

**Special Council Meeting
December 5, 2022**

Report #PD-2022-43

Overview & Impacts to the Town of New Tecumseth on Bill 23, More Homes Built Faster Act, 2022

Recommendation

That Report #PD-2022-43 be received;

And further that the comments contained in Report #PD-2022-43 be forwarded to the Provincial Government for the purposes of consultation on Bill 23, More Homes Built Faster Act, 2022 as part of the opportunity to participate in the public commenting of the ERO Postings;

And further that a copy also be forwarded to the Association of Municipalities of Ontario (AMO), Federation of Canadian Municipalities (FCM), AMCTO, Local MP, Local MPP and the County of Simcoe.

Executive Summary

Purpose of Report

The purpose of this report is to inform and provide Council with an overview of the Provincial consultation on several pieces of proposed legislation as part of Bill 23, More Homes Built Faster Act, 2022 and highlight some of the implications for the Town of New Tecumseth.

Key Findings

- The initial estimated impact of the proposed changes to the Development Charges Act is a loss of at least \$50M in development charges over the next five to ten years.
- Bill 23 has important implications for Simcoe County's Municipal Comprehensive Review (MCR), including the work by both the County and the Town that is currently in progress.
- Developments of 10 housing units or less are exempt from the Site Plan control process.
- Limitations on parkland dedications or cash in lieu may impact the quality of communities and may incur additional costs for the Town to defend decisions on parkland proposals.
- The Town will have to adjust application fees and associated review processes to compensate for the proposed restrictions to the remits of Conservation Authorities.

- Heritage properties may be at risk if the Town does not allocate resources to determine if potential heritage warrant designation.

Background

On October 25, 2022, the Provincial government introduced Bill 23, the More Homes Built Faster Act, 2022 (known as Bill 23 in this report). Bill 23 introduces several legislative changes to Provincial Acts including the Planning Act, the Heritage Act and the Development Charges Act. The overall stated purpose of the Bill is to increase housing supply throughout Ontario and to achieve the Province's goal of 1.5 million homes in the next 10 years. Two letters from the Ministry of Municipal Affairs and Housing are provided in Appendix 1 which includes an overview of Bill 23.

The Town acknowledges that the proposed changes are intended to streamline and improve the planning system to facilitate the delivery of housing to meet Provincial targets. Such endeavours are, in principle, supported however, many of the changes proposed to the various Acts will have significant impacts for the Town. For example, matters relating to development charges reform, the diminished role of conservation authorities, and removing all legislated planning responsibilities from some upper-tier municipalities including Simcoe County. These changes will fundamentally alter the way development approval processes are conducted, natural heritage resources are protected, how growth is coordinated on a regional scale, and how growth-related capital infrastructure is paid for (and by whom).

The listing of the proposed legislative changes in Bill 23 that are presently posted for consultation on the ERO and the associated comment deadlines are provided in Appendix 2.

Comments and Considerations

Summary of Proposed Changes to Relevant Provincial Legislation

Development Charges Act, 1997

[Bill 23, More Homes, Built Faster Act, 2022](#) includes several amendments to the Development Charges Act (DCA), 1997. The proposed changes to the Development Charges Act result in less development charge revenue collected by municipalities to fund the costs of growth-related infrastructure primarily consisting of water, wastewater and transportation projects/studies to support new housing, commercial and industrial development. Planning for complete communities will be very challenging without this stream of revenue for the Town. The initial estimated impact to the Town of New Tecumseth is a loss of at least \$50M in development charges (DCs) over the next five to ten years.

The estimates in the chart below are based on the 5-year projected growth targets in the DC background study and development applications in various stages. It could take several years for the full extent of the financial impact to be realized. Nevertheless, it is clear that Bill 23 will have significant financial impacts on the Town, as the proposed legislation reduces the amount of development charges and parkland dedication fees collected to fund the growth-related capital cost of infrastructure and services needed.

