



County of Brant Council Report

To: To the Mayor and Members of County of Brant Council
From: Pam Duesling, General Manager of Development Services
Date: November 22, 2022
Report #: RPT-0517-22
Subject: *Bill 23, More Homes Built Faster Act, 2022* – Update and Comments
Purpose: For Information and Direction

Recommendation

- 1) That report RPT-0517-22 regarding an overview of *Bill 23, More Homes Built Faster Act, 2022* be received; and
- 2) That report RPT-0517-22 be forwarded onto the Province of Ontario as the County of Brant's comments on *Bill 23, More Homes Built Faster Act, 2022* and the associated consultations posted on the Environmental Registry and Ontario Regulatory Registry as appropriate; and
- 3) That the County of Brant request that the Province of Ontario extend the commenting period on *Bill 23, More Homes Built Faster Act, 2022* to allow additional review and consultation time; and
- 4) That the report be shared with conservation authorities having jurisdiction within the County of Brant.

Executive Summary

Ontario's population will grow by more than two million people by 2031. The Province has confirmed that Ontario is in a housing crisis and is taking bold action to advance the plan to build 1.5 million homes over the next 10 years.

The Province recently released proposed legislative and regulatory changes under *Bill 23, More Homes Built Faster Act, 2022* and are seeking comments on various amendments to *the Planning Act, R.S.O. 1990, c. P.13, the Development Charges Act, 1997, S.O. 1997, c. 27, the Conservation Authorities Act, R.S.O. 1990, c. C.27, the Ontario Land Tribunal Act, 2021, S.O. 2021, c.4, Sched. 6*, as well as several other pieces of legislation. The commenting deadlines range from November 24th – December 30th, 2022, respectfully.

While there are some positive changes in *Bill 23*, there are also other changes that will change the way the County of Brant conducts development business in a disadvantageous model.

This report provides a synopsis of the proposed amendments to the legislation and outlines the changes that could negatively impact the County of Brant through changes to the planning process, municipal revenues, and conservation authorities' responsibilities.

Watson & Associates Economists Ltd. continues to support the County of Brant and has provided correspondence outlining the changes and potential impacts. These are attached as Attachment 'A' to this report.

Strategic Plan Priority

Strategic Priority 1 - Sustainable and Managed Growth

Strategic Priority 2 – Effective Communications

Strategic Priority 5 - Healthy, Safe and Engaged Citizens

Impacts and Mitigation

Social Impacts

Reduced opportunities for the County of Brant residents to be involved in development applications decisions of Council and Ontario Land Tribunal hearings.

Environmental Impacts

Reduced requirements for conservation authorities and downloading of environmental development review onto municipalities, ultimately requiring additional County of Brant resources, to maintain responsible development that protects the natural features and supports safe and responsible development approvals.

Economic Impacts

By expanding Development Charge exemptions, excluded expenses and establishing a phase-in period, it is expected that the overall economic impact of Bill 23 will see increased subsidization of development infrastructure costs by the tax levy.

Increased opportunities for additional residential dwelling units (ARU's), to be built faster, and create more development income, strengthening the County of Brant tax base.

Report

Background

Tabled on October 25th, 2022, as *Bill 23, More Homes Built Faster Act, 2022*, the Province is moving forward with proposed changes to legislation, regulations, policy and other matters as part of the *More Homes, Built Faster: Ontario's Housing Supply Action Plan 2022-2023*.

Bill 23, More Homes Built Faster Act, 2022 proposes to amend nine statutes. Of particular interest to the County of Brant are changes relating to *the Planning Act, R.S.O. 1990, c. P. 13, Development Charges Act, 1997, S.O. 1997, c. 27, Conservation Authorities Act, R.S.O. 1990, c. C.27, Ontario Land Tribunal Act, 2021, S.O. 2021, c.4, Sched. 6, and Ontario Heritage Act, R.S.O. 1990, c. O. 18*. The stated intent of these changes are to reduce red-tape by streamlining the development process to create more housing.

