

THE CORPORATION OF THE TOWN OF GEORGINA

REPORT NO. DS-2023-0016

**FOR THE CONSIDERATION OF
COUNCIL**

March 29, 2023

SUBJECT: BILL 23 - THE MORE HOMES BUILT FASTER ACT

1. RECOMMENDATION:

- 1. That Council receive Report No. DS-2023-0016 prepared by the Planning Policy Division, Development Services Department dated March 29, 2023, respecting Bill 23, the More Homes Built Faster Act.**

2. PURPOSE:

The purpose of this report is to provide Council with an update on Bill 23, the *More Homes Built Faster Act, 2022* and related initiatives under the Province of Ontario's Housing Action Plan.

3. BACKGROUND:

On October 25, 2022, the Provincial government introduced Bill 23, the *More Homes Built Faster Act, 2022*, which received Royal Assent on November 28, 2022. The majority of the changes introduced by Bill 23 came into effect upon Royal Assent. Various other parts of Bill 23 came into effect later or will come into effect as they are proclaimed on a future date yet undetermined. Various additional changes may be introduced through future Ontario Regulations. Bill 23 can be viewed at the following link: [Bill 23](#).

The purpose of Bill 23 is to advance and accelerate housing supply production as part of the Ontario Housing Supply Action Plan. This includes a Provincial initiative to increase housing supply in Ontario by building 1.5 million homes in the next 10 years. This significantly exceeds current targets established in the Growth Plan for the Greater Golden Horseshoe. As part of this initiative, the Province has mandated specific housing production targets for 29 municipalities. There are no Provincially mandated housing production targets for the Town at this time.

The Bill is an "omnibus" piece of legislation that amends nine separate acts that effect the planning and development process and financing for development generally in Ontario. See the following URL link for an overview from the Province on the More Homes Build Faster program: [Provincial More-Homes-Built-Faster Web Site](#).

On November 22, 2022, Council received a briefing note from Staff highlighting the proposed legislative changes under Bill 23 as they were proposed at the time and

adopted a resolution providing comment on the legislation and requesting a delay in the enactment of the proposed Bill to allow for more consultation. See link [Bill 23 Briefing Note](#). A copy of the letter dated November 24, 2022 from Mayor Quirk to the Minister of Municipal Affairs and Housing inclusive of the Council resolution is provided as Attachment 1 to this report.

Bill 23 has made numerous changes to the affected statutes. This report does not itemize all these changes, but focuses upon the legislative changes to the planning system introduced by Bill 23 that will affect the planning process at the Town as they are understood at this time. These changes are discussed in Section 4 of this report.

4. ANALYSIS:

4.1 THE PLANNING ACT

4.1.1 Additional Residential Units

Bill 23 amends the existing “Additional Residential Unit” provisions of the *Planning Act* which currently allow for two (2) dwelling units in a building and one (1) dwelling unit in an ancillary structure. The *Planning Act* now allows for up to three (3) dwelling units in a building or two (2) dwelling units in a primary building and one (1) dwelling unit in an ancillary structure on any parcel of “urban residential land” (i.e. land serviced with municipal water and sanitary sewers). The *Planning Act* now further prevents any Official Plan or Zoning By-law from prohibiting additional residential units, providing for any minimum unit floor area, or requiring more than one parking space per dwelling unit. Additionally, these changes have immediate effect and override any provisions of existing Zoning By-laws to the contrary. On this basis, the *Planning Act* now effectively overrides the Town’s Zoning By-law 500 and would permit a converted single detached dwelling, building or buildings on a residential property to contain up to three (3) residential units (e.g. one primary unit and two additional units) with three (3) parking spaces.

Staff Comments:

Given the immediate effect of the Bill 23 provisions, it is not necessary for the Town to formally amend Zoning By-law 500 to permit Additional Residential Units as they are now permitted by the *Planning Act* and these provisions take precedence over any provisions in Zoning By-law 500 to the contrary. Despite that, there is merit to consider a housekeeping amendment to the Zoning By-law to add some clarity, increase transparency and reduce confusion. The *Planning Act* also provides that the Minister may make regulations for additional residential units. To the extent that any future regulations may impact upon zoning provisions, more information concerning possible future regulations is being sought before Staff recommends initiating a housekeeping amendment to Zoning By-law 500.