Bill 23 Proposal	Details	Estimated Town Financial Impact
Services Chargeable under DCA		
Elimination of Housing as an eligible service	Passing of Legislation - cannot charge Housing DC from date of Royal Assent. This service is provided by the County of Simcoe and provides housing for the most vulnerable residents with significant affordability requirements	Indirect impact to the Town
Elimination of recovery for studies	Costs for studies to determine the need and capital costs for land, buildings, facilities, etc. including the DC background study	Estimated \$6M based on background study
Land exemption for certain services	Services for which land is an ineligible cost may be prescribed. Cost to acquire land for specific services can be exempted as an eligible expense if prescribed	Assumed minimal impact
Adjustments to the DC Collection Amount		
DC for rental housing development	% Reduction based on the number of bedrooms: 3+ bedrooms 25%; 2 bedrooms 20%; 1 bedroom 15%	Estimated at \$17.5M based on applications received to date
DC exemptions	Exemptions for the creation of affordable residential units and attainable housing units, for non-profit housing developments, and for inclusionary zoning residential units. Includes DC exemptions for one additional residential unit (or 1% of existing units) in an existing residential building; as well as up to three residential units on an existing residential property (may be within the existing home or within an ancillary unit)	Assumed minimal impact; need clarification on 'attainable housing'

Mandatory 5-year phase-in	Phase-in of DC rates in by-laws, retroactive to June 1, 2022. Year 1 (80%), Year 2 (85%), Year 3 (90%), Year 4 (95%), Year 5 (100%)	Estimated at \$32M based on background study
Changes to DC calculation		
DC bylaw expiration	By-laws expire 10 years after they come into force (previously 5 years). This length of time could result in growth projections and capital programs becoming stale dated and not being as responsive to the Town's changing growth needs	Not enough information at this time. The 10 year time frame appears to be the maximum, i.e. they can expire sooner.
Historical service levels	Historical service levels now based on 15 years prior instead of current 10 years prior	To Be Determined
Changes to DC interest on collection and reserve spending		
DC deferrals	Imposing a maximum interest rate for DC deferrals	Assumed minimal impact
Reserve fund balances	Municipalities must spend or allocate 60% of reserve fund balances for water, wastewater, and road DCs (and other DC services as prescribed). This will be an annual requirement	Assumed minimal – this is already being done
Imposing a maximum interest rate for DC deferrals and payment plans	Municipalities will be “capped” regarding the maximum interest rates that can be charged. The maximum interest rate would be based on Canadian banks prime rates plus 1%. Interest rate to be set quarterly	Estimated at \$1.2M based on applications received to date

To offset the loss of revenue, existing residents may have to pay more for growth. As existing taxpayers and ratepayers take on an even greater share of the cost of growth-related infrastructure, the total cost of home ownership will increase due to higher property taxes and user rates. Additionally, the Town may need to consider delaying the construction of infrastructure needed to service new housing and assuming additional risk by taking on more long-term debt and the associated debt financing costs. This in turn could lead to service level reductions and would compromise provincially mandated municipal asset management plans as more tax dollars will be needed to fund the cost of growth. The proposed legislation upon review actually may result in less homes being built and not more to achieve the provincial objective of 1.5M homes in the next 10 years.

Parkland Dedication Fees and Community Benefits Charges

The proposed changes to Parkland Dedication (PD) fees and Community Benefits Charges (CBCs) include new exemptions for affordable units, attainable units and inclusionary zoning units. Affordable is defined as rent that is no more than 80% of the average market rent/average purchase price as defined by the Ministry of Municipal Affairs and Housing. Attainable will be defined as prescribed development or class of development and sold to a person who is at “arm’s length” from the seller. For affordable and attainable units, the municipality shall enter into an agreement which ensures the unit remains affordable or attainable for 25 years. Future regulations will prescribe developments that will be considered “attainable housing units”.