As of November 17th, 2022, *Bill 23, More Homes Built Faster Act, 2022*, received second reading and was referred to the Standing Committee on Heritage, Infrastructure and Cultural Policy. Public hearings for discussion are scheduled for November 9th, 10th, 16th, and 17th, after which time the Committee will report back to the House, and consultation is effectively closed. With the earliest consultation on the Bill closing on November 24th, 2022, it is expected that the Bill will be passed before the end of the year, with most changes coming into effect immediately upon Royal Assent of Bill 23.

There are additional proposals posted on the Environmental Registry of Ontario (ERO) website, which have a commenting deadline of December 30th 2022. For example, a comprehensive review of integrating the Growth Plan for the Greater Golden Horseshoe (Growth Plan) and Provincial Policy Statement (PPS). Other proposals include changes to natural heritage conservation that would permit environmental offsetting and changes to additional residential units (ARU) regulations. As these changes could have major implications for growth in the County, including the County’s New Official Plan, it is important for the County to issue formal comments.

Provided in the tables below is a high-level summary of proposed legislative changes through *Bill 23, More Homes Built Faster Act, 2022*. Proposed responses to be provided to the Province on behalf of County of Brant Council have also been included.

Analysis

Summary of Proposed Changes and County Response’s to Province

| Summary of Changes Proposed through Bill 23, More Homes Built Faster Act, 2022 Comments Due November 24 th , or 25 th , 2022 | | | |
|---|---|--|--|
| Bill 23 Schedule | Affected Statute/ Registry Link/ Commenting Deadline | Summary of Proposed Changes | Summary of County Staff Planning Response |
| Schedule 1 | <i>City of Toronto Act, 2006, S.O. 2006, c. 11, Sched. A</i> | - n/a | - n/a |
| Schedule 2 | <i>Conservation Authorities Act, R.S.O. 1990, c. C.27</i> ERO No. 019-6141 | <ul style="list-style-type: none"> - Limiting the role of the Conservation Authorities (CAs) to natural hazards (e.g., flooding and erosion hazards) and ground water. CAs would no longer be able to comment on natural heritage such as in relation to woodlands and wildlife habitat. - Remove terms ‘conservation of land’ | <ul style="list-style-type: none"> - The County supports a streamlined approach whereby development approved under the <i>Planning Act</i> would be exempt from a CA permit, if CAs are required to issue conditions as part of <i>Planning Act</i> approvals. - Where a CA currently reviews development for both natural hazards and |

| | | | |
|--|--|--|---|
| | <p>Comments due November 24th, 2022</p> | <p>and 'pollution' to matters considered on whether to issue a permit. Currently CAs review matters such as stormwater management with respect to water quality and quantity impacts on water resources.</p> <ul style="list-style-type: none"> - Appeals by CAs under the Planning Act must be related to their role in natural hazards. - Enable exemption of development authorized under Planning Act from requiring a permit under the Conservation Authorities Act - Update rules on zoning orders. - Minister may direct CAs to maintain fees at current levels. - Allow the disposition of CA owned lands for housing, including a streamlined process for severances under the Planning Act. | <p>natural heritage, such in relation to wetlands, the proposed change may not have the intended outcome of streamlining the process. Duplicate roles will be required with CAs screening for hazards and municipalities having an additional responsibility to review for natural heritage.</p> <ul style="list-style-type: none"> - CAs provide an imperative role in reviewing development with regards to pollution. For example, CAs typically review stormwater management for impacts on water quality and quantity in watercourses and wetlands. Shifting this role to municipalities that do not have expertise on staff will have implications. It is recommended that the role of pollution continue to be the responsibilities of CAs. Alternatively, this change in responsibilities should be delayed until municipalities are able to secure resources and/or finalize the new Memorandums of Understanding with CAs. - It is unclear how the focused mandate relates to Section 21.1.2 of <i>the Conservation Authority's Act</i> on other Programs and Services. This Section indicates that a CA may comment on matters beyond natural hazards if agreed to |
|--|--|--|---|