The effective take-up of the “as of right” permissibility for additional dwelling units in the Town is unknown at this time, although Staff are receiving numerous enquiries. The impact upon the Town of these new provisions will depend upon how extensively they are utilized. Depending upon the number and concentration of additional dwelling units in a particular neighbourhood, this could create impacts to both on-site and on-street parking supply and demand. Furthermore, the effect of permitting additional dwelling units on residential properties governed by the regulations currently in place for accessory buildings is unclear at this time. Other provisions of Bill 23 discussed in Sections 4.1.5 and 4.3 of this report explain how the exemption from payment of parkland fees or development charges for additional dwelling units (beyond the first dwelling unit) creates a situation where additional demand for services will be generated by new population growth without any commensurate development charge contribution. Furthermore, the impact that the “as of right” permissibility will have on infrastructure, servicing capacity and the Town’s Sanitary Sewer and Water Servicing Allocation Program is unknown at this time.

4.1.2 Planning Appeals

Bill 23 removes third party appeals of decisions rendered by the Committee of Adjustment (e.g. Consent and Minor Variance applications) and only allows for appeals by applicants, the Minister, the Municipality or “Specified Persons” which are certain public bodies, and utility providers etc., except where appeals have been otherwise restricted (e.g. Major Transit Station Areas). Furthermore, Bill 23 added transitional rules to the *Planning Act* that resulted in dismissals of all existing appeals where a hearing on the merits of the appeals had yet to be scheduled by the Ontario Land Tribunal (OLT) by October 25, 2022.

York Region and the Lake Simcoe Region Conservation Authority are not considered to be public bodies and would not have appeal rights to Committee of Adjustment applications.

Staff Comments:

The removal of third party appeal rights for Committee of Adjustment applications is intended to streamline the approvals process for development proposals that are typically relatively minor in nature and are normally not worthy of a protracted and costly appeal process. While staff does not anticipate significant implications arising from this component of Bill 23, the absence of a dispute resolution mechanism for the public on Consent and Minor Variance applications has the potential to raise expectations from some members of the public that Town staff or the Committee of Adjustment will now advocate on their behalf, which is not appropriate.

4.1.3 Moratorium for Site-Specific Official Plan and Zoning By-law Amendments

Bill 23 removes the 2-year moratorium for submitting site-specific amendments to Official Plans and Zoning By-laws following the approval of a new Official Plan or comprehensive Zoning By-law, as applicable. Further, the 2-year moratorium for submitting Minor Variance applications following the passages of site-specific Zoning By-law Amendments has also been removed.

Staff Comments:

The removal of the 2-year moratorium for site-specific Official Plan and Zoning By-law Amendments following a new Official Plan or comprehensive Zoning By-law is unlikely to have a material impact upon the Town's planning program given the infrequency of major plan updates. In the past, Council has signalled its willingness to consider site specific amendments during the moratorium period. Furthermore, the removal of the 2-year moratorium for submitting Minor Variance applications following the passing of a site-specific Zoning By-law will provide more flexibility in the planning process and eliminate the need for applicant's to seek a moratorium exemption from Council.

4.1.4 Site Plan Control

Bill 23 makes a number of changes to the Site Plan Control provisions of the *Planning Act* effective November 28, 2022.

All non-profit housing developments (regardless of size or unit count) and all other residential developments with 10 or fewer dwelling units are exempted from Site Plan Control.

Bill 23 also removes the ability of the Municipality to control the exterior appearance and design of buildings irrespective of local Official Plan policies and design guidelines, except where the appearance impacts matters of health, safety, accessibility, sustainable design or the protection of adjoining lands.

Staff Comments:

The implications of these changes are potentially significant in that the Town will be prevented from implementing basic aesthetic oriented design controls on buildings that are visible to public areas and that may have an impact on the community. The Ontario Building Code does not enable the Municipality to require design, material or building lay-out changes based on aesthetic considerations and relies upon "applicable law" that must be complied with prior to issuance of a building permit. Applicable law includes Section 41 (Site Plan Control) and Section 34 (Zoning By-laws) of the *Planning Act*. Staff will be reviewing the ability to achieve urban design objectives in the Zoning By-law now not achievable in Site Plan Control and make recommendations going forward. The authority and criteria to require exterior elevation / façade controls where appearance impacts matters

of health, safety, accessibility, sustainable design or the protection of adjoining lands is unclear at this time.