The Town has not historically imposed a CBC as it generally applies to high density developments; however it is under consideration to address future needs. The proposed changes to PDs and CBCs include exempting additional growth from the payment of PDs and CBCs, and establishing arbitrary spending and allocation targets that may not align with PD or CBC collections.

Planning Act and its Regulations

Schedule 9 of Bill 23 proposes multiple changes to the Planning Act, R.S.O. 1990, c. P.13. Some of the key changes to the Planning Act and its Regulations are discussed in the following sections.

Amendments to Upper Tier planning responsibilities

Planning responsibilities would be removed in the following upper-tier municipalities including the County of Simcoe which would be defined as an “upper-tier municipality without planning responsibilities.” An “upper-tier without planning responsibilities” would have its existing Official Plan form part of the lower-tier municipality’s Official Plan therefore eliminating the upper-tier Official Plan. Lower-tier Official Plans and amendments would no longer be approved by the County, but instead this responsibility would transfer to the Province (Minister of Municipal Affairs and Housing).

Planning at a county or regional scale is a vital component of the overall planning system in Ontario. There are services and systems (natural and infrastructure) that cross local boundaries which require long-range planning and coordination. These regional scale systems that support growth include matters such as roads, transit, trails, solid waste management, natural heritage, and agriculture. Ensuring these services and systems are coordinated with local growth and housing development is critical so that it can be delivered and supported effectively.

Site Plan Control

Site Plan approval would not be required for most residential developments of 10 units or less. The Town will not be able to provide input on servicing capacity, access, drainage and infrastructure. Where site plan control remains applicable (more than 10 units), the scope of this approval would be limited, and architectural and landscaping details cannot be part of the review. The limited ability for staff to review developments for compatibility, massing, and landscaping and to participate in the design process without Site Plan control as a tool will detrimentally impact the quality of development in our communities. This type of review is particularly important on infill developments where impact on existing neighbours is most pronounced and to ensure residential amenity is maintained. High quality urban design and landscaping are fundamental elements of safe, healthy and desirable communities.

Subdivisions and Condominiums

Public meetings for new subdivision and condominium applications will no longer be required. This proposed change has a significant impact on the public's ability to participate in planning applications for this type of development.

Third-party rights of appeal with Ontario Land Tribunal

The proposed limit on third-party appeal rights will have retroactive effect to appeals that have not had a hearing on the merits scheduled before October 25, 2022. The original proposed changes would have limited third party rights of appeal however, these amendments have been rescinded.

Parkland Dedication

Parkland dedication amounts are capped on how much parkland a municipality can request from a developer and land used for parkland dedication can be chosen by the developer which may be encumbered. Limitations on parkland dedications or cash in lieu may prove challenging when considering the quality of communities that we are aiming to deliver. Encumbered land may not provide suitable land for recreational purposes and may require additional costs for maintenance because of its condition.

Additionally, an agreement for use of privately owned space only enables the Town to use it for 25 years, and no requirements for its continued public access after the agreement is expired. This may result in low quality or insufficient parkland to meet the needs of the community. With an increase of intensification and more people living in smaller forms of development, personal amenity space associated with houses is expected to decrease. Replacing this amenity space with communal open space will become increasingly important over time.

Lastly, the ability to appeal a municipal decision to the OLT (Ontario Land Tribunal) on parkland proposals may place additional financial burden on the municipality to defend its position.

Proposed changes to Ontario Regulation 299/19: Additional Residential Units

The proposed changes to the Planning Act for Additional Residential Units have minimal impact on the Town's Zoning By-law. The Town considered intensification opportunities when updating the Zoning By-Law in 2021 and have provisions already in place to be able to manage these impacts. However, the Low-Rise Zone within the Town's Settlement Areas will now be granted "as of right" permissions for a third dwelling unit.

The Town's Zoning By-Law requires an additional parking space to be provided for the first Additional Residential Unit however this would be removed under the proposed changes. The Town can retain its minimum parking standards as set out in Section 2.19.10 of the Town's Zoning By-Law however when an Additional Residential Unit (ARU) is introduced, one of the spaces for the existing dwelling would be designated for the ARU with no additional parking space required.

