a new function and responsibility for Conservation Authorities (CAs).

Presently, CAs primarily provide technical and advisory services to municipalities relating to watersheds, floodplains, and environmental practices.

The new function would include mandatory programs and services administered by CAs, including:

- Programs and services related to the risk of natural hazards.
- Programs and services related to the conservation and management of lands owned or controlled by the authority, including any interest in land registered on title.

- Programs and services related to the authority's duties, functions and responsibilities as a source protection authority under the *Clean Water Act, 2006*.
- Programs and services related to the authority's duties, functions and responsibilities under an Act prescribed by the regulations.

These responsibilities may not significantly alter the role and function of the Niagara Region Conservation Authority; however, it could affect the agency's budget forecasts and allocations. Therefore, responsibilities outlined within the Environmental Protocol between the NPCA and Niagara Region may have to be revisited.

Another proposed change is the exemption of low-risk development activities from CA review. Regional staff support this revision, as it should improve the timeliness for municipal review of simple applications, and allow the NPCA to dedicate its effort on more complex applications.

There were two separate ERO postings relating to the *Conservation Authorities Act, 1990*, amendments:

- The Ministry of Natural Resources and Forestry (MNRF) "Focusing conservation authority development permits on the protection of people and property" (<https://ero.ontario.ca/notice/013-4992>); and
- The Ministry of the Environment, Conservation, and Parks (MECP) "Modernizing conservation authority operations - Conservation Authorities Act" (<https://ero.ontario.ca/notice/013-5018>).

Those comments are included as **Appendix 1 and 2**.

Environmental Protection Act, 1990, regulation

The MECP is proposing to introduce a new regulation under the *Environmental Protection Act, 1990*, titled, "Environmental Compliance Approval in respect of Sewage Works Regulation" (<https://ero.ontario.ca/index.php/notice/019-0005>) to enable prescribed persons to alter sanitary collection and stormwater systems.

Currently, the *Environmental Protection Act, 1990*, permits prescribed persons to undertake alterations to sanitary and stormwater systems within the terms and conditions in Environmental Compliance Approvals (ECAs).

The proposed regulation would permit developers who enter into an agreement with the municipality to construct sewage works that the municipality may own under the municipality's ECA.

The regulation would apply to municipalities who have ECAs with pre-authorizations, if specific conditions are met. Developers must enter into an agreement with the municipality, and the work must meet the conditions of the municipality's ECA.

Municipalities who do not have pre-authorization conditions in their existing ECAs will be required to amend their ECA if they wish to take advantage of this proposed regulation. Until a municipality has an ECA with pre-authorizations, developers are required to obtain separate ECAs for sewage collection works.

The proposed regulation may have limitations in the Region's two-tier wastewater system. Niagara Region has ECAs for its infrastructure, including the sewage pumping stations (SPS), and the local municipalities have separate ECAs for its sanitary sewers and infrastructure. The proposed pre-authorized system would be more effective in municipalities where all related infrastructure is controlled by one level of government.

Staff have sought clarification from the MECP regarding how the term "prescribed persons" will be applied in cases, such as Niagara's, where there may be joint ownership for a new system-wide ECA with pre-authorizations.

Regional staff's comments on the *Environmental Protection Act, 1990*, regulation is included as **Appendix 3**.

Endangered Species Act, 2007

Proposed amendments to the *Endangered Species Act, 2007* follow the transfer of provincial administration from the MNRF to the MECP, which came in to effect in October 2018.

In January 2019, MECP published a discussion paper to gather feedback on challenges associated with the *Endangered Species Act, 2007* and provide insight and direction for future revisions. The commenting period for this paper concluded in March 2019 and the Region submitted a response prior to that date.

In April 2019, MECP opened for comment its "10th Year Review of Ontario's Endangered Species Act: Proposed changes" (<https://ero.ontario.ca/notice/013-5033>). The MECP stated that these proposed changes are based on feedback collected through the MECP's earlier discussion paper exercise.