Given the new restrictions, basic site engineering, grading, drainage and stormwater management controls will now have to be addressed primarily through the Site Alteration process for the exempted buildings. Site Alteration By-law 2022-0038 (REG-1) and the associated process will require review to determine the need for any changes. To date, residential buildings containing between four (4) to ten (10) dwelling units and non-profit developments have represented a small proportion of the residential housing stock, and are typically not permitted by as-of-right zoning. As such, while undesirable, the new exemptions are unlikely to create a significant difficulty going forward.

4.1.5 Parkland Dedication

Bill 23 makes very significant amendments to the *Planning Act* affecting parkland dedications effective November 28, 2022. The changes include the following:

- Municipalities are required to develop a Parks Plan that examines the need for parkland in the municipality before passing a parkland dedication by-law; whereas currently, a Parks Plan is only required before adopting Official Plan policies enabling the use of the alternative parkland dedication requirement.
- Beginning in 2023 and at the beginning of each year thereafter, municipalities are required to spend or allocate at least 60% of the monies that are in a special account dedicated to parkland, for the purpose of acquisition of land to be used for parks or other public recreational purposes.
- The current maximum rate for alternative parkland dedication at one hectare for every 300 dwelling units is now reduced to one hectare for every 600 residential units. The current alternative rate for cash-in-lieu of parkland payments would be changed from an equivalent of one hectare for every 500 dwelling units to one hectare for every 1,000 net residential units.
- Where using an alternative parkland dedication rate, no more than 15% of the land proposed for development or redevelopment can be required for parks or other recreational purposes on sites greater than 5 hectares and no more than 10% on sites 5 hectares or less.
- In cases of development or redevelopment outside a plan of subdivision, a landowner is now able to identify what lands will be dedicated for parkland purposes including encumbered lands (i.e. lands on which there are buried services, easements and other constraints). If the Municipality does not accept this proposal, the landowner would be able to appeal the matter to the Ontario Land Tribunal. The criteria established for these types of appeals is unclear in the legislation.

- The imposition of a new formula where “affordable residential units” or “attainable residential units” are exempted from parkland dedication. For instance, the maximum 5% parkland dedication rate would be discounted based on a ratio of the number of the exempt units in relation to the total units in a development. Regulations and definitions concerning affordable residential units and attainable residential units have not been released and accordingly these provisions are not in effect.
- Not-for-profit housing developments are now also exempt from parkland dedication requirements, as would the second and third units in a detached house, semi-detached house, row house or related ancillary structure.

Staff Comments:

The basic direction and intent of these provisions clearly provides more certainty and control for developers with the imposition of reduced parkland dedication requirements and standards. The provisions would apply to all forms of development, not just residential as is the stated intent of the legislation. Despite the fact that Municipalities are required to prepare a Parks Plan prior to the passage of a parkland dedication by-law, developers are given the control to decide what lands they will dedicate, including encumbered lands that could impact upon the Town’s ability to develop the lands for park purposes. This appears to be counter-intuitive to the requirement for the municipality to prepare a Parks Plan to identify park needs before passing a parkland dedication by-law. Provisions related to the dedication of encumbered lands are more applicable to urban redevelopment scenarios experienced in larger municipalities and are expected to have limited impact on the Town.

The Town’s Parkland Dedication By-law 2002-0020 remains in force and effect and enables the Town to collect the basic parkland dedication of 5% for residential development and 2% for all other forms of development until it is updated to conform with changes to the *Planning Act*. The former alternative parkland dedication rate on one hectare for each 300 dwelling units is also enabled by By-law 2002-0020 but has not been used in the past based on the residential densities that have been developed in the Town. Accordingly, the proposed changes to the alternative dedication rates would have no immediate or tangible effect on parkland dedication.

Exemptions for certain classes of development from the payment of parkland fees will mean that the cost for the development of park facilities will be proportionately borne by the general taxpayer or be reflected in a lower level of service.