The impact of intensification should be considered in the context of necessary municipal infrastructure upgrades for treatment and conveyance, and the proposed restrictions on development charges will reduce the financial capacity of the Town to provide these upgrades. As servicing capacity is limited, it may be challenging for the Town to provide servicing and utilities to these ARUs depending on the location and number proposed in a given neighbourhood. Furthermore, it is unclear whether these changes can be varied through the Committee of Adjustment.

[Proposed Changes to Ontario Regulation 232/18: Inclusionary Zoning](#)

Inclusionary Zoning (IZ) is a regulatory tool under section 16 of the Planning Act that allows municipalities to require affordable housing units in new residential developments of 10 units or more. If there are no changes to where Inclusionary Zoning is already applied, these proposed changes would not affect the Town of New Tecumseth.

[Ontario Land Tribunal Act](#)

Overall, the changes to the Tribunal appear to reduce the occurrence of hearings taking place, and the time and cost associated with hearings when they do happen. Enabling local decisions to occur more frequently by local decision makers is a positive change, however, the Tribunal must remain accessible to all legitimate appellants.

The Tribunal will have increased powers to order costs against a party who loses a hearing at the Tribunal. Accordingly, the Town would encourage the province to issue clear guidance on expectations for use of new powers by the Tribunal so that potentially legitimate appeals are not inadvertently dropped over unfounded concerns relating to matters such as awarding of costs.

[Conservation Authorities Act](#)

Bill 23 will result in legislative and regulation changes under the Conservation Authorities Act with the intention to streamline processes, provide clarity and certainty for development, and focus on conservation authorities' natural hazards mandate. Schedule 2 of Bill 23 proposes multiple changes to the Conservation Authorities Act, R.S.O. 1990, c. C.27 ("CA Act") which, if enacted, will significantly change the role that Conservation Authorities play in the planning process. As a result of these changes, Conservation Authorities (CAs) will no longer be allowed to provide a program or service on behalf of a municipality related to reviewing and commenting on development applications and supporting studies received and to collect fees for that service.

The Town will no longer be able to rely on the Nottawasaga Valley Conservation Authority or Lake Simcoe Region Conservation Authority for the review of development applications from an environmental/natural heritage perspective. Furthermore, the long-term conservation, management and monitoring of natural heritage systems is at risk since many Conservation Authorities presently fill this role through an Memorandum of Understanding (MOU). The Town will have to adjust application fees along with their review processes to ensure the necessary natural heritage studies are completed and mitigation is implemented to ensure protection of the natural environment. This may require the Town to seek external peer reviews or consider procuring resources to facilitate in-house reviews at the cost of the applicant.

Ontario Wetlands Evaluation System (OWES) Updates

The proposed changes generate several procedural questions relating to the wetland evaluation process; these include but are not limited to the triggers for the evaluation of wetlands and the maintenance and updating of existing wetlands mapping in the Province. The proposed changes may also result in significant habitat loss associated with wetland complexes due to changes to the scoring system.

While the proposed revisions would streamline the evaluation of, and refinements to the boundaries of Provincially Significant Wetlands, the expected impact is not likely to have a tangible impact on increasing the supply of housing in the province unless some wetlands are re-evaluated and no longer deemed significant.

Ontario Heritage Act

Schedule 6 of Bill 23 proposes multiple changes to the Ontario Heritage Act, R.S.O. 1990, c. O.18 which aim to streamline approvals and other priority projects while continuing to conserve and commemorate key heritage properties that matter most to the local communities. With the Province proposing changes to streamline approvals and work to support priority provincial projects, there are many procedural questions that arise in the process of conserving and commemorating key heritage properties. These include but are not limited to the triggers for the compliance with the Standards and Guidelines for Conservation of Provincial Heritage Properties (S&Gs). The Town

would have to designate any potential properties within two years of the changes coming into effect. Failing to designate in that prescribed period would remove the properties from the register for 5 years before it could be reconsidered to be added to the Register or designated.

