

Summary of Implementation Dates, Changes Approved, and County Implications
Bill 23, More Homes Built Faster Act, 2022

In Force Date	Approved Changes	County Implications	Action Items	Action Assignment	Status
Bill 23 - Schedule 9, Planning Act					
November 28, 2022	Site Plan Control Exemption Up to 10 Residential Units - Residential development of up to 10 units will be exempt from Site Plan Control.	- Efficient approvals, as applicants will be able to apply for a building permit without Site Plan Control. A more detailed review of building permits will be required, such as related to zoning. - The County may not be able to review for important issues such as stormwater management and impacts to the environment. - Stormwater management may need to be addressed on a broader scale to prevent localized flooding. - Zoning provisions may need to be updated should there be important matters that would typically dealt with through Site Plan Control that could be covered through zoning. - The County may want to consider updating the Natural Heritage Zone, as a stop-gap measure, prior to finalization of a New Official Plan and considering the reduced role of Conservation Authorities (CAs). Currently, only wetlands and flooding and erosion hazards regulated by CAs are zoned Natural Heritage. If natural areas such as significant woodlands, areas of natural and scientific interest, and buffers are not within a floodplain or erosion hazard, they are typically not zoned Natural Heritage. Many municipalities have an overlay whereby an Environmental Impact Study may be required prior to considering development.	- Review County of Brant Site Plan Control By-Law 157-03 to determine whether updates are required. - Work with the Building Division to ensure detailed review of developments consisting of 10 units or less. - Work with the Development Engineering Division to ensure detailed review of lot grading and drainage and stormwater management for developments consisting of 10 units or less. - Review Zoning By-Law to determine provisions that could be added that were previously dealt with through Site Plan Control. - Review Natural Heritage Zone with respect to natural areas not included in the Zone such as woodlands, areas of natural and scientific interests and adjacent lands.	- Policy Planning Division – Review of Site Plan Control By-Law 157-03 - Review of Zoning By-Law Coordinate with: -Development Planning Division - Building Division - Development Engineering Division	- Now and ongoing into 2023
November 28, 2022	Site Plan Control Exemption Exterior Elements - Municipalities may no longer comment on exterior design related to the character, scale, appearance, and design of a site. This is	- Will result in more efficient approvals. - The County will not be able to include architectural design elements in Urban Design Guidelines. - To maintain the character of heritage areas, the County would need to consider creating Heritage Conservation Districts or transitioning to a Community Planning Permit System (CPPS).	- Revise the draft new official plan to remove reference to Design Guidelines as a tool to assist in with Site Plans. - Review Site Plan Control By-Law 157-03 to determine whether updates are required.	- Policy Planning Division - Development Planning Division - Parks and Forestry Division	- Ongoing 2023 - Some of these items such as HCDs and CPPS will be developed following approval

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	<p>primarily related to architectural design and landscaping.</p> <ul style="list-style-type: none"> - Exterior design elements are required for building construction where required under a by-law created under Section 97.1 of the <i>Municipal Act</i> in accordance with provisions of the <i>Building Code Act</i>. - Exterior design may apply as related to exterior access to a building with affordable housing. - The appearance of the elements, facilities and works is not subject to Site Plan Control except where related to matters of health, safety, accessibility, sustainable design, or the protection of adjoining lands. 	<ul style="list-style-type: none"> - Consideration should be given to developing green building standards, which would be permitted under this legislation, based on expertise at the County. 	<ul style="list-style-type: none"> - Review internal applications, checklists, and forms utilized for Site Plan Control review to remove reference to align with revised wording on exterior design related to health, safety, accessibility, sustainable design, or the protection of adjoining lands. - Policies have been included within the County's draft new official plan to consider creating Heritage Conservation Districts (HCDs) or transitioning to a Community Planning Permit System (CPPS). - Develop green building standards, which would be permitted under this legislation, based on expertise at the County. Determine next steps in the creation of this tool. 		of a new Official Plan
November 28, 2022	<p>Gentle Density (Additional Residential Units)</p> <ul style="list-style-type: none"> - Within fully serviced areas (Paris, St. George), 3 dwelling units per lot are permitted as-of-right wherever residential uses are permitted as a principal use, regardless of provisions in 	<ul style="list-style-type: none"> - Property owners may apply for a building permit for up to 3 units, without triggering a Zoning By-Law Amendment. - An increase in Minor Variances is anticipated relating to front yard setbacks, landscaped open space requirements, and parking to accommodate units. - Residential zoning provisions will need to be reviewed to analyze impacts, such as side yard access and parking provisions. New subdivision design does not lend itself to accommodate additional units, so they need to be 	<ul style="list-style-type: none"> - Future Housekeeping Amendments to update the current Official Plan and Zoning By-Law to avoid confusion. - Revisions to County brochures relating to ARU implementation to reflect changes. - Comprehensive Review of County Parking Standards. - Public education on parking permissions. 	<ul style="list-style-type: none"> - Policy Planning Division - Building Division - Communications Division - Development Planning Division - Finance Division 	<ul style="list-style-type: none"> - Housekeeping Amendments – 2023 Date TBD. - Revised ARU brochures – Completed December 2023. - Comprehensive Review of County