A significant proposed change is the introduction of a "Species at Risk Conservation Fund", which will be administered by a newly established Crown agency called the "Species at Risk Conservation Trust". The fund allows proponents to pay towards practices or other activities that help to protect a specie prescribed on the Conservation Fund Species list. At the time of writing this report, the MECP has not yet prescribed the Conservation Fund species list.

While conceptually this has merit, providing proponents with the option to pay into a fund in lieu of fulfilling species protection requirements could however reduce accountability and make it easier to proceed with activities that harm vulnerable species. Staff recommend the establishment of an effective mitigation hierarchy at the time of Conservation Fund application should the MECP proceed with a fund.

Staff further suggest that MECP undertake a bona fide analysis of staffing and resourcing requirements associated with the *Endangered Species Act, 2007* changes. As written, it is unclear whether amendments will help address common complaints in Niagara relating to the Ministry's timely review and comment on information requests submitted to local district offices.

Staff's submissions on the *Endangered Species Act, 2007* are included as **Appendix 4**.

Environmental Assessment Act, 1990

In April 2019, the MECP posted two EROs in relation to modernizing Ontario's Environmental Assessment Program:

- ERO #013-5101 titled, "Discussion paper: modernizing Ontario's environmental assessment program" (<https://ero.ontario.ca/notice/013-5101>); and
- ERO #013-5102 titled, "Modernizing Ontario's environmental assessment program – Environmental Assessment Act" (<https://ero.ontario.ca/notice/013-5102>).

The discussion paper (ERO #013-5101) explains key features of the Environmental Assessment Program and MECP's immediate and long-term vision.

The second posting (ERO #013-5102) initiates immediate changes to the *Environmental Assessment Act* identified in the discussion.

Niagara Region's Public Works and Planning and Development Services departments collaborated closely in submitting comments, which are enclosed as **Appendix 5**.

A key change proposed through Bill 108 is the exemption of low-risk Class Environmental Assessments (EAs) from the *Environmental Assessment Act, 1990*. Delegated exemption authority would belong to certain Crown entities and provincial ministries who are lead proponents of the Class EA. Eligibility for exemption would be determined during EAs' pre-screening process.

Bill 108 also proposes new restrictions on the application of Part II Orders for Class EAs. Proposed amendments limit the eligibility for a Part II Order considered by the Minister, except if the Minister may prevent, mitigate, or remedy adverse impacts

towards Aboriginals or treaty rights, or other matters of provincial significance as prescribed by regulation.

The regulation has not yet been released; thus it is unknown what may be considered matters of provincial significance that warrant a Part II Order.

Planning Act, 1990, Development Charges Act, 1997, and Local Planning Appeals Tribunal Act

Bill 108 proposes a series of interrelated amendments to the *Planning Act, 1990*, *Local Planning Appeal Tribunal Act, 2017*, *Development Charges Act, 1997*, and *Ontario Heritage Act, 1990*.

ERO comments on the *Planning Act, 1990* and *Development Charges Act, 1997* were made to <https://ero.ontario.ca/notice/019-0016> and <https://ero.ontario.ca/notice/019-0017>, respectively. The Province did not seek comments on the amendments to the *Local Planning Appeal Tribunal Act, 2017*.

Key changes by theme are set out in the following subsections.

Reduced time to review and decide planning matters

The proposed amendments would reduce planning application review and approval periods, as illustrated in Table 1 below.

Table 1: Proposed changes to planning application review and approval periods.

	Pre-Bill 139	Bill 139 (current)	Bill 108 (proposed)	Proposed change
Official Plan / Official Plan Amendment	180 days	210 days	120 days	- 90 days (3 months)
Zoning By-law Amendment	120 days	150 days	90 days	- 60 days (2 months)
Plan of Subdivision	180 days	180 days	120 days	- 60 days (2 months)

Niagara Region and local area municipalities strive to meet current planning application timelines. However, in some cases, it can be difficult to meet these timelines, particularly in recent years when Niagara Region has experienced a greater number of applications.