The Town's Heritage Register currently contains thirty-one (31) properties that have been identified as potential properties for designation. There are two additional properties including the The Museum on the Boyne and St John's United Church that are not included on the register that are also being considered for heritage designation. Under the proposed changes, the Town would need to determine within two years of the changes coming into effect whether to designate any of the properties and commence the designation process. Failing to designate in that prescribed period would remove the properties from the register for 5 years before it could be reconsidered to be added to the Register or designated. This change will require substantial review by staff and the Heritage Advisory Committee to determine if any warrant designation and should any properties be recommended to designate by Council require substantial effort by staff to initiate the designation process with potential for objections by the property owner to occur.

Review of the Provincial Policy Statement and A Place to Grow: Growth Plan for the Greater Golden Horseshoe

The Province is undertaking a housing-focused review of A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan) and the Provincial Policy Statement (PPS). The review is focusing on potential integration of the PPS and the Growth Plan into a new single province-wide planning policy document. Planning Staff have reviewed the consultation and associated questions and preliminary feedback is provided in Appendix 3.

Conserving Ontario's Natural Heritage - Discussion Paper

Through Bill 23, a Discussion Paper on Conserving Ontario's Natural Heritage was released to consider more streamlined policy direction regarding natural heritage, natural and human-made hazards, aggregates and conservation of cultural heritage. Any new policy directions would be included in the potential integration of the Growth Plan and Provincial Policy Statement. The Ministry of Natural Resources and Forestry is considering developing an ecological offset policy that would require a net positive impact on these features when developments occur in wetland areas.

The Discussion Paper encourages continued protection of prime agricultural areas, while providing increased flexibility to enable more residential development in rural areas and minimizing negative impacts to farmland and farm operations.

Proposed Building Code Regulatory Changes

There are two proposed changes to the Ontario Building Code regulations, which include amending the requirements in the Ontario Building Code for mid-rise timber framed buildings between 4-6 storeys to align with current National Building Code and removing the current requirement in the Ontario Building Code for a standpipe system in a four storey stacked townhouse. These changes should not affect the Town as the changes are being made to ensure the Ontario Building Code aligns with the National Building Code.

Conclusion

The Province's proposed Bill 23 (More Homes Built Faster Act) proposes several legislative changes which will have significant impacts the Town particularly in relation to finance, planning approvals, and environmental matters.

Reducing revenues to the Town that are presently generated by growth, will only shift the burden of paying for new growth from the development industry to existing taxpayers. Instead of removing this fiscal responsibility from development, it may be much more productive to work with the municipalities to examine a more effective way to utilize those resources to achieve this ambitious housing target. It must be acknowledged that development charges contribute greatly to the delivery of housing services and enables the construction of affordable housing. For example, Simcoe Village in Beeton, which has a proposed social housing component, could be impacted due to Bill 23.

The numerous changes proposed by Bill 23 have far reaching consequences for all municipalities, development industry and the province itself. Suitable resources are needed to achieve the housing targets of the province and implementing change to planning and development systems may be necessary to do so. It is important however, that in delivering such targets, that the quality of future communities is not compromised.

Although the deadline for most of the proposed legislative changes was November 24, 2022, Planning staff recommends that the report and any additional comments in addition to the ratification at Council on December 12, 2022 be forwarded to the province for their consideration.

Alternative Options

Not Applicable.

Financial Considerations

The proposed changes to the various Acts will have significant financial impacts, not only for the Town but all Ontario municipalities and their respective taxpayers.

Development charges currently represent one of the Town's largest funding sources. They were designed to support the principle of having growth pay for growth, and to ensure that existing taxpayers are not required to subsidize costs of the infrastructure or services needed to support new residents and businesses.

