



COUNCIL INFORMATION PACKAGE

SUMMARY

NOVEMBER 25, 2022

1. **C-2022-214**
Correspondence received November 22, 2022 from Wainfleet Township Public Library respecting the December 2022 Newsletter.
2. **C-2022-215**
Correspondence received November 22, 2022 from The Municipal Engineers Association respecting the appointment of the new Board of Directors for the 2022-2023 term.
3. **C-2022-216**
Correspondence dated November 23, 2022 from Township of Lanark Highlands to the Association of Municipalities of Ontario (AMO) respecting a resolution of support for Tay Valley Township's resolution regarding OMAFRA Ontario Wildlife Damage Compensation Program Administrative Fee.
4. **C-2022-217**
Correspondence dated November 23, 2022 from the Township of Lanark Highlands to the Honourable Steve Clark, Minister of Municipal Affairs and Housing respecting a resolution of support for the Town of Gravenhurst's resolution regarding Strong Mayors, Building Homes Act.
5. **C-2022-218**
Correspondence dated November 23, 2022 from the Town of Aurora to the Honourable Doug Ford, Premier of Ontario respecting a resolution of opposition to Bill 23, More Homes Built Faster Act, 2022.
6. **C-2022-219**
Correspondence dated November 22, 2022 from the City of Niagara Falls respecting Staff Report PBD-2022-73 regarding Bill 23, The More Homes for Everyone Act, 2022.
7. **C-2022-220**
Correspondence dated November 24, 2022 from the Town of Georgina to the Honourable Doug Ford, Premier of Ontario and various Ministers Bill 23, More Homes Built Faster Act 2022.



CHECK IT OUT @ YOUR LIBRARY

DECEMBER 2022 NEWSLETTER

31909 Park Street, P.O. Box 118, Wainfleet, ON L0S 1V0
Phone: 905-899-1277 | Fax: 905-899-2495 | Website: www.wainfleetlibrary.ca



Received November 22, 2022
C-2022-214

Hours:

Monday & Thursday:
10:00 a.m. to 8:00 p.m.

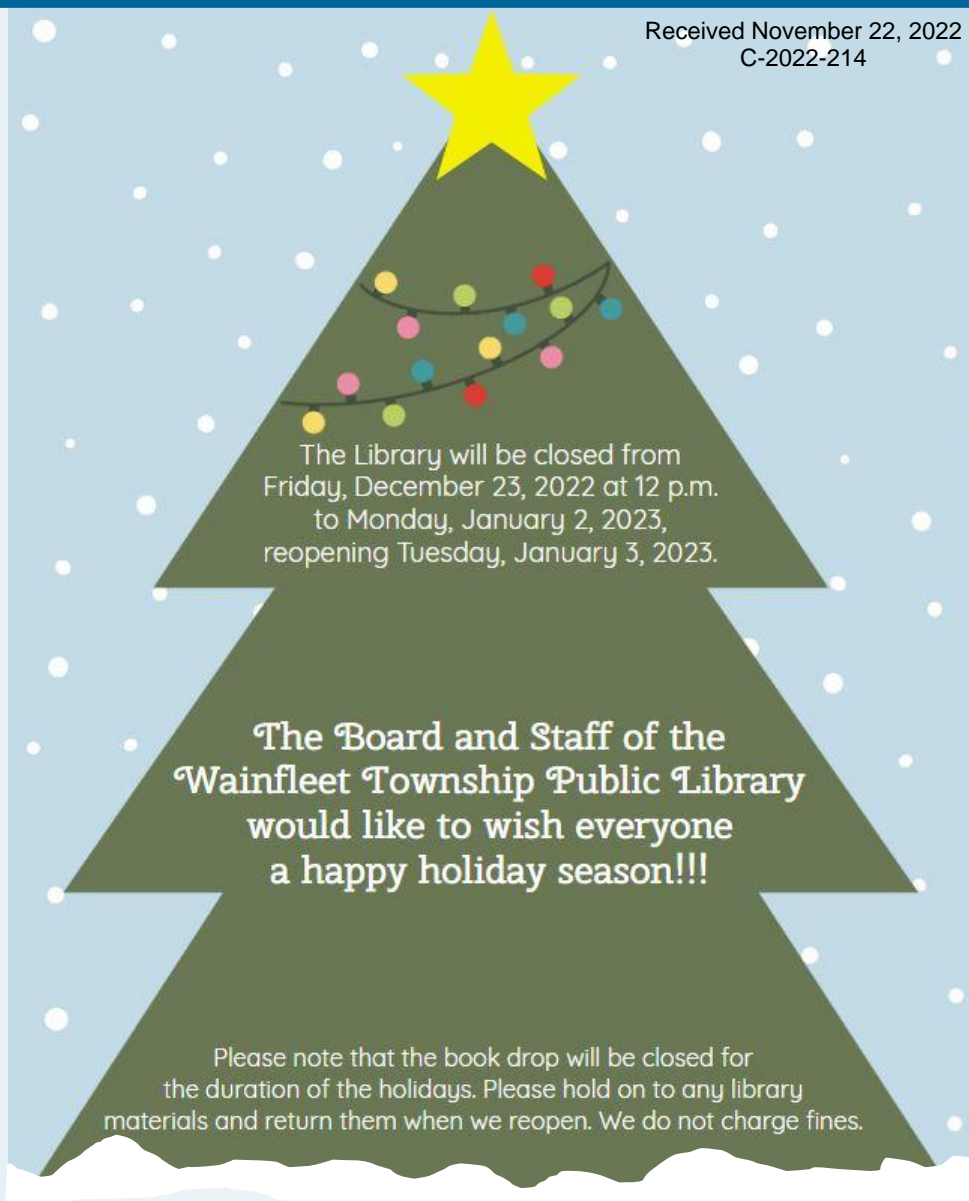
Tuesday, Wednesday & Friday:
10:00 a.m. to 5:00 p.m.

Saturday:
10:00 a.m. to 2:00 p.m.

Sunday:
Closed

**DID YOU
KNOW?**

*Our online resources are
always available 24/7/365.
You can access these
resources including Libby
(the library reading app)
with your library card.*



The Library will be closed from
Friday, December 23, 2022 at 12 p.m.
to Monday, January 2, 2023,
reopening Tuesday, January 3, 2023.

The Board and Staff of the
Wainfleet Township Public Library
would like to wish everyone
a happy holiday season!!!

Please note that the book drop will be closed for
the duration of the holidays. Please hold on to any library
materials and return them when we reopen. We do not charge fines.

Inside This Issue

One-on-one Computer Training	2	Christmas DVDs and Books	4
Visiting Library Service	2	Libby eBooks & Audiobooks.....	4
Wainfleet Public Skating	2	Board & Staff Picks	5
WVFFA Christmas Basket Program .	2	New Material	5
Libraries in Niagara Cooperative	2	Library Board & Staff.....	6
Programs	3	December Calendar	6





** Wearing of CSA-approved helmets is strongly recommended.*

** No hockey pucks allowed on ice during these skating times.*

Free Skate for Tots and Seniors

Wednesdays and Fridays from 9:00 - 10:00 a.m.

Public Skating \$3.60/person (under 6 free)

Saturdays from 2:00 - 3:00 p.m.

(No public skating on January 21 and February 11)

Free P. A. Day Skates

November 25, January 3, 5 & 20, February 17, March 14 & 16 from 2:00 - 4:00 p.m.



One-on-One Computer Training



First hour FREE!
\$10.00 per hour thereafter.

1 hour training sessions
can be tailored to a program
or topic of your choice.
Contact library staff for more information!

VISITING LIBRARY SERVICE

Are you or someone you know unable to visit the Library due to health reasons and/or physical limitations? The Library offers a visiting Library service designed specifically for those who cannot come to the Library. For further information or to schedule deliveries to your home, please call the Library at 905-899-1277.



Wainfleet Volunteer Firefighters Association Christmas Basket Program

You can drop off new toys and non-perishable food items at the library until December 15. Your donations will be used for the Wainfleet Volunteer Firefighters Association Christmas Basket program and will benefit local children and families.



Wainfleet Township Public Library is part of Libraries in Niagara Cooperative (LiNC)

LiNC is a partnership of many Niagara public library systems and Niagara College to share resources and a catalogue system called Evergreen.

LiNC Public Libraries include: Lincoln Pelham, Fort Erie, Niagara-on-the-Lake, Thorold, Grimsby, Welland, Port Colborne, West Lincoln and Wainfleet.

If you have a Wainfleet Township Public Library Card you are automatically a LiNC cardholder. You can visit any LiNC library and borrow in person, or you can place holds and have items sent to Wainfleet for pick up. Items can be returned to any of the LiNC Libraries. Books and audiobooks can be borrowed for 3 weeks; magazines and DVDs can be borrowed for 1 week.

The Library catalogue allows you to search our Library or the entire LiNC catalogue. You can place holds, renew items, create reading lists and track your reading history.

To access the catalogue, go to www.wainfleetlibrary.ca and click on Catalogue in the upper right corner. To sign in, enter your library card number and your password is either the last 4 digits or last 7 digits of your phone number.

Sign In

CARD NUMBER

Library Card Number

PASSWORD

Last 4 or 7 digits of phone #

☐ Stay signed in

Sign in

PROGRAMS

To sign up for programs that require registration, please visit <https://wainfleetlibrary.ca/programs/current-programs>. In the event of high registration, preference will be given to Wainfleet residents first. If you have registered and are no longer able to attend, please contact the library so we can offer the space to someone else.

Winter Wonderland - Time for Tots & Craft - Thursday, December 1, 8 & 15 from 10:00 - 10:45 a.m.

Join us for stories, songs, activities and crafts for tots ages 4 months to 4 years and their caregivers. Spaces are limited, please register by Monday, November 28.



Paint / Decorate Your Own Wooden Ornaments (set of 6) - Thursday, December 1 at 6:00 p.m.

Join us as we lead you in this step-by-step program for all ages (children under 10 must be accompanied by an adult). Spaces are limited, please register by Monday, November 28.



Homeschool Crafternoons - Friday, December 2, 9 & 16 from 3:00 - 4:00 p.m. and Monday, December 5 & 12 from 2:00 - 3:00 p.m.

Join us for one or all of these afternoon crafting programs just for our home school families. Registration required. Project details can be found in the registration form.



DIY Christmas / Holiday Cards - Saturday, December 3 at 10:00 a.m.

Join us as we lead you in this step-by-step program for all ages (children under 10 must be accompanied by an adult). Spaces are limited, please register by Monday, November 28.

Grinchy Santa Wall Hanging - Saturday, December 3 at 12:30 p.m.

Join us and make your own festive wall hanging. This program is for anyone age 10 and up. Spaces are limited, please register by Monday, November 28.



Author Visit / Book Signing with Lisa Sherk - Monday, December 5 at 6:00 p.m.

Join us for light refreshments and meet local author Lisa Sherk as she reads from and provides insight on her new book *The Looking Glass*, illustrated by Megan Harrison. Registration required as spaces are limited. Copies of the book will be available for purchase \$20/paperback, \$30/ hardcover cash only.



Design Your Own Wrapping Paper - Thursday, December 8 at 6:00 p.m.

Join us as we lead you in this step-by-step program for all ages (children under 10 must be accompanied by an adult). Spaces are limited, please register by Friday, December 2.



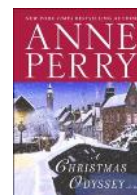
Paint Your Own Winter Village - Monday, December 12 at 6:00 p.m.

Paint your own winter village at this Monday evening program for all ages (children under 10 must be accompanied by an adult). Limit - 1 project per family. Spaces are limited, please register by Friday, December 9.



Thursday Afternoon Book Club - Thursday, December 15 at 2:00 p.m.

This month's book is *A Christmas Odyssey* by Anne Perry. Each participant will be loaned a copy of the current book. Registration is required.



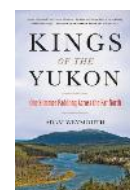
Paint Your Own Holiday Sign - Thursday, December 15 at 6:00 p.m.

Select your project upon registration; choose between star cut out plank or truck. This program is for all ages (children under 10 must be accompanied by an adult). Spaces are limited, please register by Friday, December 9.



Monday Evening Book Club - Monday, December 19 at 6:30 p.m.

This month's book is *Kings of the Yukon: One Summer Paddling Across the Far North* by Adam Weymouth. Each participant will be loaned a copy of the current book. Registration is required.



CHRISTMAS MOVIES



CHRISTMAS NOVELS



Still using the OverDrive app?



Switch to Libby!
Same great titles & new features you'll love.

In early 2023, the OverDrive app will be discontinued. Have you made the switch to the Libby app?

Libby offers the best reading experience for all ages and has the same great content you love in the OverDrive app!

Get in-app support with any questions you may have.

<https://www.overdrive.com/apps/libby/switchtolibby>





Lorrie's Pick



Chris's Pick





Rosalie's Pick



Dianne's Pick



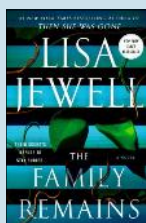
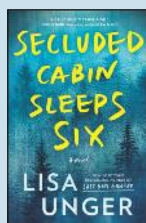
Cheryl's Pick



Lynn G's Pick

NEW LIBRARY MATERIALS

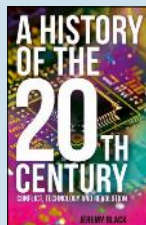
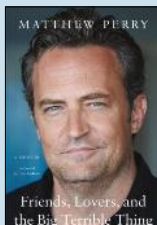
Adult Fiction Books



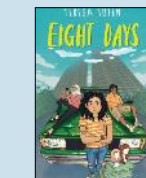
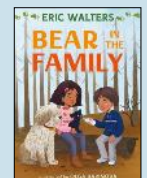
DVDs



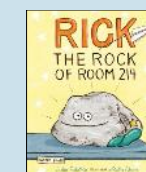
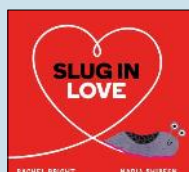
Adult Non-Fiction Books



Juvenile & YP Fiction Books



Juvenile Picture Books





MISSION STATEMENT

The Wainfleet Township Public Library Board guarantees equitable access to all with diverse opportunities for personal enrichment and lifelong learning.

LIBRARY STAFF

Lorrie Atkinson, CEO/Chief Librarian

latkinson@wainfleetlibrary.ca

Carrie Mayr, Library Programmer

cmayr@wainfleetlibrary.ca

**Cheryl Davis-Catchpaw,
Secretary/Library Clerk**

cdavis-catchpaw@wainfleetlibrary.ca

Dianne Boru, Library Clerk

dboru@wainfleetlibrary.ca

Rosalie Kasm, Library Clerk

rkasm@wainfleetlibrary.ca

Kayla Spark, Student Page

Dariusz Zelichowski, IT Specialist

darius@wainfleet.ca



LIBRARY BOARD

Lynn J. Hunt

Chairperson

Lynn Gibson

Vice-Chairperson

Terry Gilmore

Council Representative

Joan Anderson

Trustee

Chris Summerhayes

Trustee

Library Board meetings are held the second Wednesday of February, April, May, June, September, October, November and December and are open to the public.

December 2022

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1 10 a.m. Time for Tots & Craft 6 p.m. Paint Your Own Wooden Ornaments	2 3 p.m. Homeschool Crafternoon	3 10 a.m. DIY Holiday Cards 12:30 p.m. Grinchy Santa Wall Hanging
4	5 2 p.m. Homeschool Crafternoon 6 p.m. Lisa Sherk - Author Visit	6	7	8 10 a.m. Time for Tots & Craft 6 p.m. Design Your Own Wrapping Paper	9 3 p.m. Homeschool Crafternoon	10
11	12 2 p.m. Homeschool Crafternoon 6 p.m. Paint Your Own Winter Village	13	14 10 a.m. Library Board Meeting	15 10 a.m. Time for Tots & Craft 2 p.m. Afternoon Book Club 6 p.m. Paint Your Own Holiday Sign	16 3 p.m. Homeschool Crafternoon	17
18	19 6:30 p.m. Evening Book Club	20	21	22	23 Closed at 12 p.m.	24 Christmas Eve - Closed
25 Christmas Day	26 Boxing Day - Closed	27 Closed	28 Closed	29 Closed	30 Closed	31 New Year's Eve - Closed



MEA APPOINTS NEW BOARD OF DIRECTORS AT 2022 AGM

The Municipal Engineers Association (MEA) is a non-profit association representing the interests of over nearly 1,100 professional engineers in Ontario who are employed in the municipal engineering and public works sectors at Ontario municipalities and provincial agencies, as well as consulting engineering firms acting as the engineer-of-record for Ontario municipalities.

The MEA's many pursuits include significant involvement (development and oversight) as the co-proponents (along with the Ministry of Environment, Conservation & Parks) for the Municipal Class Environmental Assessment (MCEA) process. Together with the Ministry of Transportation of Ontario, MEA administers Ontario Provincial Standards for Municipalities (OPS MUNI); many of our members participate in committees that establish standards and specifications used province wide.

MEA offers training courses for both MCEA and OPS as well as hosting an annual conference.

The MEA is also the preferred venue for employers to recruit professional municipal engineers and technologists/technicians through our online employment advertising platform.

Since 2008, the MEA has also awarded over \$165,000 in bursaries to students entering the first year of an accredited university engineering program as part of its annual bursary program.