4.1.6 Plans of Subdivision – Public Meetings

Bill 23 removes the statutory requirement to hold public meetings prior to Council making a decision on proposed plans of subdivision.

Staff Comments:

The removal of statutory public meeting requirements concerning Draft Plan of Subdivision applications is aligned with prior legislation which also removed the public meeting requirements concerning most types of Draft Plan of Condominium applications. Combined with the elimination of third party appeals concerning Draft Plan of Subdivision applications, these changes are consistent with the Province's goal to streamline the development approval process and increase housing supply. Since the Town does not pre-zone greenfield development land where the primary focus of subdivision activity takes place, Draft Plan of Subdivision applications are typically accompanied by Zoning By-law Amendment applications which continue to be subject to a statutory public meeting requirement and maintain third party appeal rights. The new provision is unlikely to materially affect the current public meeting and consultation process at the Town.

4.1.7 Regional Planning / Official Plans

Bill 23 removes planning responsibilities and approval authorities from various upper-tier municipalities including Simcoe County and the Regional Municipalities of Halton, York, Peel, Durham, Niagara and Waterloo.

Accordingly, these upper-tier municipalities will no longer be adopting their own Official Plans or approving lower-tier Official Plans or Amendments, plans of subdivision or appealing planning decisions. On this basis, York Region would no longer be the approval authority for the Town's Official Plan or Official Plan Amendments, and the approval authority for these would revert to the Ministry of Municipal Affairs and Housing. The relevant provisions of Bill 23 have yet to be proclaimed and future regulations governing the functioning of the planning system under these changes may be pending.

For upper-tier municipalities without planning responsibilities, existing upper-tier Official Plans will be considered to form part of the applicable lower-tier Official Plan until the lower-tier Official Plan has been updated. Once these provisions of Bill 23 are proclaimed, the new 2022 York Region Official Plan will be a local Official Plan and the relevant policies and designations relating to the nine local municipalities will apply to each. A process will be required to update each respective Official Plan.

Staff Comments:

The implications associated with these changes are significant as they effectively dismantle the formal Regional planning system in the Greater Golden Horseshoe

and recentralize control of the system, to the Province. It is unclear how the coordination of very significant cross-jurisdictional issues for which the Regions were originally created will now be addressed. These include the development of coordinated transportation systems, servicing infrastructure and capacity, environmental protection, and the distribution of growth and its financing. To date, the Province has provided no guidance or direction on how these matters are to be managed. In many respects, this represents a return to the basic planning system of the 1990's and a reversal of many important steps in the evolution of local, transparent governance in the Ontario planning system.

The Town has benefitted enormously from its relationship with the Region of York and continues to work closely to understand the implications of the legislative changes and to address the various transitional issues associated with the potential devolution of the York Region Official Plan into the Town Official Plan. The manner by which the Region's very significant capital program for roads, water and wastewater, transit and other matters will ultimately be coordinated amongst the nine local municipalities is unclear at this time.

4.2 THE CONSERVATION AUTHORITIES ACT

Provisions of Bill 23 which came into force and effect on January 1, 2023, now reduce the role of Conservation Authorities in the planning process by prohibiting Conservation Authorities (CAs) from reviewing and commenting on development applications and supporting studies on behalf of municipalities on matters of conservation and environmental / natural heritage. CAs can continue to comment on matters related to natural hazards which include floodplain, erosion and associated slope stability, as well as matters related to the Lake Simcoe Protection Plan in the case of the Lake Simcoe Region Conservation Authority.

CAs are restricted in their ability to appeal planning matters and may only do so in relation to matters related to natural hazard policies identified in the Provincial Policy Statement or Provincial Plans.

CAs are also required to complete a conservation area strategy and land inventory of all lands they own or control by December 31, 2024 by the Mandatory Programs and Services Regulation (O. Reg. 686/21). The Province is now proposing to amend the regulation to require the land inventory to also identify conservation authority owned or controlled lands that could support housing development.

In addition, Bill 23 gives the Minister the authority to control CA fees at current levels.