| | | | |
|-------------------------|--|---|---|
| | | | <p>through a Memorandum of Understanding.</p> <ul style="list-style-type: none"> - CA owned lands play an important role in complete communities by providing public access to natural areas. They serve to protect the environment while contributing to mental and physical well-being by providing opportunities for outdoor recreation. The County recommends that criteria be established on what lands could be used for housing. For example, woodlands, wetlands, wildlife habitat and associated buffers and hazardous lands should remain protected. |
| Schedule 3 | <p><i>Development Charges Act, 1997, S.O. 1997, c. 27</i></p> <p>ERO No. 019-6172</p> <p>Comments due November 24th, 2022</p> | | <p>The County of Brant supports the position of the Association of Municipalities of Ontario (AMO) requesting provincial assistance to offset additional exemptions, discounts and phase-ins. The County's Development Charges Consultants, Watson & Associates estimates the reduction in Development Charge (DC) revenue to be 10% of the overall projected revenue, which based on the 2019 Background Study would be \$15.7M over the 5-year study.</p> |
| Schedule 3... continued | | <ul style="list-style-type: none"> - Exempt affordable and attainable housing from DCs. - Require a 25-year agreement with the municipality to ensure | <ul style="list-style-type: none"> - It is unknown what the uptake from developers might be to build affordable and attainable housing – this |

| | | | |
|-------------------------|--|---|--|
| | | rent or purchase price remains affordable / attainable | <p>may depend on how the regulations define “affordable” and “attainable” housing. The amount of exempted development will dictate the financial implications on the municipality.</p> <ul style="list-style-type: none"> - An administrative process will need to be developed to review the rent or sale prices to ensure they remain eligible and collect development charges if this changes. |
| Schedule 3... continued | | - Discount on DCs for rental housing developments | - This discount will need to be funded by property taxes or user fees. It does not appear that an administrative agreement is required for this, which may lead to possible repurposing of rental units after construction. |
| Schedule 3... continued | | - Municipal Housing, Land Costs and Background / Environmental Studies to be excluded from DC Projects | <ul style="list-style-type: none"> - The removal of housing as a DC eligible project may impact the viability / timing of these affordable housing projects. - The costs for studies where growth is a factor are significant and necessary to determine servicing needs. This will shift the burden of development-related costs to the tax levy or user fees. |
| Schedule 3... continued | | <ul style="list-style-type: none"> - Five Year mandatory phase-in of new DC charges - DC by-law duration extended to 10 years | - The five-year phase in of the updated DC charge will encourage municipalities to wait the now 10 years before |

| | | | |
|-------------------------|---|--|--|
| | | | <p>updating the DC background study and by-law. Based on volatility in inflation and construction costs, this may result in underfunding and a resulting larger increase in the next DC charges.</p> <ul style="list-style-type: none"> - The phase in will be funded from the tax levy and user fees. |
| Schedule 3... continued | | <ul style="list-style-type: none"> - Historic levels of service to be used in the calculations of DCs will be changed from 10-year average to 15-year average. | <ul style="list-style-type: none"> - As a high growth municipality, the level of service changes quickly. This amendment will result in basing future needs on the level of servicing available over the past 15 years. |
| Schedule 3... continued | | <ul style="list-style-type: none"> - Maximum Interest Rate to be prescribed for DCs paid in installments and on DCs with rates frozen | <ul style="list-style-type: none"> - The maximum interest rate is to be set at the average prime rate plus 1%. This matches the County's current DC interest policy. |
| Schedule 3... continued | | <ul style="list-style-type: none"> - Spending / allocation of 60% of DC reserve for water, wastewater and roads required annually | <ul style="list-style-type: none"> - The County is supportive of this initiative to ensure that DC reserves are allocated as detailed in the DC Background Study. |
| Schedule 4 | <p><i>Municipal Act, 2001, S.O. 2001, c. 25</i></p> <p>ERO No. 019-6162</p> <p>22-MMAH017</p> | <ul style="list-style-type: none"> - Allow Minister to impose limits on the powers of municipalities to prohibit and regulate the demolition and conversion of residential rental properties. | <ul style="list-style-type: none"> - Given the implications to municipalities, it is recommended that the Province commit to an enhanced municipal consultation process beyond the minimum standard, such as by establishing technical working groups with municipalities, and other applicable stakeholders. |