The MEA recently held its 2022 Annual General Meeting at the Chelsea Hotel on November 17, 2022. As part of AGM business, a new Board was elected. We are pleased to present the new Board for the 2022/2023 term:

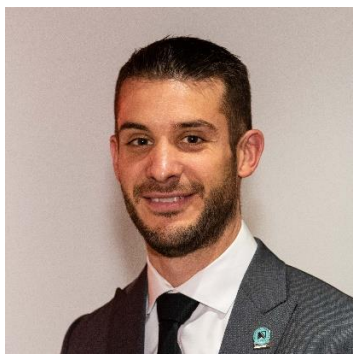
2022-2023 MEA Board of Directors & Staff



Chris A. Traini, P. Eng.
President

County Engineer and
Deputy CAO
County of Middlesex

ctraini@county.middlesex.on.ca



Matthew N. Miedema, P. Eng.
Vice President

Project Engineer
Engineering Division
City of Thunder Bay

mmiedema@thunderbay.ca



Amanda Froese, P. Eng.
Secretary-Treasurer

Director, Transportation &
Environmental Services
Bruce County

afroese@brucecounty.on.ca



**Jason Cole, P. Eng.,
Past-President**

General Manager, Infrastructure &
Development Services
County of Lambton
jason.cole@county-lambton.ca



**Catherine J. Taddo, P. Eng.
Board Director**

Land Development & Environmental
Engineer
City of Sault Ste. Marie
c.taddo@cityssm.on.ca



**Taylor Crinklaw, P. Eng.,
Board Director**

Director of Infrastructure &
Development Services
City of Stratford
tcrinklaw@stratford.ca



**Benjamin de Haan, P. Eng.
Board Director**

Director of Transportation Serv.
United Counties of Stormont,
Dundas & Glengarry
b_dehaan@sdgcounties.ca



**Penelope Palmer, P. Eng.
Board Director**

Manager, Business Improvement &
Std's., Eng'g & Const'n Services
City of Toronto
Penelope.palmer@toronto.ca



**Paul Acquaah, P. Eng.
Board Director**

Manager of Engineering
Capital Planning & Delivery
York Region
Paul.acquaah@york.ca



**Scott Hamilton, P. Eng.
Board Director**

City Engineer
City of Burlington
Scott.Hamilton@burlington.on.ca



**D.M. (Dan) Cozzi, P. Eng.
Executive Director**

Municipal Engineers Association
dan.cozzi@municipalengineers.on.ca



**Amin Mneina, M.Sc., E.I.T.
Member Services Coordinator**

Municipal Engineers Association
amin.meina@municipalengineers.on.ca



Office of the Executive Director

1525 Cornwall Road

Oakville ON

L6J 0B2

dan.cozzi@municipalengineers.on.ca

Please share this with members of your organization. Should you have any questions about the MEA or the new Board, please let me know.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dan Cozzi".

D.M. (Dan) Cozzi, P. Eng.
Executive Director
Municipal Engineers Association



Received November 23, 2022
C-2022-216

November 23rd, 2022

Association of Municipalities of Ontario (AMO)
200 University Avenue
Suite 801
Toronto, Ontario
M5H 3C6

By E-Mail To: amo@amo.on.ca

Dear Sir/Madam:

**RE: Resolution – OMAFRA Ontario Wildlife Damage Compensation Program
Administrative Fee**

Please be advised that the Council of the Corporation of the Township of Lanark Highlands passed the following resolution at their regular meeting held November 22nd, 2022:

Moved by Reeve McLaren

Seconded by Councillor Rodger

THAT, the Council of the Township of Lanark Highlands supports Tay Valley Township's resolution regarding OMAFRA Ontario Wildlife Damage Compensation Program Administrative Fee;

AND THAT, this resolution be circulated to the Association of Municipalities of Ontario (AMO) and all Ontario Municipalities for their consideration and support.

Carried

Sincerely,

Amanda Noël,
Clerk

Encls.

c.c. Hon. Sylvia Jones, Solicitor General of Ontario

sylvia.jones@ontario.ca



August 31, 2022

Association of Municipalities of Ontario (AMO)
200 University Ave., Suite 801
Toronto, ON M5H 3C6
Sent via email: resolutions@amo.on.ca

RE: RESOLUTION – OMAFRA Ontario Wildlife Damage Compensation Program Administrative Fee

The Council of the Corporation of Tay Valley Township at it's Council meeting on August 23rd, 2022 adopted the following resolution:

RESOLUTION #C-2022-08-42

“WHEREAS, the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) administers the Ontario Wildlife Damage Compensation Program to provide compensation to farm producers for livestock killed by wildlife;

AND WHEREAS, Ontario Municipalities administer the Program on behalf of OMAFRA by appointing a Livestock Investigator and staff to work on wildlife damage claims;

AND WHEREAS, the costs associated with wildlife damage claims typically exceed the administration fee of \$50.00 per claim as provided to the Municipality from OMAFRA;

NOW THEREFORE BE IT RESOLVED THAT, the Council of Tay Valley Township request the Ministry of Agriculture, Food and Rural Affairs to review the administrative fee provided to Municipalities for the administration of the Ontario Wildlife Damage Compensation Program;

AND FURTHER THAT, this resolution be circulated to the Association of Municipalities of Ontario (AMO) and all Ontario Municipalities for their consideration and support.”

ADOPTED



If you require any further information, please do not hesitate to contact the undersigned at (613) 267-5353 ext. 130 or deputyclerk@tayvalleytwp.ca.

Sincerely,

A handwritten signature in blue ink that reads "Janie Laidlaw". The signature is fluid and cursive, with a large initial "J".

Janie Laidlaw, Deputy Clerk

cc: All Municipalities of Ontario



November 23rd, 2022

Ministry of Municipal Affairs and Housing
College Park, 17th Floor
777 Bay Street
Toronto, Ontario
M7A 2J3

By E-Mail To: minister.mah@ontario.ca

ATTENTION: Honorable Minister Steve Clark

Dear Minister Clark:

RE: Resolution – Strong Mayors, Building Homes Act

Please be advised that the Council of the Corporation of the Township of Lanark Highlands passed the following resolution at their regular meeting held November 22nd, 2022:

Moved by Reeve McLaren

Seconded by Councillor Closs

THAT, the Council of the Township of Lanark Highlands supports the resolution from the Town of Gravenhurst regarding Strong Mayors;

AND THAT, this resolution be provided to the Minister of Municipal Affairs and Housing and to all Ontario Municipalities.

Carried

Sincerely,

Amanda Noël,
Clerk

Encls.

c.c. All Ontario Municipalities



Sent via Email

September 23, 2022

RE: TOWN OF GRAVENHURST RESOLUTION – STRONG MAYORS

At the Town of Gravenhurst Committee of the Whole meeting held on September 20, 2022, the following resolution was passed:

BE IT RESOLVED THAT the Correspondence from the Town of Wasaga Beach regarding Strong Mayors be received for information.

AND THAT a letter be sent to the Minister of Municipal Affairs and Housing outlining these proposed powers are not appropriate and to outline other ways for the province to institute housing and others matters.

AND FINALLY THAT this motion be circulated to all Ontario municipalities.

Sincerely,

J. G.

Jacob Galvao
Administrative Clerk II – Legislative Services
Town of Gravenhurst



Legislative Services
Michael de Rond
905-726-4771
clerks@aurora.ca

Town of Aurora
100 John West Way, Box 1000
Aurora, ON L4G 6J1

November 23, 2022

Received November 24, 2022
C-2022-218

The Honourable Doug Ford, Premier of Ontario
Premier's Office, Room 281
Legislative Building, Queen's Park
Toronto, ON M7A 1A1

Delivered by email
premier@ontario.ca

Dear Premier:

**Re: Town of Aurora Council Resolution of November 22, 2022; Re: Motion 7.2 –
Mayor Mrakas – Opposition to Bill 23, More Homes Built Faster Act, 2022**

Please be advised that this matter was considered by Council at its meeting held on November 22, 2022, and in this regard, Council adopted the following resolution:

Whereas Bill 23, the More Homes Built Faster Act, omnibus legislation that received first reading in the provincial legislature on October 25, 2022, proposes changes to nine Acts. Many of these proposed changes are significant and will restrict how municipalities manage growth through implementation of the official plan and the ability to provide essential infrastructure and community services; and

Whereas the effect of Bill 23 is that the Conservation Authority will no longer be able to review and comment on development applications and supporting environmental studies on behalf of a municipality; and

Whereas Bill 23 proposes to freeze, remove, and reduce development charges, community benefits charges, and parkland dedication requirements; and

Whereas Bill 23 will remove all aspects of Site Plan Control of some residential development proposals up to 10 units. Changes would also remove the ability to regulate architectural details and aspects of landscape design;

- 1. Now Therefore Be It Hereby Resolved That the Town of Aurora oppose Bill 23, More Homes Built Faster Act, 2022, which in its current state will severely impact environmental protection, heritage preservation, public participation, loss of farmland, and a municipality's ability to provide future services, amenities, and infrastructure, and negatively impact residential tax rates; and**

- 2. Be It Further Resolved That the Town of Aurora call upon the Government of Ontario to halt the legislative advancement of Bill 23, More Homes Built Faster Act, 2022 to enable fulsome consultation with Municipalities to ensure that its objectives for sound decision-making for housing growth that meets local needs will be reasonably achieved; and**
- 3. Be It Further Resolved That a copy of this Motion be sent to The Honourable Doug Ford, Premier of Ontario, The Honourable Michael Parsa, Associate Minister of Housing, The Honourable Steve Clark, Minister of Municipal Affairs and Housing, Peter Tabuns, Interim Leader of the New Democratic Party, local Members of Parliament Tony Van Bynen for Newmarket—Aurora and Leah Taylor Roy for Aurora—Oak Ridges—Richmond Hill, and all MPPs in the Province of Ontario; and**
- 4. Be It Further Resolved That a copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.**

The above is for your consideration and any attention deemed necessary.

Yours sincerely,



Michael de Rond

Town Clerk

The Corporation of the Town of Aurora

MdR/lb

Copy: Hon. Michael Parsa, Associate Minister of Housing
Hon. Steve Clark, Minister of Municipal Affairs and Housing
Peter Tabuns, Interim Leader, New Democratic Party
Tony Van Bynen, MP Newmarket—Aurora
Leah Taylor Roy, MP Aurora—Oak Ridges—Richmond Hill
All Ontario Members of Provincial Parliament
Association of Municipalities of Ontario (AMO)
All Ontario Municipalities



Report

Report to:	Mayor and Council
Date:	November 22, 2022
Title:	Bill 23, The More Homes for Everyone Act, 2022

Recommendation(s)

It is recommended:

1. That Council receive this report for information; and
That a copy of this report be sent to the Minister of Municipal Affairs and Housing, Region of Niagara and its local area municipalities.

Executive Summary

The City agrees with the goal of increasing the overall supply of housing to address the housing crisis. The Province's Bill 23, More Homes Built Faster Act, 2022 provides a framework to address this key issue of providing more housing faster through a number of measures. These measures do not come without changes to current municipal systems and impact to the financial position of the municipality. The City will need to assess these changes over the coming months and pivot our current practices and expectations to make sure we can assist in the overall goal of providing more homes faster.

This new legislation will modify the current planning process, the current levels of protection of natural and cultural heritage and the current financial model of growth pays for growth that has historically been utilized. The timing of the commenting period for the Bill has limited the ability of the City and other stakeholders to fully comprehend the implications and unintended consequences of the proposed changes which may include:

- a significant loss of incoming municipal funds through development charges, parkland dedication and Community Benefit Charges which will, in turn, place greater burden on the City to fund services and infrastructure projects - that are necessary to support future residential development, this loss of revenue will be made up by an increase in tax levy
- the reduction in green spaces and suitable parklands for an increasingly dense City
- increased cost to the taxpayer due to the need for additional Staff or outside consulting to assume the review functions of the technical staff at the NPCA and Planning Staff at the Region.
- the elimination of good building design and the ability to comment on the exterior appearance of the development in all site plan control applications.

This is a large piece of legislation, and clarification is needed on some sections of this legislation so that the City can truly assess the ultimate impact on its planning process and on its ability to fund current and future infrastructure needs.

Overall, the City is supportive of the direction of the legislation to increase the supply of housing, however staff have some concerns and reservations. Specifically, staff have concerns as to whether the increased costs passed onto the City associated with this proposed legislation (as well as Bill 109 impacts), will lead to housing cost reductions. Staff are also concerned as to whether the quality of the developments will be maintained at a high standard for all residents and if those developments will continue to protect important natural heritage features. Staff will continue to work in a cooperative manner with the Province and the development community if this legislation is passed to ensure that cost of housing is decreased, that development happens in a timely manner and that the developments are ones that the community can be proud of. We will continue to update Council on the development of this legislation.

Background

On October 25, 2022, the Province introduced Bill 23, More Homes Built Faster Act, 2022 with associated regulations and legislative changes. The Bill is advancing quickly through the Legislature and is currently in its second reading at the Standing Committee.

Bill 23 introduces amendments to multiple statutes including: the Municipal Act, the Conservation Authorities Act, Development Charges Act, 1997, Ontario Heritage Act, Ontario Land Tribunal Act, 2021 and the Planning Act with the stated intent to create conditions that will result in the construction of more new residential units, faster, to address the housing supply crisis.

The changes put forth to date by the Province through Bill 23 are discussed in this report.

Analysis

Through Bill 23, the Province has outlined a number of changes to several Provincial Acts to support their efforts to accelerate the provision of more housing across the Province. Intended to streamline the process to build new homes, these changes will also have an impact on the City's environmental, social and fiscal health with the downloading of responsibilities related to growth.

A more detailed outline of the Province's initiatives and the changes proposed through Bill 23, as well as their potential impact on the City, is attached as Appendix A to this report. A general analysis is provided below.

Key Initiatives and Changes

The Province has set a 2031 housing target of 1.5 million new housing units in Ontario. The City has been allotted 8,000 of these units. With over 7,800 unbuilt, approved units currently available, the City is in a good position to meet this target provided the new South Niagara Falls wastewater treatment is built by the Region of Niagara in the next few years and provided developers construct these approved units. Staff's concern is that Bill 23 does not go far enough to set out requirements or penalties to ensure developers construct these approved developments to bring more supply online.

Another key initiative is the removal of planning policy and approval responsibilities from the Niagara Region. The Province granted approval to the Region's Official Plan on November 4, 2023. It is not subject to appeals and is in effect. The City will now be required to assume those policies as the City's Official Plan until the City's Plan is updated. Staff will be impacted as they will be required to include a review of the Region's OP, in lieu of regional staff participation, in addition to the City's Planning documents through each application review and report. This will add additional workload to an already lean planning division and this will need to be considered as part of future budget deliberations.

The Region would not be the approval authority for any local amendments or new Plans. The Province will be forwarding future information regarding what approvals, if any, the City will require from the Ministry of Municipal Affairs and Housing.

Removal of Regional Planning responsibilities may cause a disconnect between planning approvals and the timing and location of water/wastewater infrastructure which may further delay or limit the supply of serviced land for future housing. Should this Bill be approved, City Planning staff will need to work closely with the Region Public Works or Regional Growth team to make sure development servicing allocation is considered in their planning short, medium and long term planning models.

At a Provincial Plan level, the Province is initiating a review to integrate the Places to Grow Plan: Growth Plan for the Greater Golden Horseshoe and the Provincial Policy Statement. The impact of an integrated Provincial Plan on the City's Planning documents will need to be reviewed and implemented at some future date.

With the approval of the Region's Official Plan, the City's Downtown area is now identified as a Major Transit Station Area and as such can apply Inclusionary Zoning. Inclusionary Zoning would allow a maximum of number of affordable units, being 5% of units or gross floor area within an inclusionary zoning development. The City will need to finalize approval of the housing policies amendment into the Official Plan and initiate a zoning by-law update to incorporate new inclusionary zoning provisions.

Regulation Changes under Bill 23

Process Changes

A variety of current review and processing practices under the Planning Act, Conservations Authority Act, Heritage Act and Ontario Land Tribunals Act are identified for modification under Bill 23:

- **Environmental Review:** The NPCA would no longer review and provide comments on development applications or supporting studies outside the protection of hazard lands, pollution or the conservation of land. The Ontario Wetland Evaluation System is proposed to be removed from Ministry of Natural Resources and Forestry (MNRF) review and classification and will now be the responsibility of the developer's environmental consultant. The City will be tasked with ensuring the proper review and protection of significant natural heritage features, how the changes will affect water and air quality and the impact on climate change as a whole. Whereas, the review of natural heritage is currently prepared by technical experts at the NPCA , MNRF and the Region and the City will need to seek additional staffing or procure qualified consultants to ensure that proper review is performed through the development process.
- **Cultural Heritage:** The City will need to proceed with the designation of its 100 listed properties on its Municipal Register within 2 years. Staff will need to implement a program of review and designation recommendations based on a more limited set of conservation tools. The City will need to direct the proper level of staffing resources towards meeting the 2 year deadline.
- **Public Participation:** The public's right to appeal has been removed – only applicants, the City and certain public bodies and the Minister may appeal a decision under the Planning Act, which includes variances, severances, subdivisions/condominiums, site plans, zoning and official plan amendments. As a consequence, Council will need to more proactive in considering the potential concerns of citizens in its decision making process. The incentive for good design and compatibility within neighbourhoods is reduced.
- The Bill also contains wording that would also dismiss existing appeals that have not yet been scheduled for a hearing at the Ontario Land Tribunal (OLT) as of October 25, 2022. This change may affect up to 3 City files currently under appeal.
- In addition, public meetings are no longer required for plans of subdivisions. Reduced public participation will place more responsibility on Council to anticipate and mitigate resident's concerns through subdivision design.
- **Appeals:** The Ontario Land Tribunal can award costs against an unsuccessful appellant and dismiss appeals without a full hearing where an appellant has contributed to undue delay. This would serve to discourage appeals based on potential financial consequences and would give the advantage to those who can afford the financial risk only. There may also be an awards cost risk to the City where the City is not in support of a developer's choice of parkland location - this is furthered discussed in the Parkland Dedication paragraph below.