Bill 23 proposes several changes to the Development Charges Act that will shift the cost of growth onto municipalities and property taxpayers. As identified above, these changes could have impacts of up to \$57 Million for the Town. Unless a new source of infrastructure funding is provided by the Province, the shift in cost would result in property tax increases and/or possible reductions in services.

Communication Plan

A link to the staff report and significant changes proposed by Bill 23 have been communicated to the public through the Town's social media and webpage. Once the changes proposed through Bill 23 are approved, staff will work with the communications team to update the public and staff will prepare a report to Council.

Strategic Plan

[Click here for strategic plan](#)

Good Governance

Relevant Information

Please refer to appendices.

Authored and Submitted By:

Laura Brannon
Senior Planner

Alison Gallant
Director of Financial Services / Treasurer

Attachments:

- [Appendix 1 - Letters from Ministry of Municipal Affairs and Housing](#)
- [Appendix 2 - ERO postings and deadlines](#)
- [Appendix 3 - Review of the Provincial Policy Statement and A Place to Grow](#)

Approved By:

Jennifer Best, MCIP, RPP,
Director, Planning and Building
Bruce Hoppe, MCIP, RPP, GM,
Infrastructure & Development

Department:

Planning
Infrastructure and Development
Division

Status:

Approved - 23 Nov 2022
Approved - 24 Nov 2022

Blaine Parkin, P. Eng., CAO CAO

Approved - 24 Nov 2022

**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,

A blue ink signature of Steve Clark.

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

**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



November 4, 2022

Dear Clerks, CAOs, and Conservation Authority Administrators:

As you are aware, on October 25, 2022 the government introduced the [More Homes Built Faster](#) plan, which takes bold action to advance our plan to address the housing crisis by building 1.5 million homes over the next 10 years. The government is taking further action to support this goal by launching a consultation on proposed changes to the Greenbelt that would support our municipal partners to plan for responsible growth and help build housing faster and in a targeted manner, while leading to an overall expansion of the Greenbelt.

Ontario is expected to grow by more than two million people by 2031, with approximately 1.5 million people living in the Greater Golden Horseshoe Region.

To accommodate that growth and support the building of more homes, MMAH is seeking feedback on proposed amendments to the Greenbelt Plan, the Greenbelt Area boundary regulation (O. Reg. 59/05) and the Oak Ridges Moraine Conservation Plan in order to:

- Remove/redesignate lands from the Greenbelt Plan and Oak Ridges Moraine Conservation Plan that would be suitable for residential development; and
- Add a portion of the **Paris Galt Moraine area**, designated as Protected Countryside with a Natural Heritage System.

The proposed strategic removal of lands from the Greenbelt Area was considered in the context of the objectives and policies of the Greenbelt Plan and the requirement in the Greenbelt Act, 2005 that the total amount of land within the Greenbelt Area shall not be reduced. The area of the Paris Galt Moraine lands that are proposed to be added would be in addition to the proposed 13 Urban River Valley areas that were consulted upon previously in March 2022 (see [ERO Posting 019-4485](#)). The total lands proposed to be added would be greater than the area of the lands proposed for removal from the Greenbelt Plan under this proposal.

For more information on this proposal and the consultation, please visit the following links where you will find information including a description of the proposed amendments to the Greenbelt Plan, Greenbelt boundary regulation, Oak Ridges Moraine Conservation Plan, and the associated maps.

- [ERO 019-6216 Proposed amendments to the Greenbelt Plan](#)
- [ERO 019-6217: Proposed amendments to the Greenbelt Area boundary regulation O. Reg. 59/05](#)
- [ERO 019-6218: Proposed redesignation of land under the Oak Ridges Moraine Conservation Plan O. Reg. 140/02](#)

The comment period on the Environmental Registry of Ontario will close on December 5, 2022.

The 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. The Province looks forward to continued collaboration with municipal partners to get more homes built faster.

