

November 24, 2022

SENT VIA EMAIL ONLY

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

Re: Provincial ERO Postings & Bill 23 Legislative Changes

The Township of Springwater have had the opportunity to conduct a cursory review of Bill 23 and proposed revisions to various Legislative Acts across the Province.

Provided with this letter is a staff report and appendix dated November 23, 2022, which provides comments/questions which were received by Council through Resolution C439-2022.

C439-2022

Moved by: Fisher

Seconded by: Thompson

That the report from the Director of Planning Services, regarding Provincial Bill 23 (More Homes Built Faster Act, 2022) -Springwater Comments, dated November 23, 2022, be received; and,

That staff be authorized to submit Township comments as generally outlined in the report and Appendix A as per the commenting deadlines outlined within the Environmental Registry of Ontario (ERO).

Carried

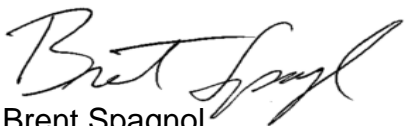
The following table contains a summary of Township comments for the Province's consideration as it works to collectively finalize various aspects of Bill 23.

BILL 23 – SUMMARY OF TOWNSHIP SPRINGWATER COMMENTS	
BILL 23 CONSIDERATION	STAFF COMMENTS
Planning Approvals removed from Upper Tiers	<p>The Township would be required to fully process applications for Official Plan Amendments. It is unclear how this change will streamline/expedite approvals as reviews of Official Plan Amendments will still be required?</p> <p>Staff provide the following questions:</p> <p>Is the Ministry equipped with the resources necessary to process Official Plan Amendments in a timely manner?</p> <p>Will the proposed change to remove the approval authority from the County expedite approvals or will it represent delays as Official Plan Amendments from across the Province will require Ministry review?</p> <p>Clarification regarding the extent of the approval authority being delegated to municipalities is required.</p>
Site Plan Approval	<p>Exempting developments of 10 residential units or less would remove the ability to properly design residential development from an engineering perspective and remove the ability to require securities to ensure that infrastructure is constructed to Township standards.</p> <p>Site Plan considerations such as servicing capacity, traffic, landscaping, amenity space are all important considerations that are needed to ensure that development is well-planned.</p>
Park Land Dedication	<p>Provision for parkland may not be proportionate to higher densities as the need for open space areas tends to increase within areas that consist of smaller lots and increased residential densities.</p> <p>The proposed change requires a Parks Plan prior to the passing of parkland dedication by-law, which will have a financial impact on the Township to fund the required study.</p> <p>Additional appeal rights for parkland dedication By-laws may represent an obstacle to the Province's objective to expedite the construction of homes as appeals to the Ontario Land Tribunal (OLT) have the potential of delaying approvals for development and ultimately slow down house construction.</p> <p>Staff are concerned that the impact of the proposed changes would result in the need for additional public funding to be spent to resolve park related appeals/disputes at the OLT potentially resulting in underserved communities from a parks and recreation perspective.</p>
Draft Plan of Subdivision (Public Meeting Requirement)	Public meetings for plan of subdivision applications would not be required and would be at the discretion of Council.

	<p>This change could place pressure on Council by the development community to waive the need for a public meeting; conversely residents would request public meetings for plan of subdivision applications.</p> <p>The proposed change is not consistent with the approach taken for Planning Act applications such as Official Plan Amendments, Zoning By-law Amendments, consents/minor variances and would essentially remove public participation from the subdivision process, which is not conducive to identifying community/neighbourhood considerations.</p>
Development Charges	<p>Exemptions from fees/development charges associated with attainable/affordable/non-profit housing projects will result in a reduction in Township revenues for the provision of services that will inadvertently/directly be absorbed by the taxpayer.</p> <p>Projects and studies that are funded through development charges would be subject to a shortfall in revenues and the gap in funding would need to be recovered through alternative funding streams.</p> <p>These options include borrowing funds to pay for growth supportive projects and increases in taxes to pay for development versus development pay for development.</p>
Ontario Land Tribunal Act	<p>Changes to the Ontario Land Tribunal Act appear to be intended to reduce appeals by limiting appeal rights to applicants, the Province, and public bodies. The prospect of the OLT awarding costs to a losing party could also deter legitimate appeals from being filed.</p> <p>Staff are not supportive of these changes as removing rights to appeal do not appear to be based on legitimate planning ideals, but intended to deny property owners from being involved in appeals concerning their interest.</p>
Additional Residential Units	<p>Staff agree that alternative options are needed to provide for a variety of housing types and that Additional Residential Units are useful to provide for a more affordable housing option.</p> <p>However, impacts to servicing, community design, neighbourhood functionality and revenue generation need to be considered prior to providing blanket approvals to increase densities.</p> <p>The ability to plan for required infrastructure (sanitary and water) needs to be examined more closely to reflect existing and planned servicing capacity.</p> <p>The ability to upgrade infrastructure/parks to service higher densities will be hindered by gaps in funding as a blanket exemption from development charges will have a significant financial impact on the municipality.</p> <p>Without development charges, the Township will be forced to either borrow funds and rely on the taxpayer to fund expansions to municipal water and sanitary services needed to support growth.</p>

	<p>Reduced parking requirements will result in increased on-street parking, which creates issues from an operational and by-law enforcement perspective.</p> <p>Loss in Development revenue will require an alternative funding source to provide park land and facilities to support increased densities/population.</p>
Consolidation of Provincial Policy Statement and A Place to Grow	<p>The Province is canvassing municipalities regarding the consolidation of the Provincial Policy Statement and the Growth Plan seeking comments on potential policy changes that may assist in increasing the housing supply.</p> <p>Township planning staff comments will be forthcoming on this matter at a later date (December 7, 2022) as this is an ongoing review being conducted by the Province. The deadline for comments is December 30, 2022.</p>
Conservation Authorities- Planning Applications	<p>The Township and area municipalities will be required to pursue environmental expertise either by recruiting in-house staff or private consulting firms to conduct environmental reviews. While there may be some efficiencies related to this framework, availability of qualified experts to conduct reviews in a timely fashion without conflict of interest will need to be explored.</p> <p>There could be a financial implication depending on the framework that municipalities deploy.</p>
Conservation Authority Act	<p>The proposed change may result in a more efficient process provided that reviews conducted under the Planning Act include hazard lands considerations as part of planning approval.</p>
Wetland Evaluation	<p>The protection of wetland systems is an essential environmental directive to maintain bio-diversity and ecological sustainability regardless of the location (Urban vs. Rural).</p> <p>The proposed changes to the evaluation process will have an impact on important ecological systems, specifically wetlands resulting in degradation and loss of habitat.</p> <p>It is unclear to staff how the proposed changes are related to increasing housing supply?</p> <p>Wetland features are typically not conducive to development from a site suitability or an affordability perspective.</p>

Respectfully,



Brent Spagnol
Director of Planning Services

Cc: Mayor Coughlin, Township of Springwater
Jeff Schmidt, CAO, Township of Springwater