The compressed timelines will strain internal operation deadlines. For example, in order to meet the Region's reporting requirements, staff recommendation reports are circulated internally 30 days before Regional Standing Committee meetings. Thus, staff review is shortened by an additional 30 days. This would result in Regional staff having an effective total of 60 days to review and provide comment on a complex zoning by-law amendment, or 90 days to review and provide recommendation on an entirely new lower-tier official plan.

The reduction in application review time will challenge the ability for Niagara Region and local municipalities to complete a comprehensive review and conduct meaningful consultation and co-ordination.

Staff caution that these reduced timeframes could result in a lower quality of work, or the need for additional staffing.

The ability to appeal non-decisions at an earlier date, combined with the changes to Local Planning Appeal Tribunal (described further below), may lead to the need to dedicate more staff resources to addressing appeals in lieu of other priorities. If the shortened review dates remain as proposed, the Region seeks an additional amendment that would permit a pause in review time in cases where there are outstanding municipal requests of developers for revised or supporting documents needed as part of the development application.

Revisions to notice requirements for Plan of Subdivisions

The proposed amendments to the *Planning Act, 1990* would eliminate the requirement for an approval authority (i.e. the local municipality, in most cases) to give notice to prescribed persons or bodies prior to making a decision on a Plan of Subdivision application.

Currently, notice given to prescribed persons or bodies prior to a decision on this type of application is required through either (1) providing notice of the application, or (2) hosting a statutory public meeting.

The proposed amendment would merge these processes and have notice through notice of statutory meeting as required by regulation, which has not yet been released.

The Region requested that the forthcoming revised regulation continue to require approval authorities to provide notice to prescribed persons or bodies both prior to and following a decision. This requirement is good practice since it improves fairness and transparency for interested stakeholders.

Revisions to the Local Planning Appeal Tribunal (LPAT) and appeal process

Bill 108 proposes amendments to rules relating to how hearings are conducted, how evidence may be presented, and permissions for examination and cross-examination of witnesses. These changes return to a practice similar to what existed with the Ontario Municipal Board (OMB) prior to Bill 139.

The changes would return to evidence-based hearings. Under the present version of the *Planning Act, 1990*, appeals to the LPAT could be made only on grounds of non-conformity or non-consistency with Provincial policies or official plans. Proposed changes would allow appellants to set the reasons for appeal based on planning principles.

New restrictions would limit third party appeals of Plans of Subdivisions and certain official plan and official plan amendments. This change is supported by Staff; it will give greater autonomy to municipal decision-making and lead to faster approvals for Plans of Subdivision. For the same reason, the Region supports the retention of limitations on appeals of certain Official Plan Amendments that require Minister approval.

The restriction to adduce evidence and call and cross-examine witnesses would be removed. However, the new rules would allow the LPAT to limit both evidence and expert witnesses prior to a hearing at its discretion. There would be rules on non-parties (participants) to allow them to make submissions in writing only.

Bill 108 places additional emphasis on mediation – the Tribunal can now direct parties to participate. Additionally, for most appeals, Case Management Conferences must include a discussion of resolving issues through mediation or other dispute resolution process.

Some elements of the Bill 139-era LPAT process would be retained. For example, Case Management Conferences are still required for parties prior to a hearing, unless a settlement is reached. Additionally, Official Plan Amendments undertaken by a municipality as a conformity exercise to provincial policy and approved by the Minister are ineligible for appeal. This is particularly important for Niagara Region as it is undertaking a new comprehensive Official Plan.

Adjustments to Development Charges (DCs)

Bill 108 proposes a restructuring of the collection and use of soft-service DCs through amendments to the *Development Charges Act, 1997* and *Planning Act, 1990*.

Currently, funds obtained through DCs are used to pay for growth-related costs associated with most new or upgraded public services and infrastructure. Bill 108 would change that for “soft services” – they would no longer be eligible for collection through

DCs, and instead would be collected through a different funding mechanism – a Community Benefits Charge By-law (described further in the next section).