Sincerely,



Steve Clark

Minister

- c. Kate Manson-Smith, Deputy Minister, Municipal Affairs and Housing
Sean Fraser, Assistant Deputy Minister, Municipal Affairs and Housing

Appendix 2

The following is a listing of the proposed changes in Bill 23. These are the matters that are presently posted for consultation on the ERO and the associated comment deadlines are shown.

ERO #	Title	Commenting Deadline
019-6172	Proposed Planning Act and Development Charges Act Changes: Providing Greater Cost Certainty for Municipal Development-related Charges	30 days November 24, 2022 Updated on November 23 to 45 day December 9, 2022
019-6197	Proposed Changes to Ontario Regulation 299/19: Additional Residential Units	45 days December 9, 2022
019-6173	Proposed Amendment to O. Reg 232/18: Inclusionary Zoning	45 days December 9, 2022
019-6162	Consultations on More Homes Built Faster: Ontario's Housing Supply Action Plan 2022-2023	Bulletin (no commenting period)
019-6177	Review of A Place to Grow and Provincial Policy Statement	66 days December 30, 2022
019-6141	Legislative and regulatory proposals affecting conservation authorities to support the Housing Supply Action Plan 3.0	30 days November 24, 2022
019-2927	Proposed updates to the regulation of development for the protection of people and property from natural hazards in Ontario	66 days December 30, 2022
019-6160	Proposed updates to the Ontario Wetland Evaluation System	30 days November 24, 2022
019-6196	Proposed changes to the Ontario Heritage Act and its regulations	30 days November 24, 2022

019-6161	Conserving Ontario's Natural Heritage	66 days December 30, 2022
019-6192	Supporting Growth and Housing in York and Durham Regions Act, 2022	30 days November 24, 2022
019-6163	Proposed Planning Act and City of Toronto Act Changes	30 days November 24, 2022 Updated on November 23 to 45 day December 9, 2022
019-6171	2031 Municipal Housing Targets	Bulletin (no commenting period)
019-6167	Proposed Revocation of the Parkway Belt West Plan	66 days December 30, 2022
019-6211	Proposed Changes to Sewage Systems and Energy for the Next Edition of Ontario's Building Code	45 days December 9, 2022
019-6174	Proposed Revocation of the Central Pickering Development Plan	30 days November 24, 2022

Appendix 3

Review of the Provincial Policy Statement and A Place to Grow: Growth Plan for the Greater Golden Horseshoe

The Province is undertaking a housing-focused review of A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan) and the Provincial Policy Statement (PPS). The review is focusing on potential integration of the PPS and the Growth Plan into a new single province-wide planning policy document.

The following questions have been posed to guide this specific consultation. Planning Staff are reviewing the consultation and associated questions. Preliminary feedback is provided below:

What are your thoughts on the proposed core elements to be included in a streamlined province-wide land use planning policy instrument?

- The merging of the Growth Plan and PPS has important implications for Simcoe County's Municipal Comprehensive Review (MCR), including the work that has been completed and the work that is in progress. A new province-wide planning document will need to address growth management and how best to efficiently plan for population and employment growth on both local and regional scales.
- The Town is currently in the process of planning the next Official Plan Review in alignment with the next phase of the County of Simcoe's Municipal Comprehensive Review for Growth Management. The current Growth Plan Act only provides local municipalities with one year to adopt a Town Official Plan to incorporate the Municipal Comprehensive Review Growth Management work.
- It is important that the other aspects of planning across municipal borders are not excluded from a streamlined province-wide policy document (i.e. infrastructure, transit, roads).
- A flexible policy framework needs to be provided that can be tailored in lower and upper-tier official plans and zoning by-laws to the local context.
- Agree that addressing these themes could have a positive impact on housing starts in the province.
- Focus on municipal unit mix targets to ensure long-term growth can be supported and diversity in housing choice will be achieved.
- Continue to allow for flexible and context-appropriate economic vitality in rural areas. However, residential growth outside settlement areas should continue to be significantly limited as dispersed growth patterns negatively affect the efficient delivery of municipal services.
- Support the approach of having the core elements in one document that is applicable Province-wide instead of solely the Greater Golden Horseshoe area.