- **Regional Planning:** In Niagara, unlike other areas in Ontario, the Region only approves new Official Plans and major amendments for the lower tier municipalities. Under Bill 23, the approval of Official Plans or amendments to the Plan is no longer required from the Region and may instead be the responsibility of the Minister, however further details are outstanding regarding which documents will require direct Ministerial approval. Regional oversight of development applications regarding overarching issues such as water/wastewater, infrastructure planning, phasing and capacity allocations; cross-jurisdictional transportation and environmental policies will be affected. The City will need to assume the responsibilities of Provincial review, previously prepared by Regional Staff, once again affecting City Staffing levels and review timelines. Further details regarding the impact of Regional changes is needed through Bill 23 to better understand its full implications.
- **Good Design:** Site plan control would no longer apply to residential development of up to 10 units. In addition, staff's ability to comment on building design and exterior appearance for site plans with more than 10 units will be removed except for the purposes of accessibility. Further, a site plan cannot control the appearance of elements, facilities and works adjoining the City's roads unless it impacts health, safety, accessibility or the protection of adjoining lands. As a result, there may not be an opportunity for the City to control or mitigate any adverse impacts of new development on the streetscape or on adjacent properties including: drainage onto adjacent properties or City streets, landscaping, lighting directed offsite, visible waste disposal facilities within a front or side yard, parking layout and building design. Instances of bad design by the developer will be left to the Municipality to deal with through residents complaints and without a site plan control agreement there would be limited actions the City can take. Should the Bill be passed the City will need to adapt its processes to encourage developers to continue to utilize the City's urban design standards and take up the challenge to propose projects that contribute to good urban design. The City will monitor and report on the success of the developers projects over the next few years to see if projects are adhering to good urban design principles without the Planning Act controls in place.
- **Parkland dedication:** Bill 23 reduces the amount of parkland and cash-in-lieu of parkland received by the City through development approval. The decrease of parkland available to an increasingly dense neighbourhood can reduce the quality of life in the City. In addition, parkland rates to be applied to development would remain in place for 2 years after approval, after which the rate that applies at the time of building permit issues will be applied. The impact of the frozen rates would vary depending on rising or lowering of property values over that period of time.
- The Bill also allows a developer to identify the specific location of parklands within their development plan areas. As a result, the City may be forced to accept and maintain parkland that: is not consistent with the City's approved Parks Plan, may be encumbered by easements, or may not properly serve the residents in the community. The City's refusal to accept parkland could result in

an appeal to the OLT and an award of costs against the City if the developer's appeal is successful.

- The City will be required to spend or allocate 60% of its cash-in-lieu funds at the beginning of the year, starting in 2023 and on an annual basis. This part of the legislation puts pressure on the City to build parks faster by either: adding additional staff; requiring developers to construct parks that are designed by the City; or having developers design and construct parks on the City's behalf.

Financial Impacts

The Province is aiming to reduce housing costs by reducing municipal fees and charges. This bill will freeze, reduce and exempt Development Charges (DCs), Community Benefit Charges (CBCs) and Parkland Dedication Fees for prescribed developments. The changes to the collection of development charges (DCs) include exemptions on a range of new units; a phasing of DC rate increase, reductions in DCs for affordable housing and a requirement to spend or allocate at least 60% of Water, Wastewater and Roads DC reserves, and parkland cash-in-lieu annually. All of these changes will have a material impact on the financial operations of the City. The exclusion of Studies in future DC Background Studies will limit the detailed planning activities the City can undertake to support future growth needed to meet provincial guidelines. Prescribing a rate of prime +1% to be updated quarterly, creates a large administrative workload for staff to constantly update adjust amounts owing from Developers. As DCs are based on the costs of providing infrastructure and services (water, sewer, transit, fire protection, parkland, etc) the source of income for the infrastructure and services required for the amount of development set out by the Province is unknown. Without Provincial funding to cover these costs, the City may need to look at the tax levy to fund new development, which means that growth will not pay for growth and the entire community will bear the cost of growth-related investments. The “Housing Accelerator Fund” – might present an opportunity to compensate municipalities to pay for critical growth-related infrastructure, but details regarding eligibility are not available at this time.

There are also some changes to Community Benefit Charges Exemptions. The City was proactive in its by-law to provide exemptions for attainable and affordable units, but now there is a prescribed approach to the calculation and application.

The Province will issue bulletins to establish market rents and purchase prices where affordable is deemed to be 80% of market rent, or 80% of average purchase price. “Select Attainable” housing has not yet been defined.

Summary

The City’s 2022 Housing Strategy identified the need for a more diverse supply of housing types to address affordable and attainable housing needs for our growing population. Bill 23 aims to increase the pace of new housing builds over the next 10 years but is silent on the types and forms of that housing and how affordability will be addressed.

The general intent of Bill 23 can be supported, however the impacts of the Bill on the taxpayer, environment, good city building and cultural heritage may be felt in the years to come.

Operational Implications and Risk Analysis

The changes proposed through Bill 23 will have an impact on processes and staffing in several departments within the City including those related to:

- the increased Planning review functions and decreased review timelines presented through Bill 109. Without increased Planning staff to deal with the changes, the City could be facing the refund of application fees as outlined in Bill 109, More Homes for Everyone Act.
- the increased rate of building permit review, inspections and issuance in the Building Department.
- the requirement for legal agreements for all development that includes exemptions from development charges.
- the administration and updates of development charges, phasing of charges, interest caps through the Finance Department.

Financial Implications/Budget Impact

It is anticipated that the implementation of Bill 23 will require the City to address staffing needs on an anticipatory basis through its operational budget to ensure that new housing can be provided at the rate envisioned by the Province.

The City will also need to consider the impacts of decreased funds through development charge exemptions and reductions, the new Community Benefit Charge rates and decreased parkland rates. Without Provincial funding, the City will need to compensate for the lost income through an increased tax levy to fund the studies (such as master servicing plans and secondary plans), services and new infrastructure that is necessary to meet housing targets.

List of Attachments

[Appendix A - Bill 23](#)

Written by:

Francesca Berardi, Planner 2
Brian Dick, Manager of Policy Planning

Submitted by:

Kira Dolch, Director of Planning, Building & Development

Jason Burgess, CAO

Status:

Approved
- 17 Nov
2022

Approved
- 21 Nov
2022

Appendix A - PBD-2022-73			
Key Initiatives and Changes			
		Notes	Potential Impact on City
2031 Housing Targets			
	<ul style="list-style-type: none"> 1.5 million new housing units required to be built by 2031 in Ontario. A housing target of 8,000 new units is required for Niagara Falls by the year 2031. The City will need to develop a municipal housing pledge that will provide details on how the City will enable/support housing development to achieve the 8,000 unit target through a range of planning, development approvals and infrastructure related initiatives. The housing pledge is not intended to replace the City’s current Official Plan and is not intended to impact the City’s 2051 population or employment forecasts. 	<ul style="list-style-type: none"> The targets do not provide details regarding housing form, density or structure type. The costs associated in the implementation of the housing pledge and new required infrastructure is not discussed by the Province. The City’s 30 year housing target to accommodate our 2051 population is 20,220 units, which is approximately 674 units built per year. The Provincial target of 8,000 units in 10 years will require 800 units per year. In 2021, Niagara Falls issued 860 permits, with a 10 year average of 500/year. As of November 2022, the City has a supply of 7,800 approved and unbuilt housing. Included in the total is 725 units within draft approved plans of subdivision. 	<ul style="list-style-type: none"> The 800 units to be constructed annually is above our annual housing target of 674 units assigned to the City by Niagara Region. To accommodate the increase in units per year, the City will require addition staffing in both Planning and Building thereby impacting operational costs for the City. The ability to provide the needed infrastructure needs to be assessed by the City Staff The City is close to the target issued by the Province plus intensification anticipated within the Transit Station Area and Grand Niagara Secondary Plan Areas. The issue is not supply, guidance is need to get developers to build and the building infrastructure needed to service the development. Preparation of the Municipal Housing Pledge will require Staff time in planning and infrastructure sections. The pledge does not ensure that the development industry will be able to proceed with the actual construction of the new units affecting the City’s ability to meet that pledge.
Potential Changes to Provincial and Regional Planning Framework			
Streamlining Municipal Planning Responsibilities	<ul style="list-style-type: none"> Niagara Region’s planning policy and approval responsibilities have been removed. Regulations have not been released to identify which official plans and amendments would require/not require Provincial approval. 	<ul style="list-style-type: none"> see upper tier municipalities changes under Planning Act 	<ul style="list-style-type: none"> Official Plan and comprehensive official plan amendments will no longer be approved by the Region. It is unclear if the Province (via Ministry of Municipal Affairs and Housing) will now be the approval authority for the City’s official plan and all official plan amendments.
Review of Potential Integration of Place to Grow and PPS			
Potential key elements	<ul style="list-style-type: none"> Intention is to merge both the Provincial Policy Statement (PPS) and Provincial Growth Plan (Places to Grow) into one overarching new policy document at a future date. New proposed Provincial policy document will simplify the policy direction on settlement area boundary expansions, rural housing and employment area conversions that better reflect local market demand and supply considerations to expand housing supply opportunities. 		<ul style="list-style-type: none"> Future changes will need to be made to the City's planning documents including the new Official Plan.
Inclusionary Zoning	<ul style="list-style-type: none"> Maximum number of affordable units in an inclusionary zoning development based on 5% of total units or gross floor area. Establish a maximum period of 25 years for the affordable units to be maintained. 		<ul style="list-style-type: none"> The Inclusionary Zoning provision would limit the amount of affordable housing that can be required and may not be reflective of local needs or housing targets. Places a limit on the choice of developers to provide more affordable units if they wish. Inclusionary Zoning only applicable to the Major Transit Station Area as identified in the new Niagara Region Official Plan. Official Plan and Zoning Amendment needed to utilize zoning within the City’s MTSA. Additional height and density could be added at the same time.

Proposed Regulation Changes under Bill 23			
		Current Process	Potential Impact on City
<i>Municipal Act</i>			
	<ul style="list-style-type: none">The Minister can revoke the ability for local municipality to prohibit the loss of residential rental units through demolition and conversions	<ul style="list-style-type: none">A City could require a developer to retain the same number of units as rentals post demolition/conversion and redevelopment	<ul style="list-style-type: none">Loss of affordable rental unit stock with the redevelopment of properties
<i>Conservation Authorities Act</i>			
	<ul style="list-style-type: none">Removal of ability to review and comment on development applications or supporting studies under a prescribed Act (Aggregate Resources Act; Condominium Act; Drainage Act; Endangered Species Act; Environmental Assessment Act; Environmental Protection Act; NEC Act; Ontario Heritage Act; Ontario Water Resources Act; Planning Act) and to collect fees for the serviceRights of appeal of zoning decisions removedCA fees may be frozen for a time not specifiedCA ability to prohibit the change of water channels, wetlands or work within hazard lands do not apply if: the activity is part of a Planning Act approval; or if the activity meets the prescribed conditions and restrictions; or under the Aggregate Resources AcCA decision to sell, lease or otherwise dispose of land in respect of which the Minister may a grant will require public consultation if it contains significant natural heritage features unless it is for utility purposes, an affect government/agency affected has approved it or the CA informs the Minister of the disposition (rather than obtain approval)The Minister can limit the conditions the CA may place on a Zoning orderCannot consider pollution control and conservation of lands with regards to a prohibited activity but can consider the control of unstable soil or bedrockAppeals to non-decision of the CA must be made within 90 days instead of 120 daysThe disposition of certain land requires the CA to provide a notice to the Minister and 45 days for public consultationMinister's zoning orders require CA permits when made at request of the municipalityA program to offset wetlands which will require a net positive impact on wetlands. The Wetland Evaluation System is also being revised, and the proposed changes would eliminate the concept of wetland complexes	<ul style="list-style-type: none">NPCA comments are provided to the City and Region under a Memorandum of UnderstandingThe NPCA can prohibit activities that effect flooding, erosion, dynamic beaches, pollution or the conservation of landCurrently the Minister's approval is required for the disposition of certain landsOffsetting of wetlands is not permitted. Wetland review was under the NPCA and OWES system and rating calculated by the Province and will instead be submitted by the developer.	<ul style="list-style-type: none">Expectation of City to assume review of environmental studies or outsource reviewCA is currently reviewed in the relocation of a watercourse for Uppers Lane Quarry – City to assume that duty – lack of qualified Staff to complete the reviewThere appears to be no review function for OWES evaluations submitted by a developer. This creates uncertainties for Staff regarding reviews or peer reviews.Less protection of natural heritage features and consideration of their part in drainage control, human health and climate change initiatives

<i>Development Charges Act, 1997</i>			
		Current Process	Potential Impact on City
Full exemption of DCs	<ul style="list-style-type: none"> Rental units in an existing building of 4 or more units, of either 1 unit or 1% of the existing residential units, whichever is greater Second or third units in existing or new build single, semi or rowhouse (ancillary units) Affordable residential units – rented (defined as no greater than 80% of the average price/rent in the year a unit is rented or sold) or ownership (defined as no greater than 80% of average purchase price) Attainable residential unit (i.e. not affordable, not rental, under a prescribed class) Non-profit housing Inclusionary units 	<ul style="list-style-type: none"> 2022 rental for 2 bedroom was \$1185 - an 80% exemption would apply to any affordable rental at \$948 2022 average sale price was \$486,666 (includes single, townhouse and apartment sales, not necessarily new, across Region, source: Niagara Realtors) - an 80% exemption would apply to any new dwelling of up to \$486,666. *This figure is expected to be higher when applied to new units only. 	<ul style="list-style-type: none"> It is uncertain what figure (local/regional/provincial) will be used for affordable – there is disparity across the province regarding average rental/purchase prices The definition of ‘attainable’ is unclear and the impact on the City cannot be measured There will be additional financial burdens on the City to fund exemptions without the financial participation of senior levels of government
Registered Agreements	<ul style="list-style-type: none"> affordable units exempted from DCs will require an agreement to remain affordable for 25 years attainable units exempted from DCs will require an agreement to be attainable when it is sold 		<ul style="list-style-type: none"> There will be greater administrative burden and costs on the City to enter into the required agreements
Mandatory Phasing	<ul style="list-style-type: none"> a 5 year phase in of DC rate increases, beginning with a 20% reduction in the first year, with the reduction decreasing by 5% each year until year five when the full new rate applies. This is proposed to apply to all new DC by-laws passed since June 1, 2022. 		<ul style="list-style-type: none"> Financial implications to the Secondary Plan program to be ‘shovel ready’ to expedite approvals as it restricts us from using DC’s for study work Departing from the principle that “growth is to pay for itself”, there will be significant impacts on City finances (reduction in DC revenues by approximately 10%) which may result in a delay where certain infrastructure projects cannot be financed and built. The shifting of paying for growth to the individual taxpayer through increases in water/wastewater rates and property taxes would directing impact housing affordability for the existing rate/tax payer.
Interest Cap	<ul style="list-style-type: none"> A cap placed on the interest paid on phased DCs for rental, institutional and non-profit housing to prime plus 1% 		
Reductions	<ul style="list-style-type: none"> Reduce DCs for rental housing with 3 or more bedrooms by 25%, for 2 bedrooms by 20% and 15% for all other rental units. 		
DC Reserve Spending	<ul style="list-style-type: none"> Require Municipalities to spend at least 60% of DC reserves for priority services (i.e. water, wastewater and roads) 		<ul style="list-style-type: none"> Staffing to ensure 60% of the DC reserve for priority services can be realized.
DC By-law Term	<ul style="list-style-type: none"> Increase the expiration date for DC by-laws from 5 to 10 years 		<ul style="list-style-type: none"> Growth related studies such as the Development Charges background study, Official Plans and secondary plans which are required to establish when and where a municipality will grow will no longer be an eligible capital cost for DC funding.
Capital Costs	<ul style="list-style-type: none"> The definition of capital costs may be revised to prescribed services for which land or an interest in land will be restricted. Costs of studies, including the preparation of the D.C. background study, will no longer be an eligible capital cost for DC funding. 		

