

MEMORANDUM

To: Regional Chair Emmerson and Members of Regional Council

From: Jason Li, CPA, CA
Acting Commissioner of Finance and Regional Treasurer

Date: October 26, 2021

Re: Response to Provincial consultation on the proposed changes to the *Development Charges Act, 1997* and regulatory framework as they relate to the Yonge North Subway Extension

This memorandum provides Members of Regional Council with staff's submission, as part of the provincial consultation process, on Schedule 7 of [Bill 13, Supporting People and Businesses Act, 2021](#) and the [proposed regulatory framework](#) (treatment of the Yonge North Subway Extension (YNSE) under the *Development Charges Act, 1997*).

The proposed changes on the treatment of the YNSE were summarized in an October 12, 2021 Committee of the Whole [memorandum](#).

Feedback is being sought on the proposed changes to the Act as well as the associated regulatory framework

The Province is seeking feedback on the proposed changes to the Act, which were summarized in Ontario Regulatory Registry ("ORR") [#21-MMAH028](#) with a commenting deadline of November 21, 2021. The proposed regulatory framework, intended to support changes to the Act, were summarized in ORR [#21-MMAH023](#) with a commenting deadline of November 1, 2021.

Staff support changes to the Act, to treat the YNSE as a discrete service, but reiterate Council's request to exempt the YNSE from the freezing provisions

Staff are supportive of the proposal to treat YNSE as a discrete service but continue to reiterate the request from York Region's Council that the YNSE be exempted from the freezing provisions in the Act. This request is encapsulated in the motion, on today's agenda, from the York Region Rapid Transit Corporation.

Attachment 1 to this memorandum provides staff's draft response to the proposed changes to the Act and the associated regulatory framework, as well as the accompanying rationale. Table 1 below summarizes key details of those comments.

Table 1
Provincial Consultation Submission on Bill 13 and Regulatory Framework*

Area	Key Details
YNSE as a discrete service <ul style="list-style-type: none">• 20-year planning horizon• Forward looking level of service	Staff are supportive of this proposed change as it reflects Council's previous request
Freezing provisions under the Act	Exempting the YNSE from the freezing provisions help address cost recovery challenges and ensure that development benefitting from the project contributes to their fair share of the costs
Proposed regulatory framework	Further refinement of definitions and requirements for DC background study help ensure transparency and that 'growth pays for growth'

*Staff are also recommending that the changes come into effect as soon as possible



Jason Li, CPA, CA
Acting Commissioner of Finance and Regional Treasurer



Bruce Macgregor
Chief Administrative Officer

Attachment (1)
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