

June 22, 2023

Mayor John Taylor and Members of Council

Town of Newmarket
395 Mulock Drive
Newmarket, ON
L3Y 4X7

Sent via email to clerks@newmarket.ca

RE: *Response to Bill 109 with Collaborative Application Preparation Process & Development Approvals Process and Fees Review (Report No. 2023-38)*
Council - June 26, 2023

The Building Industry and Land Development Association (BILD) is in receipt of the staff report entitled *Response to Bill 109 with Collaborative Application Preparation Process & Development Approvals Process and Fees Review* (Report No. 2023-38), which is being considered by Council for adoption on June 26, 2023. On behalf of our York Chapter members, BILD appreciates the opportunity to provide the following comments regarding this work.

BILD acknowledges that the purpose of *Bill 109, the More Homes for Everyone Act, 2022* is to increase housing supply and choice for families and individuals across the province. The key amendment from Bill 109 that we are addressing within this correspondence is the requirement for municipalities to refund application fees (for zoning by-law amendment and site plan applications) on a graduated basis if a decision is not made within the legislated timelines. This requirement will apply to applications made on or after July 1, 2023.

The staff report identifies a number of recommendations resulting from the Town's Development Application Process (DAP) review, as well as the recommendation to endorse York Region's Collaborative Application Preparation (CAP) process. BILD appreciates that the Town has identified opportunities for internal improvements that will help meet the legislated timelines, and that these areas of improvement are being recommended for implementation.

In general however, BILD is of the opinion that any approach where the substantive issues of a development proposal are to be resolved prior to the formal submission is not in keeping with the spirit and intent of the legislation. By front-loading the development application process, this means that an applicant must ensure their application is complete prior to the start of the 'clock' of the legislated timelines. It is BILD's opinion that any policies or procedures that aim to circumvent or delay the start of the timeline should be avoided as a matter of law.

On behalf of our members, we strongly encourage Council to refuse to adopt staff's recommendations, and direct staff to explore valid process improvements to meet the purpose and intent of Bill 109 to encourage faster municipal decisions.

Thank you again for the opportunity to submit these comments. We trust that you will take them into careful consideration and we look forward to the outcome of this work.

Kind regards,

A handwritten signature in black ink, appearing to read "Sophie Lin", with a long horizontal flourish extending to the right.

Sophie Lin
Planner, Policy & Advocacy

CC: Danielle Binder, Director, BILD
Victoria Mortelliti, Senior Manager, BILD
Members of the BILD York Chapter

The Building Industry and Land Development Association is an advocacy and educational group representing the building, land development and professional renovation industry in the Greater Toronto Area. BILD is the largest home builders' association in Canada, and is affiliated with the Ontario Home Builders' Association and the Canadian Home Builders' Association. It's 1,500 member companies consists not only of direct industry participants but also of supporting companies such as financial and professional service organizations, trade contractors, as well as manufacturers and suppliers of home-related products.