Ontario Heritage Act			
		Current Process	Potential Impact on City
Focusing the use of Municipal Registers with:	<ul style="list-style-type: none">• New thresholds for listing a property in line with the designation of a property; it is unclear what recourse a property owner may have if they disagree with the criteria• Properties must be delisted if a notice of intention to designate is given and: Council withdraws the notice; the designating by-law is not passed with 120 days; there is a successful appeal of the designation• Properties must be designated within 2 years of being listed otherwise it is removed from the Register (2 years start when Bill 23 comes into force). It cannot be relisted for another 5 years.• Provincial designations do not need to comply with guidelines or standards if it involves Transit, Housing, Health & Long Term Care or Infrastructure (or others as prescribed)• Designations can't be initiated if a development proposal has been submitted.• City must publish its notice of intent to designate within 90 days (exceptions may be set out in a forthcoming regulation)• New criteria to be met to designate a Heritage Conservation District (HCD). The criteria is to be issued through regulation as well as process of how to amend or repeal a HCD.		<ul style="list-style-type: none">• The City has over 100 properties on the register which will have to be considered for designation within 2 years,• Anticipated impacts with regards to costs, staffing, consultant, and sharing of resources, etc. as well as loss of Heritage resources• The clerk will need to keep an up to date municipal register on the City's website within 6 months of proclamation. Will need to be added to the Planning Work Program
Planning Act			
Parcel of urban residential land	<ul style="list-style-type: none">• A new definition added for a fully serviced residential lot within the urban area where there is a residential use (other than ancillary residential use).	<ul style="list-style-type: none">• Used in association with accessory structures	<ul style="list-style-type: none">• No action needed
Third Party Appeals	<ul style="list-style-type: none">• NPCA and Region cannot appeal OP, ZB and Committee of Adjustment decisions• General Public cannot appeal OP, ZB and Committee of Adjustment decisions• Appeals cannot be launched when Bill comes into effect, even if the decision was before that date• Current appeals by NPCA, Region and public will be dismissed unless the OLT set a hearing date before Oct 25, 2022		<ul style="list-style-type: none">• Reduced public participation in the Planning process• Council will have to be more sensitive and representative to residents/public concerns.• It reduces the incentive for developers to provide good design and to consider/mitigate resident concerns• The timelines on appeals and dismissals may affect up to 3 current files under appeal
Accessory/Secondary Units	<ul style="list-style-type: none">• OPs and ZBs cannot prohibit up to 2 additional residential units in a single unit single, semi-detached or rowhouses either all in the dwelling or 1 in an accessory building.• Parking requirements cannot be more than one spot per unit.• No minimum unit size per unit• No appeals of OP or ZB amendments implementing the additional units	<ul style="list-style-type: none">• The City's current provision is for up to one additional unit per property (Owner occupied) on urban residential lands and a parking space requirement of 1/unit, no tandem parking.	<ul style="list-style-type: none">• Planning documents will be updated to confirm with Act changes (not a technical requirement to do so, but will provide clarification to public/developers)• Possible increase in parking enforcement if parking overflows onto streets.• Possible servicing concerns associated with the introduction of a large number of accessory units into established neighbourhoods.
Aggregate Projects (pits and quarries)	<ul style="list-style-type: none">• Aggregate projects will not need to wait 2 years after OP, Secondary Plan or Comprehensive Zoning By-law approvals to amend those Plans	<ul style="list-style-type: none">• The City has one application before it - Uppers Lane Quarry (Walker Bros)	<ul style="list-style-type: none">• No impact at this time
Ministers decision on Official Plans	<ul style="list-style-type: none">• The Minister can directly make amendments to the official plan if they believe it is a matter of Provincial Interest	<ul style="list-style-type: none">• Currently, the Minister can request Council to adopt certain amendments	<ul style="list-style-type: none">• More power given to the Province over local decisions and policies.

		Current Process	Potential Impact on City
Community Benefit Charges	<ul style="list-style-type: none">the cap on Community Benefit Charges Contribution is based on a prescribed percentage based on the floor area proposed to be developed and a prescribed percentage based on what will be on the land after developmentif a development includes affordable or attainable housing or inclusionary units, the CBC excludes those areas	<ul style="list-style-type: none">currently cannot exceed 4% of the value of the land, but does affect the phases	<ul style="list-style-type: none">A decrease in funds is expected as the definition of affordable and attainable housing based on the definitions (same as per DC reductions/exemption changes).
Site Plan Control	<ul style="list-style-type: none">not applicable to residential development with 10 units (still includes land lease community home, i.e., Owns home, leases land).cannot include exterior design including scale, character, appearance and design details except for exterior access to affordable housing unitscannot control the appearance of elements, facilities and works adjoining the City's roads unless it impacts health, safety, accessibility or protection of adjoining landswidenings along Regional Roads not permitted unless identified in the City's OP		<ul style="list-style-type: none">no opportunity for City to mitigate adverse impacts on streetscape or adjacent properties including:<ul style="list-style-type: none">landscapinglighting into adjacent propertieswaste disposal and location of binssite drainage onto adjacent lands or city landsThe City may need to address drainage and grading at the building permit stage.Increased workload on property standards staff in dealing with complaints regarding bad designThe City can monitor its success to encourage developers to follow the City's Site plan design guidelines and report back to the Province
Protected Major Transit Station Areas (MTSA)	<ul style="list-style-type: none">Municipalities within Niagara will require OP policies with densities/targets within MTSAImplementing zoning bylaws must be passed within 1 year of OP policies	<ul style="list-style-type: none">The Transit Station Area is recognized as MTSA through approval of the Region's OP.The City has already adopted the required policies through the Transit Station Area Secondary Plan as well as zoning provisions	<ul style="list-style-type: none">No further work required.
Parkland Dedication	<ul style="list-style-type: none">Parkland Dedication cannot exceed 5% of the land multiplied by the ratio of affordable to total units in new development and cannot be applied to non-profit housing or accessory unitsParkland rate based on the date of the implementing by-law or the new calculation base on the date the site plan, zoning amendment was applied for or building permit was issued. The rate lapses if the building permit is not issued with 2 years of development approvalAlternative dedication of parkland for residential development reduced from 1 ha/300 units to 1 ha/600 net units (net= total units less existing units per development, affordable and attainable units, and inclusionary units.Alternative payment of cash in lieu reduced from 1 ha/500 to 1 ha/1000 net residential unitsAn Owner can identify the lands to be dedication for parks purposes and that can include: lands abutting other lands, those subject to easements, or encumbered by below grade infrastructure OR an interest in land, other than fee and through registered agreement, where interest in sufficient for use as a park or other recreational purpose.If the City doesn't accept the lands or interest identified by the Owner, City must issue a notice, the Owner may appeal the refusal within 20 days, Clerks to prepare a record for OLT and hearing heldStarting in 2023, the City shall spend or allocate at least 60% of cash-in-lieu funds in special account at the beginning of the year	<ul style="list-style-type: none">The City currently collects 5% parkland dedication for residential development and 2% for commercial/industrial developmentThe City's alternative rate is 1.4ha/1000 population for neighbourhood parks; 1 ha/1000 population for community parks and 2.5 ha/1000 population.	<ul style="list-style-type: none">Updates required to Planning documentsRepresents a reduction in parkland dedication and cash-in-lieu based both on rates of calculation and the exemption for affordable/attainable/inclusionary units in alternative parkland ratesResidential quality of life affected by decreased parkland in increasingly dense areasFrozen rates (i.e., 2 years from decision) will impact the cash-in-lieu amount collectedThe impact of a freeze will have on encouraging Development to construct on a timely manner is unknownIf a developer can identify the lands to be used for parkland, the City may be forced to accept and maintain parkland that is not consistent with the Parks Plan, may be encumbered lands, or that properly serve the residents in the community. The City's refusal to accept may result in an OLT hearing costing Staff time and City money.The requirement to spend cash-in-lieu funds annually may result in the need for additional funds/resources to build parks faster OR require developers construct parks that are designed by the City

		Current Process	Potential Impact on City
Plans of Subdivisions	<ul style="list-style-type: none"> The Minister does not have to provide a written explanation for the removal of powers for a plan of subdivision Adds plan of subdivision control for land lease community home of between 21 and 49 years Retained lands cannot be conveyed before lapsing of consent within the Greenbelt Area Local approval of subdivisions entrenched Public meetings are no longer required 	<ul style="list-style-type: none"> The City's current practice is at least one public meeting for a plan of subdivision as provided for under the Planning Act 	<ul style="list-style-type: none"> Reduced public participation in the process and anticipated public concerns at time of construction
Upper Tier Municipality Responsibilities	<ul style="list-style-type: none"> Niagara Region is defined as an 'upper tier municipality without planning responsibilities' Region can no longer appeal Planning decisions (unless it was a party to appeal before new regs come into effect) Region can no longer assume any planning duties or functions or provide comments/assistance on Planning matters Region no longer approves City's Official Plan 	<ul style="list-style-type: none"> Niagara Region does not approve local plans of subdivision and has exempted some site-specific official plan amendments from Regional approval through the Memorandum of Understanding between the City and Region. 	<ul style="list-style-type: none"> The City will have to absorb all of the current responsibilities and duties of Regional Planning, including reviews using the Region's approved Official Plan. Transition times are unknown. Comprehensive Official Plans may go to the Minister for Approval, timing and process unknown Substantial impact on Staff review times and overall staffing to meet process times
Transition Regulations	<ul style="list-style-type: none"> The Minister can pass regulations for transitional matters either before, on or after the effective date of Bill 23 The change to Regional Planning comes into effect with Bill 23 The Regional Official Plan, as it is now approved, is considered the Official Plan for Niagara Falls until we revoke or amend it, if Bill 23 is approved 		<ul style="list-style-type: none"> Creates uncertainty for the Municipality on when/which regulations apply at any time Transition timing and lack of preconsultation leaves little time for the City to prepare for the changes and new responsibilities Staff review of all development applications would now involve review of both the Region's OP and the City's OP (until the two are consolidated) adding to workloads and review timelines, if Bill 23 is approved
Ontario Land Tribunal Act, 2021			
		Current Process	Potential Impact on City
	<ul style="list-style-type: none"> Expansion of OLT powers to: <ul style="list-style-type: none"> dismiss appeals without a full hearing where the appellant has contributed to undue delay or has failed to comply with a Tribunal Order award costs against an unsuccessful appellant (it is unclear if the current thresholds for costs will still need to be met) The Lieutenant Governor in Council can make regulations requiring the OLT to prioritize specific proceedings (specific proceedings not defined) 	<ul style="list-style-type: none"> cost awards typically viewed as the exception, not the rule where "the appellant has been unreasonable, frivolous or vexations or acted in bad faith" 	<ul style="list-style-type: none"> City may be subject to costs regarding appeals (for example an appeal against a Developer's choice of parkland location) Decreased public participation and hesitation surrounding costs (advantage to affluent parties) Prioritization of certain proceedings may result in delays of matters affecting the City



The City of Niagara Falls, Ontario

Resolution

No. 13

November 22, 2022

Moved by: Councillor Lori Lococo

Seconded by: Councillor Wayne Campbell

The Council of the City of Niagara Falls, at its November 22, 2022 meeting, adopted all of the following motions and approved as one motion to read as:

NOW THEREFORE BE IT RESOLVED That Council receive staff report PBD-2022-73 for information; and

That a copy of this report be sent to the Minister of Municipal Affairs and Housing, Region of Niagara and its local area municipalities; and

FURTHER THEREFORE, That Council strongly recommends that substantial Provincial investment be provided to support municipalities to fund anticipated infrastructure upgrades to accommodate new intensification goals and compensate for decrease of development charge funding opportunities as outlined in the proposed legislation; and

FURTHER THEREFORE, That Council authorize staff to provide comments to the Environmental Registry of Ontario regarding proposed Bill 23, prior to November 24, 2022; and

FURTHER THEREFORE, That staff also forward the report to the Premier and local Members of Provincial Parliament; and

FURTHER THEREFORE, That discussions be had in the near future with the Minister of Municipal Affairs and Housing to keep the dialogue of these changes moving forward.

AND The Seal of the Corporation be hereto affixed.

Carried Unanimously

A handwritten signature in black ink, appearing to read "M. Matson", is written over a dotted line.

~~WILLIAM G. MATSON, CITY CLERK~~

Margaret B.C. Corbett, Acting Clerk

A handwritten signature in black ink, appearing to read "Diodati", is written over a dotted line.

JAMES M. DIODATI, MAYOR



Legislative Services
Michael de Rond
905-726-4771
clerks@aurora.ca

Town of Aurora
100 John West Way, Box 1000
Aurora, ON L4G 6J1

November 23, 2022

Received November 24, 2022
C-2022-220

The Honourable Doug Ford, Premier of Ontario
Premier's Office, Room 281
Legislative Building, Queen's Park
Toronto, ON M7A 1A1

Delivered by email
premier@ontario.ca

Dear Premier:

**Re: Town of Aurora Council Resolution of November 22, 2022; Re: Motion 7.1 –
Mayor Mrakas – Modifications to York Region Official Plan**

Please be advised that this matter was considered by Council at its meeting held on November 22, 2022, and in this regard, Council adopted the following resolution:

Whereas the Province on November 4, 2022, approved the York Region Official Plan with 80 modifications; and

Whereas these modifications to the Regional Official Plan have been made by the Minister including two in the Town of Aurora; and

Whereas these modifications have been made without consultation or support by the Town of Aurora; and

Whereas Section 4.2 is modified by adding a new policy subsection after policy 4.2.29, titled "Special Provisions", followed by new policies: "4.2.30 Special provisions for the lands known municipally as 1289 Wellington Street East in the City of Aurora (PIN 036425499). Notwithstanding any other policies in this Plan to the contrary, the minimum density target to be achieved is 330 units per hectare and minimum building height of 12 storeys.";

- 1. Now Therefore Be It Hereby Resolved That the Town of Aurora opposes the modification by the Minister of Municipal Affairs and Housing for the lands known municipally as 1289 Wellington Street East in the Town of Aurora (PIN 036425499); and**
- 2. Be It Further Resolved That the Town of Aurora requests the Minister to revoke special provision 4.2.30 to allow for the normal planning process to occur, as the Modification to the Regional Official Plan is contrary to the**

planning applications (OPA and ZBA) currently before the OLT (case files: OLT-22-004187 and OLT-22-004188); and

- 3. Be It Further Resolved That a copy of this Motion be sent to The Honourable Doug Ford, Premier of Ontario, The Honorable Sylvia Jones, Deputy Premier of Ontario, The Honourable Steve Clark, Minister of Municipal Affairs and Housing, Peter Tabuns, Interim Leader of the New Democratic Party, and all MPPs in the Province of Ontario; and**
- 4. Be It Further Resolved That a copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration; and**
- 5. Be It Further Resolved That a letter be submitted to The Honourable Doug Ford, Premier of Ontario, The Honourable Steve Clark, Minister of Municipal Affairs and Housing, The Honourable Michael Parsa, Associate Minister of Housing and MPP Aurora—Oak Ridges—Richmond Hill, and Dawn Gallagher Murphy, MPP Newmarket—Aurora, expressing our disappointment with the lack of consultation and communication with the Town of Aurora and requesting that an explanation as to why this significant change was warranted be provided.**

The above is for your consideration and any attention deemed necessary.

Yours sincerely,



Michael de Rond

Town Clerk

The Corporation of the Town of Aurora

MdR/lb

Copy: Hon. Sylvia Jones, Deputy Premier of Ontario
Hon. Steve Clark, Minister of Municipal Affairs and Housing
Peter Tabuns, Interim Leader, New Democratic Party
All Ontario Members of Provincial Parliament
Association of Municipalities of Ontario (AMO)
All Ontario Municipalities



GEORGINA

Legislative Services Department/Clerk's Division

Please be advised that the Town of Georgina Council, at its meeting held on November 22, 2022, considered proposed Bill 23, the More Homes Built Faster Act, 2022 and subsequent to discussion, the following motion was passed:

Moved By Councillor Neeson
Seconded By Councillor Genge
RESOLUTION NO. C-2022-0354

WHEREAS on November 10, 2022, York Region Council adopted a resolution as follows:

"York Region requests the Province of Ontario to halt Bill 23 and begin consultation with the Housing Supply Action Plan Implementation Team to ensure municipalities can work in partnership with the Province of Ontario over the next few months to address the housing affordability concerns in our communities.

The Minister of Municipal Affairs and Housing be requested to appoint key stakeholders, such as the Association of Municipalities of Ontario (AMO), to the Housing Supply Action Plan Implementation Team.

The Regional Clerk circulate this report, including new Attachment 5, presented as Item G.1.1 on the revised agenda, to the Minister of Municipal Affairs and Housing, local municipalities, AMO, Federation of Canadian Municipalities (FCM) and local MPPs."

AND WHEREAS Schedule 10 to Bill 23 Supporting Growth and Housing in York and Durham Regions Act, 2022 proposes to expedite the expansion and extension of the York Durham Sewage System effectively replacing the Upper York Sewage Solution (UYSS) project;

AND WHEREAS The Council of the Corporation of the Town of Georgina supports the halting of the Upper York Sewage Solutions project and the redirection of related drainage Area flows to the York Durham Sewage System;

THEREFORE BE IT RESOLVED THAT The Council of the Corporation of the Town of Georgina supports the November 10, 2022 resolution of York Region Council concerning Bill 23, with the exception that The Council of the Corporation of the Town of Georgina supports Schedule 10 to Bill 23 Supporting Growth and Housing in York and Durham Regions Act, 2022 which proposes to expedite the expansion and extension of the York Durham Sewage System effectively replacing the Upper York Sewage Solution (UYSS) project;

AND FURTHER THAT The Council of the Corporation of the Town of Georgina support the resolution of the Board of the Lake Simcoe Region Conservation Authority dated November 18, 2022 directing Staff to provide a submission to Environmental Registry of Ontario No. 019-6141 based on comments within Staff Report No. 40-22-BOD regarding Provincial Bill 23 - More Homes Built Faster Act, 2022 and that Staff be directed to submit a letter to the Minister of Natural Resources and Forestry and the Minister of Environment, Conservation and Parks requesting that the Conservation Authorities Working Group be re-engaged;

AND FURTHER THAT the Council of the Corporation of the Town of Georgina opposes the proposed removal or re-designation of approximately 7,400 acres of protected lands from the Provincial Greenbelt Area and/or the Oak Ridges Moraine Conservation Plan for residential development as set out in ERO posting number 019-6217 and ERO posting number 019-6218;

AND FURTHER THAT the Council of the Corporation of the Town of Georgina opposes the conversion of Conservation Authority lands, for housing purposes in the absence of a fuller understanding of the criteria that will be used to conduct the assessment and a Municipal Comprehensive Review that demonstrates the need for the conversion to meet population targets;

AND THAT this resolution be forwarded to the Honourable Doug Ford, Premier of Ontario, the Honourable Steve Clark, Minister of Municipal Affairs and Housing, the Honourable David Piccini, Minister of the Environment, Conservation and Parks, the Honourable Graydon Smith, Minister of Natural Resources and Forestry, Caroline Mulroney, MPP, York-Simcoe, York Region MPP's, York Region municipalities, Lake Simcoe Watershed MPP's, the Honourable Peter Tabuns, Leader of the Opposition and interim leader of the Ontario New Democratic Party, the Honourable John Fraser, Interim Leader of the Ontario Liberal Party, the Honourable Mike Schreiner, Leader of the Green Party of Ontario, Lake Simcoe Region Conservation Authority, Association of Municipalities of Ontario (AMO) and all Ontario municipalities.