| | | | |
|------------|--|---|--|
| | Comments due November 24 th , 2022 | | |
| Schedule 5 | <p><i>New Home Construction Licensing Act, 2017, S.O. 2017, c. 33, Sched. 1</i></p> <p>22-MGCS021</p> <p>Comments due November 24th, 2022</p> | <ul style="list-style-type: none"> - This Act is intended to protect purchasers of new homes. | <ul style="list-style-type: none"> - No comments to be provided. |
| Schedule 6 | <p><i>Ontario Heritage Act, R.S.O. 1990, c. O.18</i></p> <p>ERO No. 019-6196</p> <p>Comments due November 24th, 2022</p> | <ul style="list-style-type: none"> - Add requirements related to how long a listed property may be on a municipal heritage register. - Cabinet may waive heritage standards for publicly owned properties. - Requirement that the municipal register must be accessible on a municipality's website. - All listed properties must meet the criteria for cultural heritage value or interest (O. Reg. 9/06). - Circumstances specified for removal of listed properties from register and preventing Council from including such property again for five years. - Notice of Intention to designate may only be given for properties that are on the register as of the date of a 'prescribed event' (e.g. being notice | <ul style="list-style-type: none"> - The County supports changes proposed to listed properties. Currently, the Act only prevents demolition and not alteration. Stronger protection measures are afforded for designated properties. Accordingly, where properties warrant heritage protection they should be designated as opposed to listed. The listing of properties creates a simple but redundant process under <i>the Ontario Heritage Act</i>. Legally, an owner could potentially alter the façade of a listed property which would lessen its heritage value. |

| | | | |
|------------|--|--|---|
| | | of application given for ZBA, OPA or Plan of Subdivision). | |
| Schedule 7 | <p><i>Ontario Land Tribunal Act, 2021, S.O. 2021, c. 4, Sched. 6</i></p> <p>22-MAG011</p> <p>Comments due November 25th, 2022</p> | <ul style="list-style-type: none"> - Allow the creation of regulations that would prioritize specified proceedings of the OLT (by Attorney General). - Clarifying the Tribunal's powers to dismiss appeals that have contributed to undue delay and award costs to successful parties (paid by unsuccessful parties). | <ul style="list-style-type: none"> - Given the financial implications to municipalities to be subject to costs as a result of participating in a hearing, it is recommended that the Province commit to an enhanced municipal consultation process beyond the minimum standard, such as by establishing technical working groups with municipalities, and other applicable stakeholders. |
| Schedule 8 | <p><i>Ontario Underground Infrastructure Notification System Act, 2012, S.O. 2012, c. 4</i></p> <p>22-MGCS022</p> <p>Comments due November 25th, 2022</p> | <ul style="list-style-type: none"> - In Spring 2022, changes were made aimed at improving the locate delivery system. The government is looking for additional ways to improve governance and oversight of Ontario One Call. | <ul style="list-style-type: none"> - No comments to be provided. |
| Schedule 9 | <p><i>Planning Act, R.S.O. 1990, c. P.13</i></p> <p>ERO No. 019-6172</p> <p>ERO No. 019-6163</p> | <ul style="list-style-type: none"> - Limit Appeals to OLT. Third-party appeals, which are generally made by someone other than the owner, would no longer be permitted. Appeal rights will be maintained for applicants, the Province, public bodies including Indigenous communities, and utility providers. CAs will only have appeal rights with | <ul style="list-style-type: none"> - The County supports streamlining the OLT process but is concerned with eliminating third party appeal rights from concerned residents and ultimately reducing public participation and statutory rights. Municipalities play an important role in receiving and integrating public comments as part of the development |