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	<p>Official Plans or Zoning By-Laws.</p> <ul style="list-style-type: none"> - Residential uses include detached houses, semi-detached houses or rowhouses. - 3 units may be permitted: <ul style="list-style-type: none"> - As 3 units within a building. - 2 units within a building, and 1 unit in an accessory building. - Only 1 parking space is required for a residential unit. - New units will be exempt from DCs, CBCs, and Parkland Dedication. - There is no appeal right in respect of policies adopted to implement these permissions. 	<p>considered from the design stage and solutions for in-progress development will need to be clear from the outset.</p> <ul style="list-style-type: none"> - A Housekeeping Amendment to update the Zoning By-Law to avoid confusion, will be required. - As part of the review of parking standards, more units will need to be considered through better design. - Public education on parking permissions will be required. - There could be greater demand in rural areas with residents wanting similar permissions, but these provisions only apply to Paris and St. George. 	<ul style="list-style-type: none"> - Ensure DCs, CBCs, and parkland are consistent with new rules. 		<p>Parking Standards – Ongoing/2023.</p> <ul style="list-style-type: none"> - Public Education on Parking Permissions – 2023 Date TBA.
November 28, 2022	<p>Public Meetings for Plans of Subdivisions</p> <ul style="list-style-type: none"> - Public meetings will no longer be required for Draft Plans of Subdivision. 	<ul style="list-style-type: none"> - Most Plans of Subdivisions have a related zoning application. As such, public feedback to Council may be coordinated as part of the zoning review. - Public consultation will need to focus on written comments submitted to the County and coordination with the lead Planner on the file. 	<ul style="list-style-type: none"> - Planner on the file to coordinate all comments received on applications for Plans of Subdivisions and Zoning By-Law Amendments. - Public education on when and how to participate in the <i>Planning Act</i> Process for Plans of Subdivision and Zoning By-Law Amendment applications. 	- Development Planning Division	- Ongoing – Planner on the file will continue to coordinate all correspondence received on applications.

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November 28, 2022 TBD for regulations	Rental Replacement - The Province will be able to create regulations related to the replacement of rental housing when it's proposed to be demolished or converted as part of a proposed development.	- Until any new regulations are developed, staff are unable to determine implications.	- Continue to monitor potential implications of these changes.	- Policy Planning Division	- Waiting on implementing regulation.
November 28, 2022	Parkland Dedication - Maximum parkland dedication conveyed and/or as cash-in-lieu has been capped. - Parks Plans must be completed prior to Parkland Dedication By-Laws, as opposed to part of the Official Plan Review process. - Municipalities must spend or allocate 60% of parkland reserve funds at the start of each year.	- Parkland changes are related to high density development, intended to cap parkland. It is not anticipated this will have an impact on parkland in the County at this time. - County will need to prepare a Parks Plan, prior to any new by-law. - Determine if there is a need for Community Benefit Charges By-law through a study to determine the need. - Establish the maximum alternative rate for parkland dedication. - Cap the alternative rate where land proposed for development or redevelopment is 5 hectares or less.	- Ensure New Official Plan policies are consistent with new parkland provisions and dedication by-law. - Prepare a County-wide Parks Master Plan. - Ensure by-law and practices are in line with changes. - Coordinate with Finance for cash in lieu of Parkland related to Parkland Dedication. - Ensure 60% of parkland reserve funds allocated in annual capital budget.	- Policy Planning Division - Development Planning Division - Parks and Recreation Division - Facilities and Special Projects Division - Finance Division	- Policy Planning following up with Community Services Dept. for amending of Parkland Dedication By-law and status of Parks Plan. - Finance Division in process of ensuring Planning Act financial changes in effect
November 28, 2022	New Official Plans and updates to Comprehensive Zoning By-Laws - Comprehensive Zoning By-Laws must be amended to conform to Official Plan policies within one year of coming into effect.	- This has implications for the County's New Official Plan. - This has implications on the timing of updating the Comprehensive Zoning By-law - Prior to this <i>Planning Act</i> change, after a New Official Plan was approved by the Province, there were no appeal rights for two years.	- The County's New Official Plan will be open to appeals upon approval from the Minister - Policy Planning Division to update the Comprehensive Zoning By-Law once a New Official Plan is approved within one year.	- Policy Planning Division. - Development Planning Division.	- Ongoing 2023 - Updates to the County of Brant Zoning By-Law are undertaken annually through Housekeeping's.