The Regional Municipality of York

Regional Council
November 10, 2022

Report of the Chief Administrative Officer

Bill 23, More Homes Built Faster Act 2022

1. Recommendation

1. The Regional Clerk forward this report to the Minister of Municipal Affairs and Housing seeking an extension of the comment period to at least December 31, 2022, to allow for a more informed consultation period and constructive feedback.
2. The Regional Clerk circulate this report to the Clerks of the local municipalities.

2. Summary

This report is to inform Council of Bill 23, the *More Homes Built Faster Act*, omnibus legislation that received first reading in the provincial legislature on October 25, 2022.

Key Points:

- Bill 23 proposes to amend nine Acts with varying levels of impact on the Region and introduces a new Act addressing “Upper York” servicing in York Region
- Amendments most impactful to the Region are to the *Development Charges Act* and the *Planning Act*. The new *Supporting Growth and Housing in York and Durham Regions Act, 2022*, deals with Upper York servicing and is also the subject of a separate report. These most impactful elements of Bill 23 are summarized in Attachment 2 to this report
- Attachment 3 summarizes the details of other amendments proposed through Bill 23
- Preliminary review suggests that, at minimum, Bill 23 will significantly impact how the Region and our local municipalities coordinate growth management with infrastructure planning and while challenging the ability to pay for infrastructure. The deadline for comments through an Environmental Registry posting is November 24, 2022 for most of the proposed changes.

3. Background

On October 25, 2022 the Province tabled Bill 23, *More Homes Built Faster Act, 2022*

Bill 23, the *More Homes Built Faster Act* is omnibus legislation that proposes changes to nine Acts and proposes a new Act, the *Support Growth and Housing in York and Durham Region's Act, 2022* as outlined in Minister Clark's letter dated October 25, 2022 (Attachment 1). This Bill is the most substantial proposal to date under the Provincial initiative to increase housing supply in Ontario to build 1.5 million homes in the next 10 years. This target significantly exceeds the Growth Plan forecasts (as communicated to Council's Housing Affordability Task Force on [September 22, 2022](#)) and will most certainly require more predictability in Provincial approvals and funding than what has been in place for the last two decades.

A number of proposed changes are posted on the Environmental Registry of Ontario and impact the Region and Regional areas of interest. Attachments 2 and 3 outline the changes proposed through amendments to the nine existing Acts; the *Support Growth and Housing in York and Durham Region's Act* is addressed through a separate report on this Council agenda.

The deadlines for comments range from November 24, 2022 to December 31, 2022.

4. Analysis

Proposed changes to the *Development Charges Act, 1997* reduce the share of infrastructure funded through development charges and place pressure on the Region's debt capacity, tax levy and/or water rates

Bill 23 proposes several changes to the *Development Charges Act, 1997* beginning with permitting a bylaw to have a maximum term of 10 years, up from the current 5. It also proposes to require phasing in a new bylaw's development charge rates over the first five years – with a suggestion that it will apply retroactively to bylaws passed after June 1, 2022.

The Bill also proposes to exempt or discount development charges on affordable housing, "attainable" housing, not-for-profit housing, inclusionary zoning units and rental units (details are summarized in Attachment 2). Affordable ownership has been defined as 80% of the average purchase price for ownership, while affordable rental has been defined as 80% of average market rent for rental units. A definition of "attainable" will be prescribed through regulation, though it would not include rental. Rental development, which is eligible for development charge discounts, is defined as a building or structure with four or more residential units all of which are intended for use as rented residential premises.

Other proposed changes to the *Development Charges Act* include:

- No longer being able to collect development charges for housing services, growth studies and land costs

- Capping of the interest rate on frozen and installment development charges payments at bank prime rate plus 1%
- Requirement that municipalities spend or allocate at least 60% of the monies in the water, wastewater and roads development charge reserves at the beginning of each year

Any development charge reduction, exemption, discount, or removal of services/costs that limits cost recovery may impact the ability of the Region to deliver vital, growth-related infrastructure or the gap may need to be funded from tax levy or user rates.

The Bill proposes changes to the *Planning Act* which remove planning responsibilities from York Region

The *More Homes Built Faster Act* proposes changes to the *Planning Act* which remove planning responsibilities from York Region as well as Durham, Peel, Halton, Niagara and Waterloo Regions, and Simcoe County. These changes eliminate Council's approval authority for local planning matters, require local municipalities to implement the Regional Official Plan, and remove the Region's right to appeal land use planning decisions.

The Regional Official Plan, once approved by the Minister of Municipal Affairs and Housing, would become the responsibility of local municipalities in conjunction with their own Official Plans. The intent is that local municipal Official Plans incorporate Regional Official Plan policies within their jurisdiction. In the interim, *Planning Act* decisions would be made by local municipalities having regard for both documents with the Regional Official Plan prevailing in the event of conflict.

Other proposed changes to the *Planning Act* include:

- Up to three residential units per urban residential lot as-of-right
- Limiting the role of Conservation Authorities
- Removing all aspects of site plan control for residential development proposals up to 10 units
- Setting maximums for parkland dedication

Coordination to address cross-boundary, public and Regional interests need to be considered

As noted by the Association of Municipalities of Ontario and others (see Attachment 4), many of the proposed changes need to be better understood as they seem to transfer risk from private developers to the public. Regional and Provincial planning has been strengthened over the last 20 years, with changes to the Growth Plan as recently as 2019, recognizing the need for comprehensive planning of matters including but not limited to transportation, transit, water and wastewater services and a financially sustainable means to provide them. The current process of planning and prioritizing Regional infrastructure and service delivery will need to continue.

A move towards local-level decision-making needs to ensure that progress in coordinated, comprehensive planning is not lost and that the public and municipalities are protected from unintended consequences.

York Region and local municipalities already collaborate extensively to coordinate planning matters. Most routine planning matters have already been delegated to local municipalities. Other Regions still have subdivision approval, so in those jurisdictions, the changes are more impactful.

Responses to Environmental Registry of Ontario postings will be provided to Council for consideration and additional comments

Environmental Registry postings regarding changes proposed through Bill 23 are being reviewed and assessed. Comments will be provided to the Province in response to these postings and their comment deadlines. In light of the incoming Council's first business meeting scheduled for December 8, 2022 the Province will be advised that any comments provided by staff to meet the imposed deadlines are preliminary with Council consideration and additional comments to follow.

5. Financial

Changes proposed through Bill 23 could have implications on how the Region funds growth-related infrastructure, potentially conflicting with the principle that growth pays for growth. Bill 23 proposes several exemptions and discounts to support affordable, non-profit, and rental housing. These incentives, which limit cost recovery, may need to be funded from the tax levy or user rates. The Region currently has in place a number of development charges deferral programs supporting the same desired outcomes, but do not need to be funded from the tax levy or user rates.

If passed, Bill 23 would also amend the Development Charges Act to prohibit municipalities from collecting development charges for housing services, growth studies and land costs. To maintain the current capital program, any growth-related capital costs not recovered through development charges may also need to be made up from tax levy and/or user rates.

6. Local Impact

The planning responsibilities of local municipalities will increase if the proposed changes pass. In addition to an increased approval authority role for applications previously approved by Council or delegated to Regional staff, local municipalities will also be taking on a greater role with respect to the Conservation Authority regulation for planning matters. This may, at least in the short term, have the unintended consequence of slowing planning approvals and increasing appeals to the Ontario Land Tribunal. This risk is further compounded by deadlines and the potential application fee refund regime of Bill 109.

Water and wastewater servicing planned, financed, built and operated by the Region is required for homes to be built. Ongoing collaboration and coordination between local

municipalities and the Region to ensure alignment between growth management planning, infrastructure planning and financial planning will be required.

Finally, many of the changes not highlighted in this report have consequences on local municipalities including those related to parkland dedication, urban design, heritage conservation, and more.

7. Conclusion

Bill 23 is sweeping omnibus legislation proposing numerous changes as outlined in Attachments 2 and 3. If approved as currently written, the Bill appears to overlook unintended consequences counter to the objective of increasing the housing supply. Specifically, changes proposed to the *Development Charges Act* complicate how growth-related infrastructure will be paid for. *Planning Act* changes risk uncoupling growth management planning from comprehensive and financially sustainable infrastructure and service planning.

Ongoing consultations, along with indications of the Provincial government's intentions for regulations that are expected to follow, will help form a better understanding. Staff will be responding as required to avoid missing the imposed deadlines but will also report back to Council relaying any resulting updates to the Ministry of Municipal Affairs. Responses will continue to be coordinated with our local and peer municipalities through AMO, AMCTO, MFOA and other municipal associations.

For more information on this report, please contact Paul Freeman, at 1-877-464-9675 ext. 71534 or Laura Mirabella at ext. 71600. Accessible formats or communication supports are available upon request.



Approved for Submission:

Bruce Macgregor
Chief Administrative Officer

November 1, 2022

14323965

Attachments (4)

**Ministry of
Municipal Affairs
and Housing**

Office of the Minister

777 Bay Street, 17th Floor
Toronto ON M7A 2J3
Tel.: 416 585-7000

**Ministère des
Affaires municipales
et du Logement**

Bureau du ministre

777, rue Bay, 17^e étage
Toronto ON M7A 2J3
Tél. : 416 585-7000



234-2022-4624

October 25, 2022

Good afternoon,

On October 25, 2022, our government released [More Homes Built Faster: Ontario's Housing Supply Action Plan 2022-2023](#) that proposes bold and transformative action to get 1.5 million homes built over the next 10 years.

Details about the range of measures in our plan can be found in the [news release here](#).

The More Homes Built Faster Plan proposes policies and tools that reflect recommendations from the [Housing Affordability Task Force Report](#) and builds on [More Homes, More Choice](#) and the [More Homes for Everyone Plan](#). Our plan also draws on many elements from AMO's 2022 A Blueprint for Action: An Integrated Approach to Address the Ontario Housing Crisis and ROMA's 2022 Task Force Report on Attainable Housing and Purpose-Built Rentals. These changes are providing a solid foundation to address Ontario's housing supply crisis over the long term and will be supplemented by continued action in the future.

Our government has also introduced the More Homes Built Faster Act, 2022, and is seeking feedback on the changes proposed under the legislation and associated regulations. Additionally, various housing and land use policy reviews – including a housing-focused policy review of A Place to Grow and the Provincial Policy Statement, with a theme of supporting rural and northern housing – are being undertaken to identify and remove barriers to getting more homes built. These and other related consultations can be found through the [Environmental Registry of Ontario and the Ontario Regulatory Registry](#).

We encourage you share this information with senior staff in the municipality and to inform the newly elected head of council and council members. Our government is building a strong foundation for action that will continue to ensure Ontario is a prosperous and growing province – and the best place in the world to call home. We look forward to continued collaboration with our municipal partners to get more homes built faster.

Sincerely,

Steve Clark
Minister

- c. The Honourable Michael Parsa, Associate Minister of Housing
- Kate Manson-Smith, Deputy Minister
- Ryan Amato, Chief of Staff, Minister's Office
- Joshua Paul, Assistant Deputy Minister, Housing Division
- Municipal Chief Administrative Officers

**Summary of Bill 23, More Homes Built Faster Act, 2022
Changes to Development Charges Act and Planning Act**

Development Charges Act, 1997

Area (ERO# 019-6172)	Summary of Changes
Duration of Development Charges (DC) by-law	Maximum by-law term is extended from 5 to 10 years.
Mandatory phase-in of new DC by-law rates	New DC by-law rates, resultant from a by-law update/amendment, phased in over first 5 years; no more than 80% in year 1 to 100% by years 5 and onwards. Applies retroactively to by-laws passed on, or after, June 1, 2022 and for subsequent by-laws.
<p>New DC exemptions or partial exemptions/discounts</p> <p>Proposed definitions:</p> <p>*Average market rent - the average market rent for the year in which the residential unit is occupied by a tenant, as identified in the bulletin entitled the "Affordable Residential Units for the Purposes of the Development Charges Act, 1997 Bulletin", as it is amended from time to time, that is published by the Minister of Municipal Affairs and Housing</p> <p>**Average purchase price - the average purchase price applicable to a residential unit is the average purchase price for the year in which the residential unit is sold, as identified in the bulletin entitled the "Affordable Residential Units for the Purposes of the Development Charges Act, 1997 Bulletin", published by the Minister of Municipal Affairs and Housing</p>	<p>1. Affordable housing (full exemption)</p> <p><i>Rental</i> - rent is no greater than 80% of the average market rent*. Tenant is at arm's length to landlord.</p> <p><i>Ownership</i> - price of the residential unit is no greater than 80% of the average purchase price**; sold to a person who is dealing at arm's length. Requires agreements with the local municipality, which may be registered against the lands.</p> <p>2. Attainable housing (full exemption)</p> <p>Must meet the following criteria:</p> <ul style="list-style-type: none"> • Unit is not an affordable unit • Not intended for use as a rental • Developed as part of a <u>prescribed development or class of developments</u> • Sold to a person who is dealing at arm's length with the seller <p>Requires agreements with the local municipality, which may be registered against the lands.</p> <p>3. Not for profit housing (full exemption)</p> <p>Means a corporation to which the Not-for-Profit Corporations Act, 2010 applies; a corporation without share capital to which the Canada Not-for-profit Corporations Act applies; a non-profit housing co-operative.</p> <p>4. Inclusionary zoning units (full exemption)</p> <p>Residential units that are affordable housing units required to be included in a development or redevelopment pursuant to a by-law passed under section 34 of the Planning Act to give effect to the</p>

	<p>policies described in subsection 16 (4) (Inclusionary zoning policies).</p> <p>5. Rental housing (discount/partial exemption)</p> <p>Rental means development of a building or structure with four or more residential units all of which are intended for use as rented residential premises. Discounts are as follows:</p> <ul style="list-style-type: none"> • 3 bedrooms or more – 25% discount • 2 bedrooms – 20 % discount • Any other – 15% discount
Exemptions for second suites in existing and new buildings (including additional units in rental buildings, limited to the greater of 1 or 1% of existing units)	Moves from regulations to legislation with minor changes.
Removal of service - Housing	Municipalities are no longer able to collect development charges for Housing Services, as at Royal Assent.
Removal of DC-eligible costs – studies and land	<p>Growth studies, including other studies, no longer eligible for subsequent by-laws.</p> <p>Costs to acquire land or an interest in land, including a leasehold interest <u>except in relation to such services as are prescribed for the purposes of this paragraph</u> (underlined is new).</p>
<p>Interest rate changes on frozen DCs/installment payments</p> <p>Proposed Definition:</p> <p>* Average prime rate, means the mean, rounded to the nearest hundredth of a percentage point, of the annual rates of interest announced by each of the Royal Bank of Canada, The Bank of Nova Scotia, the Canadian Imperial Bank of Commerce, the Bank of Montreal and The Toronto-Dominion Bank to be its prime or reference rate of interest in effect on that date for determining interest rates on Canadian dollar commercial loans by that bank in Canada.</p>	Capped at average Prime plus 1%.
Historic average service level timeframe	Extended from 10 years to 15 years.

