

**Date:** 2023-01-10

**Subject:** **Budget Amendment: Bill 23 – Task Force**

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**Report Number:** Planning, Bld & Growth Mgt-2023-070

**Recommendations:**

1. **THAT** the report titled “Budget Amendment Bill 23 – Task Force” dated January 10<sup>th</sup> 2023 to the Council meeting of February 8<sup>th</sup>, 2023 be received.
2. **THAT** Council approve the proposed Terms of Reference for the Bill 23 Task Force.
3. **THAT** to assist future advocacy by the City’s Task Force in connection with C354-2022, staff be directed to engage external consultants, as necessary, with respect to municipal planning and growth management and potentially other areas of service to be determined by the province.
4. **THAT** staff be directed to report back to Council on the progress of the Bill 23 Task Force at key milestones.
5. **THAT** a budget amendment be approved and a new capital project be established in the amount of \$570,000 for the consulting services of the municipal planning and growth management review and potentially other areas as determined by the provincially-appointed facilitator, with funding to be transferred from Reserve 4 – Asset Repair and Replacement.
6. **THAT** Council approve return of funds in the amount of \$572,042 from the Planning Vision Implementation Capital Projects #187001-001, 197001-001 and 207001-001, back to source which includes \$490,145 to Reserve #4 – Asset Repair and Replacement and \$81,897 to the General Rate Stabilization Reserve as the funds are no longer required.

## Overview:

- On November 28<sup>th</sup>, 2022, City Council passed resolution C354-2022 to form a special task force to develop and deliver a plan of advocacy to the provincial government which focuses on the City's concerns related to Bill 23 and the need for significant investments to service the growth outlined in Bill 23.
- The task force is to engage and negotiate in a meaningful fashion with developers and key stakeholders.
- Recent announcements from the Province indicate that provincially-appointed facilitators will be tasked to assess and determine the appropriate roles and responsibilities for Regional governments and their local municipalities to ensure they meet the new housing targets.
- Staff will be procuring a management consulting firm through a pre-qualification process to look at service delivery for land use planning and growth management specific to Brampton's needs, and a broader service review that may be triggered once the provincial facilitator is announced.
- A budget amendment is required to undertake the consultant assignment associated with planning and growth management review. Excess funding from the Planning Vision Implementation projects #187001-001, #197001-001, #207001-001 will be returned to source resulting in a net zero budget impact.
- Pending the scope of work to be determined by the Facilitator, additional funding may be required. Council will be apprised at the appropriate time of any budgetary impacts.
- City staff met with the Region of Peel on January 24th and understand that the Region intends to consult with local municipalities and Conversation Authorities to develop a new matrix of local and regional planning responsibilities.

## Background:

On November 28th 2022, Council passed resolution C354-2022:

- *That City of Brampton Council form a special task force comprised of the Mayor (Patrick Brown), Chair of Planning (Councillor Palleschi), Deputy Mayor/Vice-Chair Planning (Councillor Singh), Chair of Community Services and FCM Board Member (Councillor Santos), Chair of Public Works and AMO Board Member (Councillor Vicente), and City Staff as determined by the CAO to develop and*

*deliver a plan of advocacy to the provincial government which focuses on the City's concerns related to Bill 23 and the need for significant investments to service the growth outlined in Bill 23;*

- *The plan consider the work being done with municipal advocacy groups such as AMO, FCM, the Ontario Big City Mayors, to mitigate the fiscal impacts to municipalities, and address unintended consequences from Bill 23.*
- *The task force engage in a meaningful fashion with developers and key stakeholders to identify the best approach to municipal planning and growth management as it relates to Brampton's existing plans, specific needs and challenges.*

Bill 23 accelerated the 2051 housing growth forecast to 2031. The City now has to absorb three times the average growth. In the decades leading up to Bill 23, reviews of land use planning, growth management and other service delivery lines within the Region of Peel have been undertaken (Appendix 1). The high-level chronology in Appendix 1 provides an overview that focuses primarily on the financial outcomes of the various studies. Drivers for these reviews include, but are not limited to:

- Appropriate representation at Regional Council based on the population/build-out of Peel's area municipalities;
- Tax subsidization of programs/services delivered by the Region of Peel; and
- Increased autonomy in local planning decisions.

While C354-2022 only references "municipal planning and growth management", any future study could entail a broader service delivery review as per recent announcements from the province.

### **Current Situation:**

In preparation for the City's response to the forthcoming provincial facilitator and scope of work, this report provides:

1. The proposed Terms of Reference for the City's Bill 23 Task Force; and
2. A recommendation on procurement of external consulting services to support the City with this undertaking.