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	- Previously, once a new Official Plan, Secondary Plan or Zoning By-Law came into effect, applications could not propose to amend or request a Minor Variance to such documents unless agreed to by the municipality. These provisions are repealed.	- Once a New Official Plan is approved by the Province, either the County or applicants could submit an Official Plan Amendment or Appeal the New Official Plan. - Prior to this <i>Planning Act</i> change, after a New Official Plan or OPA/Conformity was approved by the Province, a municipality had three (3) years to update the Comprehensive Zoning By-law.			A Comprehensive Review of the County of Brant Zoning By-Law will be undertaken following approval of a new Official Plan.
TBD	Parkland Locations - Encumbered parkland as well as privately owned publicly accessible spaces will be eligible for parkland.	- The County will need to change any criteria relating to what an applicant may provide as parkland. - Applicants will have more say in how parkland is provided. - For larger Plans of Subdivision, the County may not be able to require parkland that is central to the community.	- Ensure New Official Plan policies are consistent with any new parkland provisions. - Prepare a County-wide Parks Master Plan.	- Policy Planning Division - Parks and Recreation Division - Facilities and Special Projects Division	- Waiting for implementation date.
Bill 23, Schedule 2 - Conservation Authorities Act amendments					
January 1, 2023	Conservation Authorities Core Mandate - Clear limits are proposed on what Authorities are permitted to comment on as part of the <i>Planning Act</i> process, which will keep their focus on natural hazards and flooding.	- Major implications are not anticipated, as the County has taken the lead on natural heritage since creation of the Senior Environmental Planner position. - Conservation Authorities will only be able to comment on matters related to their core mandate on natural hazards. - They may no longer comment on matters related to pollution of land, conservation of land or natural heritage. - At this time, Grand River Conservation Authority, has advised that there will no changes with respect to services provided to the County. - Many other changes to <i>the Conservation Authorities Act</i> require implementing regulations and are the focus of the discussion paper entitled “Conserving Ontario’s Natural Heritage”, with a commenting deadline of December 30, 2022 and posted on the EBR as 019-6161: Conserving Ontario's Natural Heritage . Given that there could be	- Senior Environmental Planner to remain as lead on Natural Heritage matters. - If role of Conservation Authorities change, work with the Development Engineering Division to ensure detailed review of lot grading, drainage and stormwater management for pollution of land.	- Policy Planning Division - Development Planning Division - Development Engineering Division	- Waiting on implementing regulation and further direction from conservation authorities.