| | | | |
|--|--|--|---|
| | <p>Comments due November 24th, 2022</p> | <p>respect to natural hazards. Changes will apply retroactively to include cases where a hearing date has not been set by OLT.</p> <ul style="list-style-type: none"> - Additional Residential Unit (ARU) as-of-right permissions to have up to three residential units in fully serviced settlements where zoning permits residential uses. Changes to supersede official plan and zoning regulations. Does not apply to legal non-conforming uses, such as houses on hazard lands. Municipalities cannot require more than one parking spot per ARU. ARUs will be exempt from DCs and parkland dedication. - Site Plan Control will not be applied to developments of 10 or fewer units or to architectural or landscape design details but will be applied to land lease developments of any size. - Changes to parkland dedication including: maximum alternative dedication rate (1 hectare per 600 units instead of 1 hectare per 300 units), freezing parkland rates at the time of zoning/site plan control for two years, requiring a Parks Plan prior to the passing of future Parkland | <p>review process. With limited appeal rights and condensed <i>Planning Act</i> timelines, consideration should be given to how best to integrate public consultation into the planning process.</p> <ul style="list-style-type: none"> - The County supports permitting ARUs as of right within serviced areas. The County further supports restricting ARUs on hazard lands. - With respect to Site Plan Control, the County supports a streamlined process. While urban design contributes to aesthetically pleasing communities, it is often viewed as subjective. If implemented, design policies and guidelines will be imperative for rural community character and resilience. - Stormwater management is an important component of the review in Site Plans Control. Municipalities may lose the ability to review for drainage and stormwater management, which may impact the quality and quantity of water, resulting in pollution of land and increased local flooding. Similarly, landscaping on site plans play a key role in mitigating the impacts of a changing climate through green infrastructure. It is unclear if municipalities would continue to be able to require green |
|--|--|--|---|

| | | | |
|--|--|--|---|
| | | <p>Dedication by-laws, allowing developers to identify land to convey and can appeal to OLT where municipality refuses, requiring municipalities to spend / allocate 60% of parkland reserve funds annually, and waiving of parkland conveyance and community benefit charges for affordable and attainable housing and for ARUs.</p> <ul style="list-style-type: none"> - No requirement for public meeting for draft plan of subdivision approval. - Exemption for aggregate operations from two-year freeze of being able to amend a new zoning by-law or official plan to permit an aggregate operation. | <p>infrastructure and at which point landscaping is considered green infrastructure.</p> <ul style="list-style-type: none"> - Aggregates are an important component of building housing, roads, and provide multiple other benefits. The County supports the ability of proposed aggregate operations to be able to apply to permit the use at any time. The intent of planning approvals is to provide for a comprehensive review of proposed operations. |
|--|--|--|---|

Additional Proposed Regulatory and Policy Changes

| Proposal Name | ERO Link Commenting Deadline | Summary of Proposal | Summary of County Staff Planning Response |
|---|---|--|---|
| Review of the Growth Plan and Provincial Policy Statement | <p>019-6177</p> <p>December 30th, 2022</p> | <ul style="list-style-type: none"> - The Province is undertaking a comprehensive review of the Growth Plan and PPS. - The review will focus on streamlining province-wide land use planning policy by consolidating these instruments into one. - The intended outcome is to determine the best | <ul style="list-style-type: none"> - Provincial policies and plans have major implications for land use planning. - It is unclear how this will impact the County's New Official Plan; however it is anticipated that the County will need to update the draft plan to align with Provincial changes. |

| | | | |
|--|--|---|--|
| | | <p>approach to accelerate housing approvals while protecting the environment, cultural heritage, and public safety which is supported by infrastructure.</p> <ul style="list-style-type: none"> - Key elements of the review will focus on: <ul style="list-style-type: none"> - Settlement boundary expansions - Housing in rural and agricultural areas - Employment conversions to residential and mixed-use - Attainable housing supply and mix - Intensification - Environmental offsetting - Infrastructure supply and capacity - School capacity | <ul style="list-style-type: none"> - In response to the proposed changes, staff will prepare a report to provide further commentary on the changes, including a more detailed analysis of the implications to the County and recommendations on comments to be submitted to the Province. |
| Proposed Updates to the Ontario Wetland Evaluation System (OWES) | <p>019-6160</p> <p>Comments due November 24th, 2022</p> | <ul style="list-style-type: none"> - The PPS does not permit development in provincially significant wetlands. - Wetlands are evaluated for significance based on the Ontario Wetland Evaluation System (OWES). The OWES also outlines how to determine wetland boundaries. - Currently MNR and CA's take the lead in confirming wetland boundaries and significance. - Changes are proposed to evaluation criteria that could result in less wetlands meeting the criteria for provincial | <ul style="list-style-type: none"> - The County has concerns with the proposed changes, which appear to downplay wetland evaluations to municipalities. The County has historically relied on the expertise of MNR and CAs. Shifting this role to municipalities who do not have expertise on staff will have implications. - Wetlands have multiple benefits such as reducing risks associated with natural hazards, and contributing to wildlife and climate change. - Given implications to reducing wetlands that could be considered |