Allocation of monies in reserve fund	Beginning in 2023 and in each calendar year thereafter, a municipality shall spend or allocate at least 60% of the monies that are in a reserve fund for services at the beginning of the year. Applies to water, wastewater and roads. Additional services to which this change applies may be prescribed.
--------------------------------------	---

Planning Act

Area (ERO# 019-6163)	Summary of Proposed Changes
Additional Residential Units	<p>Allow up to three units per lot (i.e., up to three units in the primary building, or up to two in primary building and one in ancillary building or structure). These changes would apply to any parcel of urban residential land in settlement areas with full municipal water and sewage services.</p> <p>Prohibit municipalities from imposing development charges (regardless of unit size), parkland dedication or cash-in-lieu requirements, applying minimum unit sizes or requiring more than one parking space per unit with regard to new units built under this permission.</p>
Planning Appeals	Limit third-party appeals. Appeals would only be maintained for key participants (e.g., applicants, province, public bodies, First Nations, and utility providers that participated in the process) except where appeals have already been restricted (e.g., Minister's decision on new official plan).
Upper-tier and Lower-tier Municipal Planning Responsibilities	<p>Remove planning responsibilities in the County of Simcoe, and the Regional Municipalities of Halton, Peel, York, Durham, Niagara and Waterloo.</p> <p>Regulation-making authority to prescribe additional upper-tier municipalities as an "upper-tier municipality without planning responsibilities" in the future if needed.</p> <p>Where upper-tier planning responsibilities are removed:</p> <ul style="list-style-type: none"> Existing upper-tier official plans would be deemed to form part of the applicable lower-tier municipality's official plan, until the lower-tier official plan has been updated Lower-tier official plans and amendments would be approved by the Minister of Municipal Affairs and Housing (Minister's decision on new official plans and section 26 updates would not be appealable) The upper-tier municipality would not be able to appeal land use planning decisions

Area (ERO# 019-6163)	Summary of Proposed Changes
	<ul style="list-style-type: none"> • The approval authority for subdivisions and consents would be assigned to lower-tier municipalities, unless the Minister provides otherwise through regulation <p>The proposed changes would also have the effect of removing the following upper-tier municipal roles and requirements for an “upper-tier municipality without planning responsibilities”:</p> <ul style="list-style-type: none"> • Requirement to have planning advisory committees • Ability to have land division committees • Ability to have a local appeal body • Ability to assume any authority, responsibility, duty or function of a lower-tier municipality • Ability to use the protected major transit station area tool. <p>As a result of the proposed changes, the following provisions would no longer be applicable in an “upper-tier municipality without planning responsibilities”:</p> <ul style="list-style-type: none"> • Allowing the Minister to delegate approval authority for official plans/amendments to/from upper-tier municipalities, and provisions for upper-tier municipalities to delegate to/from upper-tier municipal staff/committees or lower-tier municipalities • Requiring lower-tier official plans to conform with upper-tier official plans • Limits on appeals of official plans/amendments that are only relevant to upper-tier municipalities • Requiring lower-tier official plan policies for a community planning permit system (CPPS) to conform with the upper-tier municipality’s CPPS policies.
Role of Conservation Authorities	<p>Streamlined processes to sever and dispose of land. Expedite the existing processes associated with the severance and conveyance of land, regardless of whether provincial grant money was provided under the Conservation Authorities Act, for the purposes of projects related to flood control, erosion control, bank stabilization shoreline management works or the preservation of environmentally sensitive lands.</p> <p>Limit conservation authority appeals, when acting as a public body, other than when acting as an applicant, of land use planning decisions under the Planning Act to matters related to natural hazards policies in provincial policy statements issued under the Planning Act.</p>
Zoning Around Transit	<p>Require municipalities to amend their zoning by-laws to conform with official plan policies that establish minimum densities and heights around transit Major Transit Station Areas (MTSA) and</p>

Area (ERO# 019-6163)	Summary of Proposed Changes
	<p>Protected MTSA's within one year of the official plan policies being approved by the Minister.</p> <p>Restriction on appeals of the implementing zoning by-law amendments regarding permitted heights and densities and permitted uses would expire after one year of the protected major transit station official plan policies coming into effect.</p>
Community Benefit Charges (CBC)	<p>The maximum CBC payable could not exceed the prescribed percentage of the value of the land (maximum CBC of 4% of land value) multiplied by a ratio of the floor area of the new building or structure that is proposed to be erected as part of the development or redevelopment to all buildings and structures on the site.</p> <p>Maximum CBC payable (4% of land value) for a development or redevelopment to be discounted based on the floor area of affordable housing units, attainable housing units and inclusionary zoning affordable housing units as a proportion of the floor area of the total development.</p>
Site Plan Control	<p>Remove all aspects of site plan control for residential development proposals up to 10 units, except for land lease communities. The proposed changes would also limit the scope of site plan control by removing the ability to regulate architectural details and limiting the ability to regulate aesthetic aspects of landscape design.</p>
Parkland Dedication	<p>Affordable and attainable housing units as well as affordable housing units required by inclusionary zoning exempt from parkland dedication requirements. The maximum 5% basic rate for residential development would be discounted based on number of these units relative to total units in the development. These units would also not be included for the purposes of determining the maximum alternative rate. Not-for-profit housing developments would also be exempt from parkland dedication requirements.</p> <p>A second, or second and third residential unit in a detached-house, semi-detached house or rowhouse would be exempt from parkland dedication requirements, as would one residential unit in an ancillary structure.</p> <p>Require parkland dedication rates to be determined at time of zoning/site plan application.</p> <p>The maximum alternative parkland dedication rate for land conveyed of 1 hectare for each 300 dwelling units would be</p>

Area (ERO# 019-6163)	Summary of Proposed Changes
	<p>changed to 1 hectare for each 600 net residential units and for payments in lieu, the current rate of 1 hectare for each 500 dwelling units would be changed to 1 hectare for each 1000 net residential units.</p> <p>No more than 15% of the amount of land subject to the development proposal (or equivalent value) could be required for parks or other recreational purposes for sites greater than 5 hectares and no more than 10% for sites 5 hectares or less.</p> <p>Require municipalities to develop a 'parks plan' before passing a parkland dedication by-law instead of developing such a plan before adopting the official plan policies required to be able to use the alternative parkland requirement.</p> <p>Beginning in 2023, the proposed changes would require municipalities to allocate or spend at least 60% of their parkland dedication reserve balance at the start of each year.</p>

New Act: Supporting Growth and Housing in York and Durham Regions Act, 2022

Area (ERO# 019-6192)	Summary of Proposed Changes
General	Mandate the planning, development and construction of two wastewater projects. Both exempt from the Environmental Assessment Act, however environmental impact reports must be prepared. The Act creates a mandatory consultation process for Indigenous communities.
York Region Sewage Works Project	Expand the existing York Durham Sewage System to accommodate growth to 2051. Revokes instruments for the Upper York Sewage Systems Solution and terminates that Environmental Assessment application.
Lake Simcoe Phosphorus Removal Project	One or more prescribed municipalities to develop, construct and operate a new treatment facility that will remove phosphorus from drainage water that flows from the Holland Marsh to Lake Simcoe.

14336213

**Summary of Bill 23, More Homes Built Faster Act, 2022
New Act and Changes to Other Acts**

Conservation Authorities Act

Area (ERO# 019-2927 and ERO# 019-6141)	Summary of Proposed Changes
Proposed Regulation	Repeal the 36 individual regulations under the Conservation Authorities Act, a single regulation is proposed for all 36 Authorities in the province.
Identify Lands for Housing	Require a land inventory to identify conservation authority-owned or controlled lands that could support housing development. Disposition (sales, easements, leases) of conservation authority owned land will be streamlined to facilitate development of these lands.
Limitation on commenting	Prevents a review or commenting role for a wide array of legislation, which cannot be included under an agreement with a municipality.
Community Infrastructure and Housing Accelerator	Require conservation authorities to issue permits for projects subject to a Community Infrastructure and Housing Accelerator order and allow the Minister to review and amend any conditions attached to those permits to expedite zoning changes.
Minister's Zoning Order conditions	Gives authority to the Minister to prescribe conditions on a permit issued by a conservation authority where there is a Minister's Zoning Order, and to also prescribe limits on what conditions a conservation authority may include.
Permit Exemptions	Exempt development authorized under the Planning Act from requiring a permit under the Conservation Authorities Act in municipalities set out in regulation, where certain conditions are met as set out in regulation.
Permit Decisions	"Pollution" and "conservation of land" no longer considered in development permit decisions.
Appeal Timeframe	Change the timeframe in which a permit applicant can appeal to the Ontario Land Tribunal if a CA does not issue a permit from 120 days to 90 days.
Review of development related proposals and applications	Scope conservation authorities' review and commenting role with respect to development applications and land use planning policies under prescribed Acts to matters within their core mandate (primarily flooding and erosion).
Fee freeze	Conservation Authority fees will be frozen at current levels.

Municipal Act, 2001

Area	Summary of Proposed Changes
Residential Rental Properties	Establishes authority for the Minister of Municipal Affairs and Housing to make regulations imposing limits and conditions on the powers of a municipality to prohibit and regulate the demolition and conversion of residential rental properties.

Ontario Land Tribunal Act

Area (Proposal #22-MAG011)	Summary of Proposed Changes
Dismissal of Proceedings	The Tribunal may dismiss a proceeding without a hearing if the Tribunal is of the opinion that the party who brought the proceeding has contributed to undue delay of the proceeding or if that a party has failed to comply with an order of the Tribunal in the proceeding.
Costs	Gives the Tribunal the power to order an unsuccessful party to pay a successful party's costs, intended to encourage parties to reach an agreement without going through the Tribunal.
Regulation-Making Authority	Provides new authority for the Lieutenant Governor in Council to make regulations requiring the Tribunal to prioritize the resolution of specified classes of proceedings, such as cases that create the most housing, for example. The Minister will have power to make regulations setting service standards with respect to timing of hearings and decisions for specific case resolution activities.

Ontario Heritage Act

Area (ERO# 019-6196)	Summary of Proposed Changes
Heritage property designation	Permits the Minister of Citizenship and Multiculturalism to review, confirm and revise, the determination of a property. Implements higher standards to require a property to meet two or more criteria. Listed properties would need to meet one of the criteria. Municipalities to review existing registers and decide if properties should be designated. Limit non-designated properties from being on the register indefinitely. Certain properties may be exempt from heritage standards and guidelines if it advances provincial priorities of transit, housing, health and long-term care or other priorities. If a non-designated property listed is not designated within 2 years, it is removed from the list. The property cannot be included on the list for another 5 years.
Heritage Conservation Districts	Heritage Conservation District Plans can be amended or repealed, and a regulatory authority would prescribe this process. A statement must be provided explaining the cultural heritage value or interest and how the Heritage Conservation District meets two or more of the criteria.

New Home Construction Licensing Act, 2017

Area (Proposal # 22-MGCS021)	Summary of Proposed Changes
Minister's powers	Minister's powers increased (use of funds, penalties, etc.) and may be exercised by order instead of by regulation.

Administrative Monetary Penalty (AMP) and regulation	<p>Increase the maximum allowable amount for an Administrative Monetary Penalty (AMP) from \$25,000 to \$50,000</p> <p>Increase the maximum fines that a court may impose after a person or entity has previously been convicted of an offence - specifically, a maximum fine of \$100,000 for a subsequent conviction in the case of an individual, and a maximum fine of \$500,000 for a subsequent conviction in the case of a person or entity that is not an individual.</p> <p>Allow for AMPs to be imposed retroactively to contraventions that occurred on or after April 14, 2022;</p> <p>Enable the Home Construction Regulatory Authority (HCRA) to use the proceeds of AMPs and fines to provide funds to adversely impacted consumers and make a related regulation requiring the HCRA to establish, maintain and comply with a policy to this effect.</p>
--	---

Ontario Underground Infrastructure Notification System Act, 2012

Area (Proposal # 22-MGCS022)	Summary of Proposed Changes
Administrative	Minister authority to appoint Chair and Administrator, greater role in conflict resolution, and provide regulation making authority to Lieutenant Governor in Council.

Additional Proposed Changes

Area	Summary of Proposed Changes
Municipal Housing Targets and Housing Pledge (ERO# 019-6171)	<p>Assignment of municipal housing targets to 29 selected lower- and single-tier municipalities over the next 10 years</p> <p>Four municipalities in York Region have housing targets:</p> <ul style="list-style-type: none"> o City of Markham: 44,000 o City of Vaughan: 42,000 o City of Richmond Hill: 27,000 o Town of Newmarket: 12,000 <p>Direct municipalities to create a 'housing pledge' to implement housing targets which outlines actions municipalities will take to meet targets, and a 'vehicle' for identifying policy proposals to increase housing and infrastructure needs. Pledges are due March 1, 2023 with reporting towards the target annually.</p>
Review of A Place to Grow and Provincial Policy Statement (ERO# 019-6177)	Proposal to integrate the PPS and A Place to Grow into a single new province-wide plan

Revocation of the Parkway Belt West Plan (ERO# 019-6167)	Proposal is to revoke the Parkway Belt West Plan created in 1978 to potentially increase housing supply
Proposed Building Code changes (Proposal # 22-MMAH016 , Proposal # 22-MMAH019 , ERO# 019-6211)	A number of changes are proposed including, but not limited to, better alignment with National Building Code, Fire Management, accessibility and providing greater clarity.
Rent-to-Own Arrangements (Proposal # 22-MMAH018)	<p>Explore 'rent-to-own' home financing model in supporting housing attainability in the province. Potential to engage in a rent to own arrangement with two contracts:</p> <ul style="list-style-type: none"> • Rental agreement • Rent to own agreement <p>The province is seeking feedback on the viability, barriers and issues for renters on the rent to own model, as well as the provincial role to facilitate these agreements.</p>
Proposed Updates to the Ontario Wetland Evaluation System (ERO# 019-6160)	Proposed changes to content in the Ontario Wetland Evaluation System (OWES) manuals including new guidance and moving approval to the professional opinion of wetland evaluators and local decision makers including municipalities. Removal of species at risk and wetland grouping criteria in determining a wetland's significance.
Conserving Ontario's Natural Heritage (ERO # 019-6161)	<p>A discussion paper seeks feedback on how Ontario could offset development pressures on wetlands, woodlands, and other natural wildlife habitat.</p> <p>The Ministry of Natural Resources and Forestry is considering developing an offset policy that would require a net positive impact on these features and help reverse the decades-long trend of natural heritage loss in Ontario.</p>
Inclusionary Zoning (ERO #019-6173)	<p>Proposed changes to inclusionary zoning rules would standardize the following across the province:</p> <ul style="list-style-type: none"> • Set a maximum affordability period of 25 years • Limit the number of affordable units to 5% of the total number of units or 5% of the total gross floor area of the total residential units, not including common areas • Set affordability at 80% of the average resale price of ownership units or 80% of the average market rent for rental units

14335812

Ontario's New Housing Supply Action Plan: Some Troubling Features



NEWS PROVIDED BY
Association of Municipalities of Ontario



Oct 25, 2022, 17:51 ET

TORONTO, Oct. 25, 2022 /CNW/ - The Government of Ontario today introduced the next phase of its Housing Supply Action Plan: the proposed *More Homes Built Faster Act, 2022*. The Plan includes a broad array of legislative and regulatory changes related to land use planning, property taxes, building code, heritage, conservation, and the infrastructure financing framework that supports growth.

"Municipalities will welcome some of the proposed changes, and will be very concerned about others, such as changes to the Development Charges Act," said AMO President Colin Best. "We will work with the government on the ideas that have the potential to make housing more affordable, and we will oppose changes that undermine good economic and environmental policy."

Proposed changes include discounting and, in some cases, eliminating development charges and related developer obligations. When communities grow, infrastructure and public services must be scaled up to meet new demands. The new legislation would shift some of those costs from developers to current property taxpayers.

The Ontario government has signaled it may offset some of the financial impacts for municipalities. However, shifting growth costs from developers to taxpayers represents a fundamental change from the principle that growth should pay for growth, and that current homeowners and renters should not be required to subsidize new development. There are no mechanisms to ensure that developers will pass on cost savings to consumers in need of more affordable housing options.

For years, municipalities have been sounding the alarm about housing affordability and homelessness. Municipal governments deliver many of the front-line services that respond to these complicated and difficult challenges. Municipalities are committed to doing what they can to make housing more affordable, and to support economic growth.

Ontario had 100,000 housing starts in 2021, the highest in 30 years. However, some municipalities have seen a sharp decline in permit applications in 2022, due to factors such as higher interest rates and labour shortages.

AMO is the collective voice of Ontario's municipal sector advocating for good public policy that supports strong, sustainable, and prosperous communities. AMO's member municipal councils govern and provide key services to about one in three Canadians.

Follow AMO on Twitter, @AMOPolicy

SOURCE Association of Municipalities of Ontario

For further information: Brian Lambie, AMO Media Contact, 416-729-5425, lambie@redbrick.ca

**Summary of Bill 23, More Homes Built Faster Act, 2022
Changes to Development Charges Act and Planning Act**

The new Supporting Growth and Housing in York and Durham Regions Act, 2022 is the subject of a separate report.

There are a number of proposed legislative changes with no Regional implications and that not summarized below, including:

- Ontario Heritage Act ([ERO# 019-6196](#))
- New Home Construction Licensing Act, 2017 ([Proposal # 22-MGCS021](#))
- Ontario Underground Infrastructure Notification System Act, 2012 ([Proposal # 22-MGCS022](#))
- Proposed Building Code changes ([Proposal # 22-MMAH016](#), [Proposal # 22-MMAH019](#), [ERO# 019-6211](#))

Development Charges Act, 1997

(ERO# 019-6172)	Summary of Changes	Regional Implications	Preliminary Comments
Duration of Development Charges (DC) by-law	<ul style="list-style-type: none"> Maximum by-law term is extended from 5 to 10 years. 	<ul style="list-style-type: none"> No immediate financial implications as current development charges bylaw has a prescribed expiry of June 16, 2027 	<ul style="list-style-type: none"> While the change provides municipalities with the potential to have a bylaw for up to 10 years when taken together with proposed new phase-in rules, municipalities will need to assess whether they should update the bylaw prior to the 10-year expiration to maximize cost recovery

ATTACHMENT 5

(ERO# 019-6172)	Summary of Changes	Regional Implications	Preliminary Comments
<p>Mandatory phase-in of new DC by-law rates</p>	<ul style="list-style-type: none"> New DC by-law rates, resultant from a by-law update/amendment, phased in over first 5 years; no more than 80% in year 1 to 100% by years 5 and onwards. Applies retroactively to by-laws passed on, or after, June 1, 2022 and for subsequent by-laws. 	<ul style="list-style-type: none"> No immediate financial implications as York Region's 2022 DC Bylaw was passed on May 26, 2022 	<ul style="list-style-type: none"> Disincentivizes municipalities to update DC Bylaws earlier than the maximum 10-year term because of the phase-in provisions that prohibit full DC rate recovery in the first four years of a new bylaw Subject to section 5(6)3 of the Act, any shortfall from phasing in of DC rates may need to be made up from tax levy or user rates Any reduction in DC cost recovery could limit the Region's ability to deliver on its growth-related capital plan which could potentially slow housing construction
<p>New DC exemptions or partial exemptions/discounts</p> <p>Proposed definitions: *Average market rent - the average market rent for the year in which the residential unit is occupied by a tenant, as identified in the bulletin entitled the "Affordable Residential Units for the Purposes of the Development Charges Act, 1997 Bulletin",</p>	<p>1. Affordable housing (full exemption) <i>Rental</i> - rent is no greater than 80% of the average market rent*. Tenant is at arm's length to landlord. <i>Ownership</i> - price of the residential unit is no greater than 80% of the average purchase price**; sold to a person who is dealing at arm's length. Requires agreements with</p>	<ul style="list-style-type: none"> Immediate financial implications are unknown and subject to future take-up 	<ul style="list-style-type: none"> The Region currently has a number of DC deferral programs that support affordable, rental and non-profit housing, which do not need to be funded from the tax levy or user rates Subject to section 5(6)3 of the Act, any shortfall from DC exemptions or discounts may need to be made up from tax levy or user rates