Staff Comments:

The changes to the role of the CAs introduced by Bill 23 will have significant impacts on the planning process in the Town. Currently, the Town has an executed

Memorandum of Understanding with the Lake Simcoe Region Conservation Authority concerning the delivery of comments and advice on all manner of planning applications principally related to natural heritage, wetlands, environmental and watershed planning as prescribed under Provincial legislation and Provincial plans. Without direct participation of the LSRCA, the Town will be left to address these matters independently. LSRCA staff have advised that they will be able to continue in their current role on applications commenced prior to January 1, 2023 and in relation to the Lake Simcoe Protection Plan. In order to address the very significant gap in available resources created by Bill 23, the Town will need to consider budgeting for the recruitment of additional specialized staff and/or consulting services to meet its obligations under Provincial law in the processing of planning applications. Many other municipalities in the Greater Toronto Area impacted by Bill 23 will be doing likewise placing considerable pressure on the limited resources available to fill the gap created by the legislation. Staff are reviewing this matter to better understand the implications and possible responses on new applications going forward.

4.3 THE DEVELOPMENT CHARGES ACT

Bill 23 alters the manner in which development charge by-laws can be prepared and implemented. For instance, studies supporting development would no longer be eligible for costing in the Development Charge Background Study.

Exemptions and Discounts

The Bill provides exemptions for additional residential units in existing and new residential buildings, affordable units, attainable units, inclusionary zoning units, and non-profit housing units from payment of development charges. The provisions in the *Development Charges Act* concerning affordable and attainable units have yet to be proclaimed. Further, the Bill introduces a mandatory discount for rental housing developments, ranging from 15-20% depending upon bedroom count in respective units.

Phase-in of Development Charges

A mandatory phase-in of a development charge would be required for by-laws passed on or after June 1, 2022. The phase-in would start in year 1 with 80% of the charge required to be paid, and ending in year 5 with 100% of the charge required to be paid (i.e. 80% in year 1, 85% in year 2, 90% in year 3, 95% in year 4 and 100% in year 5 and beyond). The Town's Development Charge By-law 2021-0041(AD-5) does not have to be updated until 2026, after which the mandatory phase-in of development charge rates will need to take place.

Requirement to Allocate Funds Received

Beginning annually in 2023, the Bill would require municipalities to spend or allocate at least 60% of the monies in a reserve fund at the beginning of the year for water, wastewater and/or services related to roads.

Staff Comments:

On January 24, 2023, Council received a presentation from Hemson Consulting Ltd. on the potential financial impacts of Bill 23 on the Town as part of a Council presentation preceding 2023 budget deliberations (Refer to Attachment 1).

Some of the highlights of Hemson's findings are:

- The removal of the cost of development studies in the development charge would have an annual impact of approximately \$240,000 per year in addition to \$28,000 per year for area specific DC studies.
- Removing land as eligible costs from all services in the capital program represents a revenue loss of approximately \$480,000 per year.
- The cumulative impact of legislative changes on future development charge by-laws over a 10 year period could be in a range of \$7.4 to \$8.2 million dollars. These estimates do not include potential additional impacts related to exemptions applicable to attainable and affordable housing. The applicable regulation associated with these housing exemptions has yet to be finalized and enacted by the Province. Staff are monitoring pending Provincial decisions related to attainable and affordable housing to better understand the financial and operating impacts of the Bill on the Town.
- A shortfall in the collection of development charges for the MURC may result in a funding shortfall in the range of \$10 to \$15 million dollars.

Staff are in the process of creating a Bill 23 website that will provide the public information on the impact the legislation is projected to have on the Town's ability to fund growth-related infrastructure.

4.4. THE ONTARIO HERITAGE ACT

Bill 23 amends the *Ontario Heritage Act* and changes how heritage properties are identified and designated as well as how heritage districts are designated. These include:

- Listed properties on the municipal register would have to be removed from the register if the Council has not issued a notice of intention to designate within two years of Bill 23 coming into force and effect.

- If properties are removed from the register under any circumstance, the property would not be able to be re-listed for five years.
- A municipality would be required to initiate the designation process through a Notice of Intent to designate within 90 days of a prescribed event (e.g. planning application, demolition permit etc.) being filed, otherwise the municipality would lose its opportunity to designate the property in the future.
- Various changes are proposed that would require greater explanation and adherence to regulatory criteria associated with Heritage Conservation Districts.
- Provides that the Province may exempt a Ministry or prescribed public body from the heritage standards and guidelines in the Act if it is of the opinion that such exemption could potentially advance one or more Provincial priorities including transit, housing, health and long-term care, other infrastructure or other such priorities as may be prescribed.