| | | | |
|--|--|---|---|
| | | <p>significance and therefore protection.</p> <ul style="list-style-type: none"> - Changes are proposed that would download responsibilities of MNRF and CAs to municipalities. - The County does not have staff with expertise to review wetland evaluations. - With the role of CAs on wetlands focusing solely on natural hazards, and not significance, it is unclear if they will be able to continue to provide assistance on wetland evaluations. - This matter may need to be addressed in the MOU with CAs, or the County may need to hire a wetland specialist or retain one for peer review. | <p>significant and therefore protected, and the proposal to download this role to municipalities, it is recommended that the Province commit to an enhanced municipal consultation process beyond the minimum standard, such as by establishing technical working groups with municipalities, and other applicable stakeholders.</p> <ul style="list-style-type: none"> - If this change is approved, implementation should be delayed until municipalities have secured resources and/or finalize new Memorandums of Understanding with CAs. |
| <p>Conserving Ontario's Natural Heritage</p> | <p>019-6161</p> <p>Comments due December 30th, 2022</p> | <ul style="list-style-type: none"> - Other than significant wetlands, the PPS permits development and site alteration in significant features such as woodlands and wildlife habitat, if it can be demonstrated that there will be no negative impacts. - In 2017, the Growth Plan introduced stronger policies outside of settlement areas, including protections for all wetlands and significant features in a natural heritage system. Minimum vegetation protection zones of 30 metres were introduced. - Due to development pressures, protection of | <ul style="list-style-type: none"> - The proposed changes could have major implications on preserving remaining natural areas, particularly in settlement areas. It could limit the County's ability to acquire such lands through the Plan of Subdivision process, whereby public access to natural heritage systems is a key component of complete communities. - If environmental offsetting is approved, challenges would consist of having staff resources to review proposed plans, monitoring and securing lands for offsetting. |

| | | | |
|--|--|--|--|
| | | <p>natural areas has become more difficult, particularly in settlement areas.</p> <ul style="list-style-type: none"> - Several provinces have introduced environmental offsetting programs for natural heritage features, including wetlands. - Provincial policies do not include provisions for offsetting. For example, if a significant woodland is removed there are no requirements to plant replacement trees. - The Province has created a discussion paper whereby MNRF is considering developing an offsetting policy that would require a net positive impact on these features. | <ul style="list-style-type: none"> - In response to the proposed changes, staff will prepare a report to provide further commentary on the changes, including a more detailed analysis of the implications to the County and recommendations on comments to be submitted to the Province. |
| <p><i>Conservation Authority Act Regulations</i></p> | <p>019-2927</p> <p>Comments due December 30th, 2022</p> | <p>Intended to allow updates made to <i>Conservation Authorities Act</i> in recent years come into effect:</p> <ul style="list-style-type: none"> - Create one consistent regulation for all 36 CAs, instead of having 36 separate regulations for each. - Proposing a new regulation that outlines how CAs permit development and other activities for impacts to natural hazards. - Permitting would focus on matters related to flooding and other hazards. <p>A consultation guide has been provided that includes additional</p> | <ul style="list-style-type: none"> - In response to the proposed changes, staff will prepare a report to provide further commentary on the changes, including a more detailed analysis of the implications to the County and recommendations on comments to be submitted to the Province. |