### **Bill 23 Task Force – Proposed Terms of Reference**

Staff recommend that Council adopt the Terms of Reference set out below to assist determining the best outcome for the City through the provincial review process.

**Mandate:** To ensure the City of Brampton is strategically positioned to manage and implement Bill 23 in the areas of:

- Funding for key infrastructure required to deliver complete communities in Brampton in light of our new 10-year target of 113,000 households;
- Joint advocacy with the Ontario Big City Mayors, Association of Municipalities of Ontario, Federation of Canadian Municipalities focused on managing unintended fiscal, environmental and social consequences;
- Efficient and effective service delivery of municipal planning and growth management to deliver Bill 23 outcomes associated with streamlining development approvals and elimination of redundancy in the planning process; and
- Assessing all possible scenarios as per recent announcements from the province on service delivery between upper and lower tier municipalities.

**Outcomes:**

- Appropriate funding from provincial and federal government to support forecasted growth to 2031 and beyond.
- Enhanced collaboration with key stakeholders in support of joint advocacy.
- Higher degree of autonomy in land use planning decisions allowing for expeditious land use approvals aligned with Council priorities.

**Deliverables:**

1. Targeted advocacy for key infrastructure funding that supports Brampton as Canada's ninth largest city to:
  - a) support our fair share of transfer payments from the provincial and federal government;
  - b) ensure the expeditious delivery of infrastructure to align with implementation of development approvals to meet the Bill 23 housing target; and
  - c) minimize financial exposure of growth related costs on the City's tax base.
2. Partnership communication with municipal advocacy groups to support:
  - a) local decision making in municipal planning and growth management;
  - b) reducing duplication and red-tape associated with land use approvals; and
  - c) models for community service delivery that are cost effective and reliant.
3. A financial and service delivery review of land use planning and growth management within the Region of Peel and City of Brampton.

**Key Performance Indicators:**

- Number of joint advocacy efforts that result in funding from other levels of government; and
- Administrative costs savings and process efficiencies associated with models for local land use planning and growth management service delivery.

## NEXT STEPS

To deliver the above noted scope of work, staff are taking pro-active steps building on existing resources such as recently completed reviews of internal development review processes (Planning, Bld & Growth Mgt-2023-036) and background position papers to participate in the broader exercise once the provincial facilitator's scope of work is released. In addition, staff recommend procuring a management consulting firm through a pre-qualification process to assist with this work.

While the Bill 23 direction from Council is to look at service delivery for land use planning and growth management specific to Brampton's needs, the successful consultant may also be retained to undertake a broader service review that may be triggered once the provincial facilitator is announced. This procurement method allows for the most agility in the ever shifting provincial landscape.

At a January 24 meeting with the Region of Peel, staff understand the Region is commencing a review on the future role of Regional Planning after full implementation of Bill 23. Staff understand the Region intends to consult with local municipalities and Conservation Authorities and develop a new matrix of local and regional planning responsibilities. To this end, the recommendations set out in this report will prepare the City to engage in this Regional exercise.

### Corporate Implications:

#### Financial Implications:

The recommendations in this report require a budget amendment and establishment of a new capital project in the amount of \$570,000, for municipal planning and growth management consulting services, with funding to be transferred from Reserve 4 – Asset Repair and Replacement.

In order to offset the impact of this requirement, staff are recommending that funding the following projects are returned to source, resulting in a net zero impact to the budget and to the City's reserves overall:

Project	Funding Source	Amount to be returned
Planning Vision Implementation - 187001 – 001	General Rate Stabilization Reserve	\$81,897
Planning Vision Implementation - 197001 – 001	Reserve 4 - Asset Repair and Replacement	\$310,145
Planning Vision Implementation - 207001 – 001	Reserve 4 - Asset Repair and Replacement	\$180,000
	<b>Total</b>	<b>\$572,042</b>

Any additional funds required will be put forward in future reports to Council, pending Council approval.

Other Implications:

**Term of Council Priorities:**

This report complies with the 2019-2022 Term of Council Priority “A Well-Run City” and a “City of Opportunities”. The Bill 23 Task Force will improve the operations of the City by identifying the best approach to municipal planning and growth management as it relates to Brampton’s existing plans, specific needs and challenges.

**Conclusion:**

This task force as directed by Council, enables the City of Brampton to respond to Bill 23 to support the accelerated growth. Staff will continue to apprise Council on the progress of the Bill 23 Task Force at key milestones, and bring forward future reports once the scope of work is determined by the provincial facilitator.

Authored by:

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Approved by:

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Marlon Kallideen  
Chief Administrative Officer

**Attachments:**

Appendix 1 – Chronology of Key Studies Examining Service Delivery in the Region of Peel