The Region currently collects soft service development charges in the following categories (which would no longer be eligible for DC collection under the proposed scheme):

- General Government
- Emergency Medical Service
- Long Term Care
- Provincial Offences Act
- Health
- Social Housing

DCs could be charged only for hard services. Below are the categories in which the Region can charge DCs:

- Water and wastewater services
- Stormwater (the Region does not provide this service and thus does not charge a related DC)
- Roads
- Electrical power (the Region does not provide this service and thus does not charge a related DC)
- Police and Fire (the Region does not provide a Fire service and thus does not charge a related DC. It has a Police service charge)
- Transit (the Region currently does not charge a related DC for this service)
- Waste Diversion
- Other prescribed services (none have been named at this time)

Under the existing system, the Region collects DCs from developers and allocates these funds to relevant projects during the annual budget process. Based on the 2019 approved budget and current revenue projections, the Region is projecting \$538M in DCs collected for the 2019-2028 period, as shown in Table 2 below.

Table 2: Projected forecast of annually collected Regional DCs.

Summary of Regional Development Charge Collections (\$Ms)											
	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	Total
DCs Collected - Hard Service	41.03	42.73	43.59	44.46	45.35	46.26	47.18	48.13	49.09	50.07	457.88
DCs Collected - Soft Service	3.33	7.95	8.11	8.27	8.44	8.61	8.78	8.96	9.13	9.32	80.90
Total	44.36	50.69	51.70	52.73	53.79	54.86	55.96	57.08	58.22	59.39	538.79

The 2019-2028 capital program planned to be funded from these revenue sources (including funding already in reserve funds) is shown in Table 3 below.

Table 3: Projected DC fund allocation towards Regional Capital Programs.

Summary of Capital Programs Funded from Development Charges (\$Ms)											
	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	Total
DCs Collected - Hard Service	56.36	31.40	31.91	44.96	62.07	62.34	36.44	51.35	19.42	17.94	414.19
DCs Collected - Soft Service	29.32	0.93	-	-	-	-	-	-	-	-	30.25
Total	85.67	32.33	31.91	44.96	62.07	62.34	36.44	51.35	19.42	17.94	444.44

The DC collection process for hard services would change too. Instead of collecting DCs at the time of building permit (which is generally done), DCs would be calculated and collected at the time an applicant submits a Site Plan (or rezoning application, if a Site Plan is not required). The charge would be fixed at that rate, with municipalities limited to charging a prescribed interest rate, until issuance of a building permit or occupancy (depending on type of development).

Site plan approval can occur considerably earlier than building permit approval; the DCs collected by the Region at that time would not benefit from indexing between these two points in time. Thus, there may be a mismatch between the need for services and the funds received to pay for them.

DCs payable for rental, industrial, institutional, commercial and non-profit housing units would be payable over six installments, with prescribed interest. Instead of collecting the entire fee at the time of building permit, one-sixth of the fee would be collected at first occupancy and the balance would be collected in one-sixth increments for the next five years on the anniversary of the initial collection.

In addition to the increased administrative burden, there will be an impact on cash flow. It is estimated that the Region collects DCs on over 100 of these property types each year. The delayed cash flow may result in either a delay in the implementation of capital projects, increased debt requirements (which could result in downward pressure on the Region's credit rating) and associated cost to accommodate the loss of cash flow, or an increased pressure on the taxpayer.

Community Benefits Charge

As noted above, Bill 108 proposes a new mechanism, a “Community Benefits Charge”, (CBC) for municipalities to collect funds relating to soft services. In the current *Development Charges Act, 1997*, these form part of the development charge and are collected in full at the time of building permit.

In addition to replacing the DC soft services, a CBC By-law will replace the bonusing provisions for increased density contained in section 37 of the *Planning Act, 1990*, and the “alternative” parkland dedication rate based on number of units set out in sections 41 and 51.1 of the *Planning Act, 1990*.