(ERO# 019-6172)	Summary of Changes	Regional Implications	Preliminary Comments
<p>as it is amended from time to time, that is published by the Minister of Municipal Affairs and Housing</p> <p>**Average purchase price - the average purchase price applicable to a residential unit is the average purchase price for the year in which the residential unit is sold, as identified in the bulletin entitled the "Affordable Residential Units for the Purposes of the Development Charges Act, 1997 Bulletin", published by the Minister of Municipal Affairs and Housing</p>	<p>the local municipality, which may be registered against the lands.</p> <p>2. Attainable housing (full exemption) Must meet the following criteria:</p> <ul style="list-style-type: none"> ▪ Unit is not an affordable unit ▪ Not intended for use as a rental ▪ Developed as part of a <u>prescribed development or class of developments</u> ▪ Sold to a person who is dealing at arm's length with the seller <p>Requires agreements with the local municipality, which may be registered against the lands.</p> <p>3. Not for profit housing (full exemption) Means a corporation to which the Not-for-Profit Corporations Act, 2010 applies; a corporation without share capital to which the Canada Not-for-profit Corporations Act applies; a non-profit housing co-operative.</p> <p>4. Inclusionary zoning units (full exemption)</p>		<ul style="list-style-type: none"> • Any reduction in DC cost recovery could limit the Region's ability to deliver on its growth-related capital plan which could potentially slow housing construction • 80% of the average purchase price of a home in York Region is ~\$1.03M (2021), which based on the proposed definition, could be deemed as affordable. This is a significantly higher threshold than municipalities are using to define affordability. As reported in the 2021 Measuring and Monitoring Report, households at the 60th percentile (who make 132k) can only afford a home worth 536K • Additional clarification will be needed from the Province to determine what qualifies as 'attainable' housing

ATTACHMENT 5

(ERO# 019-6172)	Summary of Changes	Regional Implications	Preliminary Comments
	<p>Residential units that are affordable housing units required to be included in a development or redevelopment pursuant to a by-law passed under section 34 of the Planning Act to give effect to the policies described in subsection 16 (4) (Inclusionary zoning policies).</p> <p>5. Rental housing (discount/partial exemption) Rental means development of a building or structure with four or more residential units all of which are intended for use as rented residential premises. Discounts are as follows:</p> <ul style="list-style-type: none"> ▪ 3 bedrooms or more – 25% discount ▪ 2 bedrooms – 20 % discount ▪ Any other – 15% discount 		
<p>Exemptions for second suites in existing and new buildings (including additional units in rental buildings, limited to the greater of 1 or 1% of existing units)</p>	<ul style="list-style-type: none"> • Moves from regulations to legislation with minor changes. 	<ul style="list-style-type: none"> • Immediate financial implications are unknown and subject to future take-up 	<ul style="list-style-type: none"> • In 2021, the Region saw 139 registered second suites (which were exempt from DCs). Given the proposed changes, the number of secondary/additional suites could increase • Subject to section 5(6)3 of the Act, any shortfall from DC exemptions may need to be

ATTACHMENT 5

(ERO# 019-6172)	Summary of Changes	Regional Implications	Preliminary Comments
			<p>made up from tax levy or user rates</p> <ul style="list-style-type: none"> Any reduction in DC cost recovery could limit the Region's ability to deliver on its growth-related capital plan which could potentially slow housing construction
Removal of service - Housing	<ul style="list-style-type: none"> Municipalities are no longer able to collect development charges for Housing Services, as at Royal Assent. 	<ul style="list-style-type: none"> Immediate financial implications as Housing Services are deemed to be removed from the Region's DC Bylaw 	<ul style="list-style-type: none"> The Region's 2022 DC Background Study and Bylaw helps fund \$181 million in DC-eligible costs for the construction of over 2,700 new community housing units over the next 20 years To maintain the current capital program, any growth-related capital costs not recovered through development charges may need to be made up from the tax levy and water & wastewater user rates
Removal of DC-eligible costs – studies and land	<ul style="list-style-type: none"> Growth studies, including other studies, no longer eligible for subsequent by-laws. Costs to acquire land or an interest in land, including a leasehold interest <u>except in relation to such services as are prescribed for the purposes of</u> 	<ul style="list-style-type: none"> No immediate financial implications as this change would not take effect until the Region's next development charges update 	<ul style="list-style-type: none"> The Region's 2022 DC Background Study and Bylaw helps fund over \$200 million in growth-related plans and studies over the next 20 years Additional clarification will be needed from the Province to determine if Environmental Assessments and Infrastructure

ATTACHMENT 5

(ERO# 019-6172)	Summary of Changes	Regional Implications	Preliminary Comments
	<p><u>this paragraph</u> (underlined is new – services to be prescribed).</p>		<p>Master Plans remain eligible for DC recovery</p> <ul style="list-style-type: none"> • Additional clarification will be needed from the Province to determine the services that will not be eligible for land cost recovery through development charges • Any costs associated with growth studies and the acquisition of land, that are not recovered through DCs, may need to be made up from tax levy or water and wastewater user rates
Interest rate changes on frozen DCs/installment payments	<ul style="list-style-type: none"> • Capped at a maximum, average Prime plus 1% <p>Proposed Definition: * Average prime rate, means the mean, rounded to the nearest hundredth of a percentage point, of the annual rates of interest announced by each of the Royal Bank of Canada, The Bank of Nova Scotia, the Canadian Imperial Bank of Commerce, the Bank of Montreal and The Toronto-Dominion Bank to be its prime or reference rate of interest in effect on that date for determining interest rates on Canadian dollar commercial loans by that bank in Canada.</p>	<ul style="list-style-type: none"> • No immediate financial implications as the Region's current rate is 5%, which is below the prescribed maximum rate 	<ul style="list-style-type: none"> • The Region will need to update its Interest Policy to reflect the change
Historic average service level timeframe	<ul style="list-style-type: none"> • Extended from 10 years to 15 years 	<ul style="list-style-type: none"> • No immediate financial implications as this change would not take effect until the Region's next DC Bylaw update 	<ul style="list-style-type: none"> • Increasing the timeframe for the historical service level used to calculate DCs, from 10 to 15 years, could potentially result in lower DC rates and delay DC collections

ATTACHMENT 5

(ERO# 019-6172)	Summary of Changes	Regional Implications	Preliminary Comments
			<ul style="list-style-type: none"> • Could impact the following services: Public Health, Waste Diversion, Court Services, Public Works, Police Services, Ambulance Services and Long-Term Care
Allocation of monies in reserve fund	<ul style="list-style-type: none"> • Beginning in 2023 and in each calendar year thereafter, a municipality shall spend or allocate at least 60% of the monies that are in a reserve fund for services at the beginning of the year. Applies to water, wastewater and roads. Additional services to which this change applies may be prescribed. 	<ul style="list-style-type: none"> • Immediate implications, with respect to reporting under section 43 of the <i>Development Charges Act, 1997</i>, as this requirement takes effect as at Royal Assent and for 2023 • York Region currently complies with this requirement because of the amount of existing debt for services already prescribed in the Bill 	<ul style="list-style-type: none"> • If by the end of 2023, and for every year thereafter, the Region does not spend or allocate 60% of the monies in the Water, Wastewater and Roads reserves, the Region could be in non-conformity with this new section • Additional clarification is needed from the Province to determine what is meant by 'allocate' and the result of non-conformity

Planning Act

(ERO# 019-6163)	Summary of Proposed Changes	Regional Implications	Preliminary Comments
Additional Residential Units	<ul style="list-style-type: none"> • Allow up to three units per lot (i.e., up to three units in the primary building, or up to two in primary building and one in ancillary building or structure). These changes would apply to any parcel of urban residential land in settlement 	<ul style="list-style-type: none"> • Potential positive increase in rental supply and affordable housing • Potential to help increase transit ridership 	<ul style="list-style-type: none"> • Require monitoring and reporting of units and prior confirmation of water and wastewater servicing capacity

ATTACHMENT 5

(ERO# 019-6163)	Summary of Proposed Changes	Regional Implications	Preliminary Comments
	<p>areas with full municipal water and sewage services</p> <ul style="list-style-type: none"> Prohibit municipalities from imposing development charges (regardless of unit size), parkland dedication or cash-in-lieu requirements, applying minimum unit sizes or requiring more than one parking space per unit with regard to new units built under this permission 		
Planning Appeals	<ul style="list-style-type: none"> Limit third-party appeals. Appeals would only be maintained for key participants (e.g., applicants, province, public bodies, First Nations, and utility providers that participated in the process) except where appeals have already been restricted (e.g., Minister's decision on new official plan). The "upper-tier municipality without planning responsibilities" would not be able to appeal land use planning decisions Region's rights to appeal have been removed on local plans and amendments, zoning by-laws, subdivisions, consent and minor variance 	<ul style="list-style-type: none"> Reduced public appeal rights and participation in the planning process The Region is losing the right to seek party status on appeals of local plans and amendments and other planning instruments Appeals made by a third-party that the Region is currently involved in will be dismissed unless the third party falls within the list of "specified persons" or public bodies specified or the appeal has been scheduled for a hearing on the merits before Oct. 25, 2022 	<ul style="list-style-type: none"> Provide appeal mechanisms to address matters related to natural systems, Regional roads, human services and infrastructure delivery, including appeals to urban expansion where there is no Regional servicing infrastructure

(ERO# 019-6163)	Summary of Proposed Changes	Regional Implications	Preliminary Comments
Upper-tier and Lower-tier Municipal Planning Responsibilities	<ul style="list-style-type: none"> • Remove planning responsibilities in the County of Simcoe, and the Regional Municipalities of Halton, Peel, York, Durham, Niagara and Waterloo. • Regulation-making authority to prescribe additional upper-tier municipalities as an “upper-tier municipality without planning responsibilities” in the future if needed • Where upper-tier planning responsibilities are removed: <ul style="list-style-type: none"> ▪ Existing upper-tier official plans would be deemed to form part of the applicable lower- tier municipality's official plan, until the lower-tier official plan has been updated ▪ Lower-tier official plans and amendments would be approved by the Minister of Municipal Affairs and Housing (Minister's decision on new official plans and section 26 updates would not be appealable) ▪ The approval authority for subdivisions and consents would be assigned to lower-tier municipalities, unless the Minister provides otherwise through regulation 	<ul style="list-style-type: none"> • Planning for growth and servicing have been coordinated in manner to maintain fiscal sustainability at the Regional level. With the elimination of the upper-tier planning responsibilities, it is unclear how growth management and servicing will be addressed in this new model. The current process of planning and prioritizing Regional infrastructure and service delivery will need to continue. 	<ul style="list-style-type: none"> • Could result in unintended inefficiencies and delays in the planning review/ development approval process and subsequent delay of housing construction • Risk that Regional, cross-border, infrastructure, and comprehensive planning matters including but not limited to transportation, transit, water and wastewater services and financial sustainability may not be addressed. • A transition towards local-level decision-making needs to ensure that progress in coordinated, comprehensive planning and environmental protection is maintained • Planning and development of complete communities is coordinated at the Regional level to support health and quality of life. Collaborations between public health and planning will need to continue at the local municipal level to ensure plans and development

ATTACHMENT 5

(ERO# 019-6163)	Summary of Proposed Changes	Regional Implications	Preliminary Comments
			<p>applications have the appropriate review to support public health and a healthy built environment</p> <ul style="list-style-type: none"> • Risk that comprehensive policies in the Regional Official Plan will be removed or amended through local official plans resulting in an inconsistent policy approach
Removal of municipal Upper-tier roles	<ul style="list-style-type: none"> • The proposed changes would also have the effect of removing the following upper-tier municipal roles and requirements for an “upper-tier municipality without planning responsibilities”: <ul style="list-style-type: none"> ▪ Requirement to have planning advisory committees ▪ Ability to have land division committees ▪ Ability to have a local appeal body ▪ Ability to assume any authority, responsibility, duty or function of a lower-tier municipality ▪ Ability to use the protected major transit station area tool 	<ul style="list-style-type: none"> • The Region is no longer required to have the Planning Advisory Committee 	<ul style="list-style-type: none"> • Regional governments play an essential role in planning, financing and delivering major infrastructure to support growth management in a coordinated manner • Local municipal Planning Advisory Committees may increase public participation and input into local planning matters • The Region can support local planning advisory committees on growth management, cross-boundary and infrastructure matters
Removal of municipal Upper-tier provisions	<ul style="list-style-type: none"> • As a result of the proposed changes, the following provisions would no longer be applicable in an “upper-tier 	<ul style="list-style-type: none"> • Region's delegated approval authority from the Province removed for local official plans 	<ul style="list-style-type: none"> • Approximately 80% of local official plan amendments are

ATTACHMENT 5

(ERO# 019-6163)	Summary of Proposed Changes	Regional Implications	Preliminary Comments
	<p>municipality without planning responsibilities”:</p> <ul style="list-style-type: none"> ▪ Allowing the Minister to delegate approval authority for official plans/amendments to/from upper-tier municipalities, and provisions for upper-tier municipalities to delegate to/from upper-tier municipal staff/committees or lower-tier municipalities ▪ Requiring lower-tier official plans to conform with upper-tier official plans (Existing upper-tier official plans would be deemed to form part of the applicable lower-tier municipality's official plan, until the lower-tier official plan has been updated) ▪ Limits on appeals of official plans/amendments that are only relevant to upper-tier municipalities ▪ Requiring lower-tier official plan policies for a community planning permit system (CPPS) to conform with the upper-tier municipality's CPPS policies 	<p>and local official plan amendments (would now be the Minister of Municipal Affairs and Housing)</p> <ul style="list-style-type: none"> • York Region's delegation authority removed for official plan amendment exemptions to local municipalities. 	<p>already exempt from Regional approval</p> <ul style="list-style-type: none"> • Minister's approval of lower-tier municipal official plans may result in slower decision timeframes given the increased number of approvals and less familiarity with the upper-tier plans, which may result in the unintended delay of the approvals process and subsequent delay of housing construction
Role of Conservation Authorities	<ul style="list-style-type: none"> • Streamlined processes to sever and dispose of land. Expedite the existing processes associated with the severance and conveyance of land, regardless of whether provincial grant money was provided under the Conservation Authorities Act, for the 	<ul style="list-style-type: none"> • Results in conservation authority land being sold for development, reducing greenspace available to the public and climate mitigation and adaptation implications including flooding due to 	<ul style="list-style-type: none"> • Conservation authority-owned lands should remain in public ownership and remain greenspace. • Any land identified that could support housing development

ATTACHMENT 5

(ERO# 019-6163)	Summary of Proposed Changes	Regional Implications	Preliminary Comments
	<p>purposes of projects related to flood control, erosion control, bank stabilization shoreline management works or the preservation of environmentally sensitive lands</p> <ul style="list-style-type: none"> • Limit conservation authority appeals, when acting as a public body, other than when acting as an applicant, of land use planning decisions under the Planning Act to matters related to natural hazards policies in provincial policy statements issued under the Planning Act 	<p>increased impervious land use</p> <ul style="list-style-type: none"> • COVID-19 confirmed that urban greenspace is essential in higher density communities, and existing greenspace was inadequate in addressing demand. Reduced greenspace will exacerbate inaccessibility. • Sale of lands may result in development in areas outside settlement areas not contemplated within the land use planning context or for servicing under the water and transportation master plans. Increasing servicing needs in these areas is likely to add additional to already constrained infrastructure without the ability to add additional capacity in the near-term • Will likely reduce the Region's ability to meet its forest canopy and woodland cover targets, along with reductions in the Region's Vision goal to 	<p>should be appropriate for such purposes and have servicing, access to amenities and services, and be located outside of hazard lands and environmental features</p> <ul style="list-style-type: none"> • Any new housing should have criteria including affordability and density • Conservation authority sale of lands to unlock housing will also require servicing in areas not contemplated. Meeting servicing needs will require a concerted effort from multiple levels of government. Presently only wastewater conveyance has been streamlined, this will need to be extended to wastewater treatment, drinking water, and roads infrastructure.