Staff Comments:

On balance, the effect of the changes to the *Ontario Heritage Act* is to diminish the discretion and flexibility of municipalities in the designation process and will require a more proactive approach to the consideration of listed properties. In this respect, the Town should engage with the Heritage Committee to proactively review the existing registry of listed properties to determine if any should be considered for designation.

4.5 THE ONTARIO LAND TRIBUNAL ACT

Bill 23 amends the powers of the *Ontario Land Tribunal Act* to dismiss a proceeding without a hearing on the basis that the party who brought the proceeding has contributed to undue delay. In addition the Tribunal is now given the authority to dismiss a proceeding entirely, if the Tribunal is of the opinion that a party has not complied with a Tribunal order and to award costs accordingly.

Bill 23 further allows for future regulations to allow the Tribunal to prioritize certain types of hearings and timelines for these proceedings. It is expected that this prioritization will include an emphasis on advancing projects that will significantly increase housing supply. These new provisions will come into force and effect on a future date once they are proclaimed.

Staff Comments:

The new powers granted to the Ontario Land Tribunal appear reasonable and appropriate as measures to advance dispute resolution. It seems equally

appropriate that priority to hearings would be placed on projects that maximize public benefit.

4.6 THE SUPPORTING GROWTH AND HOUSING IN YORK AND DURHAM REGIONS ACT, 2022

The *Supporting Growth and Housing in York and Durham Regions Act, 2022* (Growth Act) forms Schedule 10 to Bill 23 and is intended to advance the development and construction of a sewage works project to facilitate growth and development in northern York Region (i.e. Aurora, East Gwillimbury and Newmarket). See the following URL link to access the Act: <https://www.ontario.ca/laws/statute/22s21>.

The project would expedite the expansion and extension of the York Durham Sewage System (YDSS). This would effectively replace the Upper York Sewage Solution (UYSS) project which was approved by the Region and is pending approval of the related Environmental Assessment since 2014. The Act would also require prescribed municipalities to implement a Lake Simcoe phosphorus reduction project. These municipalities would be required to construct and operate a treatment facility that would remove phosphorus in the drainage from the Holland Marsh into Lake Simcoe.

In October 2021, the *York Region Wastewater Act* received Royal Assent. This Act prevented any decision from being made on the UYSS Environmental Assessment. Subsequently in January 2022, the Province established the York Region Wastewater Advisory Panel to advise the government concerning all wastewater servicing options to accommodate growth in York and Durham Regions. Following consultations, the Panel issued its report to the Minister of the Environment, Conservation and Parks in September 2022. The report examined four different servicing options for the Upper York service area and provided advice on a recommended solution.

The recommended solution involves connecting the Upper York service area to the YDSS which then flows to the Duffin Creek Sewage Treatment Plant in Pickering. This will require upsizing of the existing sewer systems with additional pump stations, force mains and sewers. York Region has reported on the Advisory Panel report that forms the basis for the Act, notes a number of concerns and suggests that the total cost of the recommended panel solution is likely to be much higher than anticipated in the report. The *Growth Act* requires York and Durham Region to develop a viable solution.

Staff Comments:

The *Supporting Growth and Housing in York and Durham Regions Act* effectively terminates the UYSS project and forces a re-engineering of the long term sanitary and water servicing plans for significant areas of northern York Region

to the YDSS. This is consistent with Georgina Council's position in Resolution C-2020-0375 as passed on November 18, 2020 (Refer to Attachment 2).

4.7 REVIEW OF A PLACE TO GROW - GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE (GROWTH PLAN) AND THE PROVINCIAL POLICY STATEMENT (PPS)

As part of the Province's Housing Supply Action Plan the government is proposing to integrate the Growth Plan and the PPS into a new Province-wide planning instrument that would "enable municipalities to accelerate the development of housing and increase housing supply through a more streamlined, Province-wide land use planning policy framework". The proposal would effectively integrate the Growth Plan into the PPS. See the following URL link to the Environmental Registry of Ontario (ERO) website where the proposal was posted for a commenting period that ended on December 30, 2022.