What land use planning policies should the government use to increase the supply of housing and support a diversity of housing types?

- Providing less-prescriptive/restrictive policies in provincial policy instruments and instead provide more enabling policies in the new province-wide policy document that supports municipalities to develop policies and zoning permissions based on the local context and knowledge base.
- Notwithstanding the above, where appropriate, provide specific direction and clarity on policy intent and implementation to better support municipalities in Planning Act application analysis (i.e. settlement area boundary expansions, employment area conversions).
- Provide policy direction and remove barriers for municipalities to implement on-the-ground tools that will increase housing (i.e. Additional Residential Units, Inclusionary Zoning, as-of-right zoning for housing, where appropriate).
- Provide more specific policy direction regarding municipal infrastructure planning to ensure development approvals and infrastructure planning can remain. This will help ensure housing supply is not impacted by an infrastructure delivery deficit.

How should the government further streamline land use planning policy to increase the supply of housing?

- Review all other relevant and applicable provincial policy documents (i.e. Lake Simcoe Protection Plan (2009) to ensure consistent policy/defined terms are in each document, including the new province-wide planning instrument.
- Remove overly prescriptive/restrictive policies in province-wide document to allow for local planners and decision makers to build on the provincial policy directions and create locally appropriate official plan policies and zoning by-laws.
- Affordable housing will need to be addressed as municipalities require robust Provincial Policy to require developers to build it. Policies of the past have not been adequate to result in affordable housing delivery to meet targets in both local and upper tier plans.

What policy concepts from the Provincial Policy Statement and A Place to Grow are helpful for ensuring there is a sufficient supply and mix of housing and should be included in the new policy document?

- A positive change made to the PPS in 2020 to Section 1.1.5.2 was providing flexibility for residential lot creation on rural lands that is “locally appropriate”. Consider applying this flexibility to other themes in the province-wide document (i.e. natural heritage protection).
- Allowing for flexibility in expansions to settlement areas and employment area conversions for residential uses was a positive change in Growth Plan Amendment 1 in the year 2020. Consider providing more direction to municipalities regarding a framework for assessing the associated Planning Act applications to implement these policy directions.

What policy concepts in the Provincial Policy Statement and A Place to Grow should be streamlined or not included in the new policy document?

- Some sections of the Growth Plan and the PPS contain too restrictive of a policy regime for provincial plans. Consideration should be given to changing these restrictive policies (i.e. Growth Plan Section 4.2.2.2, 4.2.2.3 and 4.2.2.4 – Natural Heritage) to more of an enabling policy framework. If the policies remain as written, including terminology such as “where feasible” and “locally appropriate” would assist local planners and decision makers in making more land available for housing, where appropriate.
- Section 5.2.4.4 of the Growth Plan severely restricts municipalities from re-designating lands for housing and employment. Section 6.3.5 is specific to Simcoe County and limits municipalities in the County from re-designating lands within existing settlement areas for housing.
- Consider removing the requirement to implement the Agricultural and Natural Heritage System mapping where existing mapping studied on a more micro-level has been approved in lower-tier and upper-tier official plans.
- Section 6.4 of the Growth Plan does not include any references to Provincially Significant Employment Zones. One such area is located in Alliston and the proposed policy document should include policies for these designations or remove the designation and rely on the employment policies included in the Growth Plan.
- Remove the reference to allowing for private communal sewage and/or water services in Section 1.1.6 of the Provincial Policy Statement as a preferred form of servicing for residential development. Currently, the onus is on the Town to manage these systems in the event of a failure and causing a risk to human health is a significant risk in terms of financial implications and there is a lack of staff capacity and/ or resources at the Town. If the Province wishes to support this type of development on communal services, the burden should be on the Province and not the municipality when a system fails for residential developments.