| | | | |
|---|---|--|--|
| | | <p>information on proposed changes:</p> <ul style="list-style-type: none"> - Defining wetlands, hazardous lands, development activity and watercourse. - Reducing areas regulated around wetlands from 120 m to 30 m. - Streamlining approvals for low-risk activities, which could include exemptions for some activities from permits. - Requiring any studies to be submitted as a complete application. - Limiting site-specific conditions that may be attached to a permit. - Details on exempting development authorized under the Planning Act from a CA permit. | |
| Inclusionary Zoning (O. Reg 232/18) | <p>019-6173</p> <p>Comments due December 4th, 2022</p> | <ul style="list-style-type: none"> - Establishes a maximum number of affordable units at 5%, a maximum affordability period of 25 years, and making the lowest price / rent of said units 80% of the average resale or market rent. Only applicable within Protected Major Transit Station Areas. | <ul style="list-style-type: none"> - Comments will not be provided as this is not applicable to the County of Brant as we are not within a Major Transit Station Area. Staff will continue to monitor changes proposed to Inclusionary Zoning and provide updates to Council should these become applicable within the County of Brant. |
| Additional Residential Units (O. Reg. 299/19) | <p>019-6197</p> <p>Comments due December 9th, 2022</p> | <ul style="list-style-type: none"> - To implement changes through <i>Bill 23, More Homes Built Faster Act, 2022</i>, regarding ARUs, amendments to O. Reg. 299/19 are proposed, which will be consequential to amendments made to <i>the Planning Act</i>. | <ul style="list-style-type: none"> - The County supports as-of-right permissions for ARUs as a simple solution to creating more housing. - In response to the proposed changes, staff will prepare a report to Council, to provide further commentary on |

| | | | |
|--------------------------------|--|--|---|
| | | | the changes, including a more detailed analysis of the implications such as community character and parking to the County. Further recommendations on comments to be submitted to the Province. |
| 2031 Municipal Housing Targets | 019-6171 No commenting period. | <ul style="list-style-type: none"> - The Province has assigned housing targets to 29 lower and single-tier municipalities. - The County is not impacted by this. | - Comments will not be provided. |

Summary and Recommendations

Overall, *Bill 23, More Homes Built Faster Act, 2022*, narrows the housing discussion to one of quantity and diminishes the critical role municipalities play in providing for quality and support for growth at a local community level. These proposed changes could lead to unintended consequences and implementation confusion. More time is required to digest and discuss such significant changes to *the Planning Act, R.S.O. 1990, c. P.13, the Development Charges Act, 1997, S.O. 1997, c. 27, the Conservation Authorities Act, R.S.O. 1990, c. C.27, and the Ontario Land Tribunal Act, 2021, S.O. 2021, c. 4, Sched. 6*. It is requested that the Province extend the commenting period on *Bill 23, More Homes Built Faster Act, 2022*, to allow additional time for review and consultation.

Next Steps

County of Brant staff will continue to keep Council up to date on proposed changes to legislation that may change local policies, processes and affect County resources accordingly. In particular, staff will prepare another report to Council to provide further commentary on the review of the Growth Plan and PPS and how this will affect the County of Brant’s planning policy regime.

It is unclear at this time how the proposed changes will impact the County’s Draft New Official Plan. Staff have not yet received an update from the Ministry of Municipal Affairs and Housing (MMAH) on the County’s Draft New Official Plan. Staff continue to connect with MMAH London to receive updates. Continued emphasis will be placed on incorporating legislative changes as the New Official Plan project moves forward.

If Council requires any further information, or has any questions in the meantime, please feel free to reach out to staff below

Jennifer Boyer, Manager of Policy Planning

policy@brant.ca

Pam Duesling, General Manager of Development Services

Pam.Duesling@brant.ca

Attachments

Attachment A – Correspondence dated October 31, November 11 and November 14 from Watson & Associates.

Reviewed By

1. Heather Mifflin, Director of Finance
2. Heather Boyd, General Manager of Corporate Services
3. Michael Bradley, CAO

Copied To

1. Alysha Dyjach, Director of Council Services, Clerk
2. Senior Management Team
3. Alyssa Seitz, Planning Administrative Assistant/ Secretary Treasurer to the Committee of Adjustment
4. Mat Vaughan, Director of Development Planning

By-law and/or Agreement

By-law Required

No

Agreement(s) or other documents to be signed by Mayor and /or Clerk

No