ATTACHMENT 5

(ERO# 019-6163)	Summary of Proposed Changes	Regional Implications	Preliminary Comments
		increase greenspace per 100,000 residents	
Zoning Around Transit	<ul style="list-style-type: none"> Require municipalities to amend their zoning by-laws to conform with official plan policies that establish minimum densities and heights around transit Major Transit Station Areas (MTSA) and Protected MTSA's within one year of the official plan policies being approved by the Minister Restriction on appeals of the implementing zoning by-law amendments regarding permitted heights and densities and permitted uses would expire after one year of the protected major transit station official plan policies coming into effect 	<ul style="list-style-type: none"> Potential impact on ridership, best use of transit infrastructure if PMTSA densities can be appealed following 1 year of protection 	<ul style="list-style-type: none"> MTSA boundaries and densities should be afforded full in perpetuity protection from appeal
Community Benefit Charges (CBC)	<ul style="list-style-type: none"> The maximum CBC payable could not exceed the prescribed percentage of the value of the land (maximum CBC of 4% of land value) multiplied by a ratio of the floor area of the new building or structure that is proposed to be erected as part of the development or redevelopment to all buildings and structures on the site Maximum CBC payable (4% of land value) for development or redevelopment to be discounted based on the floor area of affordable housing 	<ul style="list-style-type: none"> Not applicable 	<ul style="list-style-type: none"> Local municipality's responsibility to administer

ATTACHMENT 5

(ERO# 019-6163)	Summary of Proposed Changes	Regional Implications	Preliminary Comments
	units, attainable housing units and inclusionary zoning affordable housing units as a proportion of the floor area of the total development		
Site Plan Control	<ul style="list-style-type: none"> • Remove all aspects of site plan control for residential development proposals up to 10 units, except for land lease communities • The proposed changes would also limit the scope of site plan control by removing the ability to regulate architectural details and limiting the ability to regulate aesthetic aspects of landscape design 	<ul style="list-style-type: none"> • Limiting scope of site plan control may have implications on the right-of-way, access control, tree planting, drainage, and high-quality urban design. 	<ul style="list-style-type: none"> • Potential for the loss of sustainability measures obtained through site plan approval
Parkland Dedication	<ul style="list-style-type: none"> • Affordable and attainable housing units as well as affordable housing units required by inclusionary zoning exempt from parkland dedication requirements. The maximum 5% basic rate for residential development would be discounted based on number of these units relative to total units in the development. These units would also not be included for the purposes of determining the maximum alternative rate. Not-for-profit housing developments would also be exempt from parkland dedication requirements • A second, or second and third residential unit in a detached-house, 	<ul style="list-style-type: none"> • Reduction of parkland dedication could result in reduced greenspaces and increased pressure on existing greenspaces, including Regional forests. Greenspaces play an important role in quality of life, recreation, and climate mitigation and adaptation, benefits that could be impacted by reduced greenspaces. • COVID-19 confirmed that urban greenspace is essential in higher density communities, 	<ul style="list-style-type: none"> • Reduction of parkland dedication may make it difficult for municipalities to provide enough greenspace to meet resident demands • Recommend ensuring parkland dedication prioritizes accessible and equitable allocation of green spaces for all types of housing units, including affordable and attainable housing units, and in higher density communities.

ATTACHMENT 5

(ERO# 019-6163)	Summary of Proposed Changes	Regional Implications	Preliminary Comments
	<p>semi-detached house or rowhouse would be exempt from parkland dedication requirements, as would one residential unit in an ancillary structure</p> <ul style="list-style-type: none"> • Require parkland dedication rates to be determined at time of zoning/site plan application • The maximum alternative parkland dedication rate for land conveyed of 1 hectare for each 300 dwelling units would be changed to 1 hectare for each 600 net residential units and for payments in lieu, the current rate of 1 hectare for each 500 dwelling units would be changed to 1 hectare for each 1000 net residential units • No more than 15% of the amount of land subject to the development proposal (or equivalent value) could be required for parks or other recreational purposes for sites greater than 5 hectares and no more than 10% for sites 5 hectares or less • Require municipalities to develop a 'parks plan' before passing a parkland dedication by-law instead of developing such a plan before adopting the official 	<p>and existing greenspace was inadequate in addressing demand. Reduced greenspace will exacerbate inaccessibility.</p> <ul style="list-style-type: none"> • May reduce development costs for Regional and non-profit community housing, consistent with Regional Council's resolution requesting local municipalities to exempt Housing York Inc. developments from local parkland fees. 	

ATTACHMENT 5

(ERO# 019-6163)	Summary of Proposed Changes	Regional Implications	Preliminary Comments
	<p>plan policies required to be able to use the alternative parkland requirement</p> <ul style="list-style-type: none"> Beginning in 2023, the proposed changes would require municipalities to allocate or spend at least 60% of their parkland dedication reserve balance at the start of each year 		

Conservation Authorities Act

(ERO# 019-2927 and ERO# 019-6141)	Summary of Proposed Changes	Regional Implications	Preliminary Comments
Proposed Regulation	<ul style="list-style-type: none"> Repeal the 36 individual regulations under the Conservation Authorities Act, a single regulation is proposed for all 36 Authorities in the province. 	<ul style="list-style-type: none"> Minimal, additional powers will be provided for Lake Simcoe Region Conservation Authority to support the implementation of the Lake Simcoe Protection Plan 	
Identify Lands for Housing	<ul style="list-style-type: none"> Require a land inventory to identify conservation authority-owned or controlled lands that could support housing development. Disposition (sales, easements, leases) of conservation authority-owned land will be streamlined to facilitate development of these lands 	<ul style="list-style-type: none"> Results in conservation authority land being sold for development, reducing greenspace available to the public and climate mitigation and adaptation implications including flooding due to increased impervious land use COVID-19 confirmed that urban greenspace is essential in higher-density communities, and existing greenspace was 	<ul style="list-style-type: none"> Conservation authority-owned lands should remain in public ownership and remain greenspace Any land identified that could support housing development should be appropriate with servicing, access to amenities and services, and be located outside of hazard lands and environmental features

ATTACHMENT 5

(ERO# 019-2927 and ERO# 019-6141)	Summary of Proposed Changes	Regional Implications	Preliminary Comments
		<p>inadequate in addressing demand. Reduced greenspace will exacerbate inaccessibility</p> <ul style="list-style-type: none"> • Will likely reduce the Region's ability to meet its forest canopy and woodland cover targets, along with reductions in the Region's Vision goal to increase greenspace per 100,000 residents • Sale of lands may result in development in areas outside settlement areas not contemplated within the land use planning context or for servicing under the water and transportation master plans. Increasing servicing needs in these areas is likely to add additional to already constrained infrastructure without the ability to add additional capacity in the near-term 	<ul style="list-style-type: none"> • Any new housing should have criteria including affordability and density • Conservation authority sale of lands to unlock housing will also require servicing in areas not contemplated. Meeting servicing needs will require a concerted effort from multiple levels of government. Presently only wastewater conveyance has been streamlined, this will need to be extended to wastewater treatment, drinking water, and roads infrastructure
Limitation on commenting and review of development	<ul style="list-style-type: none"> • Prevents a review or commenting role for a wide array of legislation, which cannot be included under an agreement with a municipality 	<ul style="list-style-type: none"> • Prevents conservation authorities from undertaking a commenting role on behalf of the Region for a wide array of legislation, including the 	<ul style="list-style-type: none"> • Conservation authorities perform an important role in the planning process on behalf of municipalities, limiting their ability to provide this support

ATTACHMENT 5

(ERO# 019-2927 and ERO# 019-6141)	Summary of Proposed Changes	Regional Implications	Preliminary Comments
related proposals and applications		<p>Endangered Species Act, Environmental Assessment Act, Environmental Protection Act, and Planning Act</p> <ul style="list-style-type: none"> • Region relies on conservation authority expertise to execute municipal duties under the legislation listed, including reviewing these applications from a water resource sustainability perspective 	<p>impacts the ability of a municipality to execute its duties. This could result in the unintended delay of approvals and subsequent delay of housing construction</p>
Community Infrastructure and Housing Accelerator	<ul style="list-style-type: none"> • Require conservation authorities to issue permits for projects subject to a Community Infrastructure and Housing Accelerator order and allow the Minister to review and amend any conditions attached to those permits to expedite zoning changes 	<ul style="list-style-type: none"> • Given that conservation authorities' permitting authority is limited strictly to natural hazards, this infers a Community Infrastructure and Housing Accelerator order could occur in hazard lands such as floodplains, resulting in risk and insurance implications, and climate adaptation implications 	<ul style="list-style-type: none"> • Conservation Authorities should not be compelled to approve permits for development within regulated areas unless appropriate to do so
Minister's Zoning Order conditions	<ul style="list-style-type: none"> • Gives authority to the Minister to prescribe conditions on a permit issued by a conservation authority where there is a Minister's Zoning Order, and to also prescribe limits on what conditions a conservation authority may include 	<ul style="list-style-type: none"> • Given that conservation authorities' permitting authority is limited strictly to natural hazards, this infers a development could occur in hazard lands such as floodplains, resulting in risk and 	<ul style="list-style-type: none"> • Conservation Authorities should not be compelled to approve permits for development within regulated areas unless appropriate to do so

ATTACHMENT 5

(ERO# 019-2927 and ERO# 019-6141)	Summary of Proposed Changes	Regional Implications	Preliminary Comments
		insurance implications, and climate adaptation implications	
Permit Exemptions	<ul style="list-style-type: none"> Exempt development authorized under the Planning Act from requiring a permit under the Conservation Authorities Act in municipalities set out in regulation, where certain conditions are met as set out in regulation 	<ul style="list-style-type: none"> Limiting conservation authorities' permitting authority strictly to natural hazards reduces their ability to protect Regional watersheds 	<ul style="list-style-type: none"> Conservation Authorities should not be compelled to approve permits for development within regulated areas unless appropriate to do so
Permit Decisions	<ul style="list-style-type: none"> "Pollution" and "conservation of land" no longer considered in development permit decisions 	<ul style="list-style-type: none"> Changes to permitting limiting conservation authorities permitting powers to natural hazard lands reduces their ability to reject development that has pollution or land conservation impacts, presenting additional environmental and source water protection risks 	<ul style="list-style-type: none"> Watershed and natural systems protection, including conservation of land is essential to ensuring healthy complete communities and quality of life to York Region residents by providing access to natural open spaces
Appeal Timeframe	<ul style="list-style-type: none"> Change the timeframe in which a permit applicant can appeal to the Ontario Land Tribunal if a CA does not issue a permit from 120 days to 90 days 	<ul style="list-style-type: none"> No Regional implications 	
Fee freeze	<ul style="list-style-type: none"> Conservation Authority fees will be frozen at current levels 	<ul style="list-style-type: none"> No Regional implications 	<ul style="list-style-type: none"> Freezing fees may impact the ability to self-fund CA services putting additional pressure on municipal tax levy

Municipal Act, 2001

Area	Summary of Proposed Changes	Regional Implications	Initial Comments
Residential Rental Properties	<ul style="list-style-type: none"> Establishes authority for the Minister of Municipal Affairs and Housing to make regulations imposing limits and conditions on the powers of a municipality to prohibit and regulate the demolition and conversion of residential rental properties 	<ul style="list-style-type: none"> This could reduce existing affordable housing stock in the Region due to demolition and conversion 	<ul style="list-style-type: none"> Reducing affordable rental housing stock contradicts the Provincial objective of providing more affordable rental housing

Ontario Land Tribunal Act

Area (<u>Proposal #22-MAG011</u>)	Summary of Proposed Changes	Regional Implications	Initial Comments
Dismissal of Proceedings	<ul style="list-style-type: none"> The Tribunal may dismiss a proceeding without a hearing if the Tribunal is of the opinion that the party who brought the proceeding has contributed to undue delay of the proceeding or if a party has failed to comply with an order of the Tribunal in the proceeding 	<ul style="list-style-type: none"> There may be some implications for appeals which are transitioned, where the Region is already a party 	<ul style="list-style-type: none"> York Region supports these efforts to streamline appeals
Costs	<ul style="list-style-type: none"> Gives the Tribunal the power to order an unsuccessful party to pay a successful party's costs, intended to encourage parties to reach an agreement without going through the Tribunal 	<ul style="list-style-type: none"> There may be some implications for appeals which are transitioned, where the Region is already a party 	
Regulation-Making Authority	<ul style="list-style-type: none"> Provides new authority for the Lieutenant Governor in Council to make regulations requiring the Tribunal to prioritize the resolution of 	<ul style="list-style-type: none"> None 	

ATTACHMENT 5

	<p>specified classes of proceedings, such as cases that create the most housing, for example</p> <ul style="list-style-type: none"> • The Minister will have power to make regulations setting service standards with respect to timing of hearings and decisions for specific case resolution activities 		
--	--	--	--

Additional Proposed Changes

Area	Summary of Proposed Changes	Regional Implications	Initial Comments
Municipal Housing Targets and Housing Pledge (ERO# 019-6171)	<ul style="list-style-type: none"> • Assignment of municipal housing targets to 29 selected lower- and single-tier municipalities over the next 10 years • Four municipalities in York Region have housing targets: <ul style="list-style-type: none"> ▪ City of Markham: 44,000 ▪ City of Vaughan: 42,000 ▪ City of Richmond Hill: 27,000 ▪ Town of Newmarket: 12,000 • Direct municipalities to create a 'housing pledge' to implement housing targets which outlines actions municipalities will take to meet targets, and a 'vehicle' for identifying policy proposals to increase housing and infrastructure 	<ul style="list-style-type: none"> • Uncertainties regarding population forecasts in the Growth Plan and the Regional Official Plan, and achievability and enforceability of proposed targets • Without housing affordability, mix and type requirements, housing may be unaffordable 	<ul style="list-style-type: none"> • Need to ensure alignment of targets with infrastructure capacity and timing • Ensure targets for different housing mix and types, and affordability • Ensure targets align with the ability of the private market and the labour force to deliver • The Region has started the Affordable Private Market Housing Implementation Plan to look at mechanisms for local municipalities to use to implement housing pledges

ATTACHMENT 5

	needs. Pledges are due March 1, 2023 with reporting towards the target annually		
Review of A Place to Grow and Provincial Policy Statement (ERO# 019-6177)	<ul style="list-style-type: none"> Province seeking feedback on proposal to integrate the PPS and A Place to Grow into a single new province-wide plan, streamlining and providing greater flexibility in core elements including <ul style="list-style-type: none"> Residential Land Supply Attainable Housing Supply and Mix Growth Management Agriculture and Natural Heritage Community Infrastructure 	<ul style="list-style-type: none"> Through the Municipal Comprehensive Review, the Region has integrated Growth Plan policies and targets into the Regional Official Plan to achieve conformity. The York Region Official Plan provides 30 years of housing supply with comprehensive planning that integrates financial, infrastructure, and land use planning, ensuring a consistent approach to growth management for all nine local municipalities 	<ul style="list-style-type: none"> There are uncertainties regarding the relationship between merging the PPS and Growth Plan and increasing housing supply Integration of Growth Plan and PPS may reduce certainty making it more difficult to manage growth and deliver infrastructure Eliminating or watering down the Growth Plan would set comprehensive planning backward
Revocation of the Parkway Belt West Plan (ERO# 019-6167)	<ul style="list-style-type: none"> Proposal to revoke the Parkway Belt West Plan to potentially increase housing supply 	<ul style="list-style-type: none"> No Regional implications 	<ul style="list-style-type: none"> The Region supports the proposal to revoke the Parkway Belt West Plan
Rent-to-Own Arrangements (Proposal # 22-MMAH018)	<ul style="list-style-type: none"> Explore 'rent-to-own' home financing model in supporting housing attainability in the province. Potential to engage in a rent-to-own arrangement with two contracts: <ul style="list-style-type: none"> Rental agreement Rent to own agreement The province is seeking feedback on the viability, barriers and issues for renters on the rent to own model, as 	<ul style="list-style-type: none"> No immediate Regional implications as any rent-to-own agreement would be between the developer and the homebuyer Unclear if the Province is assuming a local role (i.e. for Service Managers) in administering a rent-to-own program 	<ul style="list-style-type: none"> The Province should consider setting a legal framework for rent-to-own agreements which developers must follow when entering into agreements with households, to ensure consumer protections. The Province should ensure alignment with any federal rent-to-own initiatives, as the Federal

ATTACHMENT 5

	well as the provincial role to facilitate these agreements		<p>government committed to supporting rent-to-own projects as part of the 2022 Budget.</p> <ul style="list-style-type: none"> • If the Province is assuming a role for municipalities (i.e. Service Managers) in the delivery of this program, administration funding must be provided and eligibility criteria should align with the priorities and needs within the service area.
Proposed Updates to the Ontario Wetland Evaluation System (ERO# 019-6160)	<ul style="list-style-type: none"> • Proposed changes to content in the Ontario Wetland Evaluation System (OWES) manuals including new guidance and moving approval to the professional opinion of wetland evaluators and local decision makers including municipalities. Removal of species at risk and wetland grouping criteria in determining a wetland's significance 	<ul style="list-style-type: none"> • When considered in the context of the broader changes proposed in Bill 23, changes to the evaluation system opens the possibility of development on wetlands and in floodplains. Such a change has the potential to reduce natural functions and groundwater recharge, while also presenting greater flooding risks 	<ul style="list-style-type: none"> • Any changes to the wetland evaluation system should continue to place strong emphasis on maintaining wetland complexes and species at risk habitat and ensuring that development is not permitted in areas where it would present a risk to homeowners
Conserving Ontario's Natural Heritage (ERO # 019-6161)	<ul style="list-style-type: none"> • A discussion paper seeks feedback on how Ontario could offset development pressures on wetlands, woodlands, and other natural wildlife habitat • The Ministry of Natural Resources and Forestry is considering developing an offset policy that 	<ul style="list-style-type: none"> • This may result in natural heritage loss within the Region since there isn't a principle that requires the offsetting to happen locally 	<ul style="list-style-type: none"> • Any offsetting should result in a net gain in natural heritage features and functions within the local area

	would require a net positive impact on these features		
Inclusionary Zoning (ERO #019-6173)	<ul style="list-style-type: none"> Proposed changes to inclusionary zoning (IZ) rules would standardize the following across the province: <ul style="list-style-type: none"> Set a maximum affordability period of 25 years Limit the number of affordable units to 5% of the total number of units or 5% of the total gross floor area of the total residential units, not including common areas Set affordability at 80% of the average resale price of ownership units or 80% of the average market rent for rental units 	<ul style="list-style-type: none"> Under the current IZ framework, local municipalities have the ability to set affordability periods, unit set aside rates and affordable sales prices and rents to address local housing needs The proposed changes would standardize IZ policies across municipalities that choose to implement it, and limit the ability of municipalities to secure more units with longer affordability periods at deeper levels of affordability 	<ul style="list-style-type: none"> The Province is encouraged to continue to allow local flexibility to ensure IZ policies address local housing needs Municipal incentives associated with providing IZ units should correspond to the financial value of the IZ units being provided, in terms of depth and length of affordability, and the number of units secured Provincial regulations must include transition rules to ensure tenants occupying the unit at the end of the affordability period do not experience significant rent increases

Edocs #14351773