Municipalities would still be able to collect “traditional” parkland dedication or fees for 5% or 2% of the land under 42(1) of the *Planning Act, 1990* if it has not passed a CBC By-law.

Regional staff note that municipalities may not be able to collect sufficient parkland dedication regardless of whether it implements a CBC By-law or keeps a traditional parkland by-law (since a traditional rate is insufficient, particularly for multi-storey projects).

The financial impacts of implementing a CBC is unknown; the Province has not released its regulations that would allow municipalities to understand the impact.

Until a municipality implements a CBC, existing section 37 and parkland dedication fees as prescribed in the *Planning Act, 1990*, continue to apply. Prior to implementing a CBC, a municipality must pass a CBC By-law that is informed by a CBC Strategy. The contents of a CBC Strategy are unknown and will be prescribed at a future date.

The amount that a municipality can collect from a single property-specific CBC is capped at a percentage of the properties’ current market value. The CBC cap percentage is unknown and will be prescribed at a future date.

In regards to determining a property’s value, the municipality is responsible for conducting the initial appraisal. Property owners can object to an appraisal if they disagree with its outcome. If an objection occurs, additional appraisals are undertaken by the property owner and municipality to determine a value. Disputes over appraisals are common in other planning cases; Staff note that the CBC appraisal process may be the same, leading to substantial costs and time burden to municipalities.

Staff also caution using land value as a method of assessing soft servicing costs since providing services may be unrelated to appraised value. For example, the cost of playground equipment needed in a new neighbourhood is the same, regardless of

whether the value of property is high or low. Land values across Niagara vary drastically and are not always linked to population or employment within that geography.

The Bill 108 changes would also allow municipalities to accept “in-kind contributions” towards the payment of a CBC; qualifications for eligible in-kind contributions will be identified by regulation at a later date.

Further, the proposed changes will require a municipality to either spend or allocate at least 60% of its total collected CBC within one year of its collection. This may be challenging depending on how areas are built-out, or where a CBC is collected through a mix of monetary and in-kind contributions.

Staff are unsure how a revised DC system, CBC By-laws and parkland dedication by-laws will work in a two-tier system. This may add complexity to the development fee structure, rather than simplify it as intended by the Province.

The legislation allows only one CBC By-law to be in effect at a time. It is unclear whether different rates may be applied to different areas or classes of development. If not, inequities would likely result between different communities.

The changes identified may have significant financial impact for the Region. The full cost and administrative burden cannot be determined without additional details that will be found in the regulations which have not been released.

Development Permit Systems

A development permit system (DPS) is a development application tool that would replace other application processes (i.e. zoning, minor variance, and site plan). The intended purpose is to use a DPS to make the application process simpler and quicker. DPS are optional, and have not been widely used in the Province since their introduction in 2007.

Bill 108 proposes to expand the Minister’s powers to *require* a municipality to implement a DPS within a specified area and within a specified amount of time. For example, the Minister may require a municipality to implement a DPS within a Major Transit Station Area (MTSA).

Scoped implementation to implement “inclusionary zoning”

Inclusionary zoning is a set of policies introduced in April 2018 through Bill 139 and proposed for modifications in Bill 108.

Instead of voluntarily implementing inclusionary zoning (which has not been done in Niagara), inclusionary zoning would be restricted to those areas that are MTSAs, within a DPS area, or in response to an order made by the Minister.

Additional Residential Units

Bill 108 proposes a new set of policies required for official plans to authorize second units in detached, semi-detached and row houses and in ancillary structures.

Ontario Heritage Act, 1990

Amendments to matters relating to Part IV of the *Ontario Heritage Act, 1990*, (<https://ero.ontario.ca/notice/019-0021>) dramatically shift the role and authority for lower-tier municipal Councils to designate and permit alterations to heritage properties.

In the current *Ontario Heritage Act, 1990*, the Conservation Review Board (CRB) would hear an objection to a Council's decisions on heritage matters. The CRB's role is to provide Council with a recommendation to uphold or reverse its decision on the objected subject matter.