<https://ero.ontario.ca/notice/019-6177>.

No specific text of a consolidated policy document has been provided but discussion points are included in the headings below.

Residential Land Supply including settlement area boundary expansions, rural housing and employment area conversions.

Attainable Housing Supply and Mix including policy direction addressing Housing Mix, Major Transit Station areas and urban growth centres.

Growth Management including population and employment forecasts, intensification and coordination with infrastructure planning.

Environmental and Natural Resources including Agriculture, Natural Heritage, Natural and human-made Hazards, Aggregate and Cultural Heritage.

Community Infrastructure including supply and capacity and school capacity.

Streamlined Planning Framework including less prescriptive policy direction and speed and flexibility in decision making.

Staff Comments:

While no specifics have been provided in the Provincial posting, the tone of the discussion material released with the ERO posting suggests a relaxation of the strong growth management approach developed in the Growth Plan upon which Official Plans have been based since 2005. Staff expect that the theme of the changes that will result from the merger of the PPS and Growth Plan will have a strong emphasis on housing production with a strong reliance on the development industry. The implications of the proposed changes on the recently approved York

Region Official Plan 2022 and its incorporation into the Town Official Plan is uncertain at this time. Staff will continue to monitor the matter and will update Council accordingly.

5. RELATIONSHIP TO STRATEGIC PLAN:

This report addresses all four strategic goals:

- GOAL 1: “Grow our Economy” – SUSTAINABLE ECONOMIC GROWTH & EMPLOYMENT;
- GOAL 2: “Promote a High Quality of Life” – HEALTHY, SAFE, SUSTAINABLE COMMUNITIES;
- GOAL 3: “Engage Our Community & Build Partnerships” – COMMUNICATION, ENGAGEMENT, COLLABORATION & PARTNERSHIPS; and,
- GOAL 4: “Provide Exceptional Municipal Service” – ORGANIZATIONAL & OPERATIONAL EXCELLENCE.

6. FINANCIAL AND BUDGETARY IMPACT:

Estimated financial and budgetary impacts associated with Bill 23 are addressed in Section 4.3 of this report.

7. PUBLIC CONSULTATION AND NOTICE REQUIREMENTS:

There are no public consultation or notice requirements associated with the recommendations in this report.

8. CONCLUSION:

Bill 23 is part of a suite of legislative initiatives advanced by the Province to support the goal of increasing the housing supply across Ontario. Despite that, many of the changes to legislation introduced by Bill 23 would apply to all forms of development. The proposed legislation would have very significant impacts on Municipalities and would reshape the planning and development process in local communities. The Bill effectively diminishes the role of GTA Regions and Conservation Authorities in the planning process and would shift the responsibility for certain functions and costs to local Municipalities.

There has been very little consultation leading up to Bill 23 with the municipal sector and no explanation how the proposed changes will have meaningful impacts on housing production. The changes will impact the ability of municipalities to finance capital works required to facilitate housing development through development charges and other means. Accordingly, a greater proportion of the costs of new development will be required to be financed by the local tax base. It is unclear how any cost savings associated with the proposed reductions in development charges and other costs will lead to the production of more and lower priced housing that is subject to broader

market forces. The legislation places a great deal of faith in the development industry to solve the housing crisis through process changes and charge reductions but places no responsibility on the industry to deliver or perform to produce housing in the locations, tenure and price required by Ontarians.

Bill 23 will have very significant implications on long-term capital budgeting for infrastructure in York Region and the Town, the full extent of which is unknown at this time.

Staff will continue to monitor Bill 23 and related legislation with consideration to its impacts on the Town and report further as more information becomes available.

APPROVALS

| | |
|---------------------------------|---|
| Prepared By: | Alan Drozd, MCIP, RPP Manager of Planning Policy |
| Reviewed and Recommended By: | Denis Beaulieu, MCIP, RPP Director of Development Services |
| Approved By: | Ryan Cronsberry, Chief Administrative Officer |

Attachments:

Attachment 1 – Letter dated November 24, 2022

Attachment 2 – Council Resolution C-2020-0375 - November 18, 2020