Through Bill 108, an objection by the property owner would be heard by the LPAT instead of the CRB. The LPAT would make a final decision on the matter, in contrast to the current CRB process of sending a recommendation to Council for further determination.

In Bill 108, heritage matters eligible for appeal to the LPAT include decisions on:

- applications to alter/demolish heritage buildings, structures, or attributes;
- designating by-law; and
- applications to repeal a designating by-law.

Staff advise that the LPAT hearing process will be more complex. As well, Staff recommends that the LPAT commit to resourcing its adjudicators with heritage expertise to hear these cases, particularly since these matters have not traditionally been before the LPAT or OMB.

Niagara Region's Enterprise and Resource Management Services and Planning and Development Services departments collaborated closely in submitting *Ontario Heritage Act, 1990*, comments, which are enclosed as **Appendix 6**.

Watson and Associates Economists Ltd. Comments

Watson is a consulting firm that undertakes a significant amount of municipal development charge work, including for the Niagara Region. Watson provided the Region a copy of their May 29, 2019 ERO submission outlining their view on the proposed changes to the *Development Charges Act, 1997*. The Watson submission is enclosed as **Appendix 7**.

Alternatives Reviewed

The purpose of this report is to provide a summary on implications associated to proposed amendments through Bill 108. There are no other alternatives for Regional Council to consider at this time.

Staff will update Council on Bill 108-related matters as they occur.

Relationship to Council Strategic Priorities

Doing Business Differently

Proposed amendments through Bill 108 will impact the way Niagara Region conducts its core functions and daily business operations.

Specifically, amendments to the *Planning Act, 1990* and *Development Charges Act, 1997* will expedite planning-related decisions, as well as modify the collection development-related costs through DCs and CBCs.

Further, proposed revisions to the *Conservation Authorities Act, 1990*, *Endangered Species Act, 2007*, and *Environmental Protection Act, 1990*, could potentially influence the roles and responsibilities of program service delivery between Niagara Region, its local area municipalities, and external stakeholders.

Other Pertinent Reports

- CWCD 176-2019
- CWCD 215-2019

Prepared by:

Isaiah Banach
Manager, Long Range Planning
Planning and Development Services

Recommended by:

Rino Mostacci, MCIP, RPP
Commissioner
Planning and Development Services

Submitted by:

Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was prepared in consultation with Alexander Morrison, Planner, Margaret Murphy, Associate Director of Budget Planning and Strategy, Robert Fleming, Senior Tax and Revenue Analyst, and reviewed by Diana Morreale, MCIP, RPP, Director of Development Approvals.

Appendices

Appendix 1	Niagara Region comments - Focusing conservation authority development permits on the protection of people and property (ERO #013-4992)	Pages 17 - 20
Appendix 2	Niagara Region comments – Modernizing conservation authority operations – Conservation Authorities Act (ERO #013-5018)	Pages 21 - 23
Appendix 3	Niagara Region comments - Environmental Compliance Approval in respect of Sewage Works Regulation (ERO #019-0005)	Pages 24 - 25
Appendix 4	Niagara Region comments – 10 th Year Review of Ontario’s Endangered Species Act (ERO #013-5033)	Pages 26 - 35
Appendix 5	Niagara Region comments – “Discussion Paper: Modernizing Ontario’s Environmental Assessment Program” (ERO #013-5101) and “Modernizing Ontario’s Environmental Assessment Program - Environmental Assessment Act” (ERO #013-5102)	Pages 36 - 49
Appendix 6	Niagara’s comments: Bill 108 – More Homes, More Choice Act, 2019 regarding the <i>Planning Act, 1990</i> (ERO 019-0016), <i>Development Charges Act, 1997</i> (ERO 019-0017); and <i>Ontario Heritage Act, 1990</i> (ERO 019-0021)	Pages 50 - 63
Appendix 7	Watson and Associates Economists Ltd. letter Re: Bill 108: Potential Changes to the Development Charges Act	Pages 64 - 72