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		changes based on consultation and an implementation date is unknown, details are not provided in this table. See Attachment 6 for details.			
Bill 23 – Schedule 3, Development Charges Act Amendments					
TBD	Affordable & Attainable Housing Exemptions <ul style="list-style-type: none"> - Affordable housing, priced at no more than 80% of the average price/rent in the year the unit is rented or sold, will be exempt from development charges and parkland dedication fees - Sale of Attainable Housing as to be prescribed will be exempt from development charges and parkland dedication fees. - To remain affordable/attainable for 25 years 	<ul style="list-style-type: none"> - It is unknown what the financial implications will be, as it will be based on uptake on creating affordable housing. The County may need to determine alternative funding such as through grants, and/or taxes. - An administrative process will be needed to review housing rental and sale prices for eligibility. - Where parkland is dedicated as part of the Plan of Subdivision process, staff will need to determine how this is applied. - An upper limit of 5% of the total number of units in a development that can be required to be affordable as part of inclusionary zoning - 25-year agreement between County and owner registered on title 	<ul style="list-style-type: none"> - Ensure by-laws and practices are in keeping with new rules. - Update educational materials. - Continue to monitor potential implications of these changes with respect to ongoing and proposed affordable housing projects. - Monitor rents, sale, and resale of properties with affordable housing agreements to ensure rent and resale at 80% as determined by Provincial Bulletin for Affordable Residential Units - Staff report to determine funding for exemptions 	<ul style="list-style-type: none"> - Policy Planning Division - Development Planning Division - Building Division - Finance Division - Legal Division 	- Ongoing
November 28, 2022	Discount for purpose built Rental Housing <ul style="list-style-type: none"> - 3+ bedrooms, 25% reduction - 2 bedrooms, 20% reduction - Less than 2 bedrooms, 15% reduction 	<ul style="list-style-type: none"> - Depended on uptake discount will need to be funded from other sources - No agreement required; concern units will stay as rental units 	<ul style="list-style-type: none"> - Staff report to determine funding for exemptions 	<ul style="list-style-type: none"> - Building Division - Finance Division 	- Ongoing 2023

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November 28, 2022	Phase-in of new DC rates <ul style="list-style-type: none"> - Five-year phase-in of DC rate increases, beginning with a 20% reduction in the first year, with the reduction decreasing by 5% each year until year five when the full new rate applies. - This is proposed to apply to all new DC By-Laws passed since Jan. 1, 2022 	<ul style="list-style-type: none"> - The County's Development Charge bylaw was passed in August 2019 and amended in December 2021. The County is <u>not currently</u> impacted by the five-year phase-in. 	<ul style="list-style-type: none"> - Plan for phase-in in next DC update 	<ul style="list-style-type: none"> - Finance Division - Building Division 	<ul style="list-style-type: none"> - Ongoing now
November 28, 2022	DC By-law Expiry <ul style="list-style-type: none"> - DC By-Laws will expire every 10 years, instead of every 5 years. - By-Laws can still be updated any time. 	<ul style="list-style-type: none"> - Bill 23 extends the expiry date of DC background studies and bylaws to 10 years. The County's current bylaw now expires August 31st, 2029. - Consistent with the existing legislation, municipalities may still amend or update their DC By-laws on a more frequent basis, but updates on a shorter term will be impacted by the new mandatory phase-in for years one through four of the DC by-law term. Municipalities are therefore incentivized to pass 10-year DC By-laws to capture full rates applied to housing units in year five onwards of the DC By-law term. 	<ul style="list-style-type: none"> - Review implications if an early update of the bylaw is being considered; phase-in costs vs rate increase to include updated list of capital projects & costs. 	<ul style="list-style-type: none"> - Finance Division 	<ul style="list-style-type: none"> - Noted
November 28, 2022	Mandatory allocation of DC reserves <p>Municipalities will be required to spend or allocate at least 60% of DC reserves for priority services (i.e., water, wastewater, and roads).</p>	<ul style="list-style-type: none"> - DC funds are allocated to growth related projects included in the DC background study. As these are the first services required for development to proceed there is no concern with the County's ability to allocate 60% of the reserve balances. 	<ul style="list-style-type: none"> - Ensure by-laws and practices are in line with approved changes. - Review County's Servicing Allocation Strategy for Paris and St. George 	<ul style="list-style-type: none"> - Finance Division - Operations Department - Development Services 	<ul style="list-style-type: none"> - Noted

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November 28, 2022	Service Changes <ul style="list-style-type: none"> - Exclude the cost of “certain” studies (including background studies) from recovery through DCs - Remove Housing as a service DCs can be collected - Level of Service calculation extended to 15 years from 10 years 	<ul style="list-style-type: none"> - Bill 23 reduces certain types of eligible capital costs that a municipality can recover through DCs. Costs for housing services and the costs to complete the DC background study/other studies no longer qualify for recovery by municipalities through their DC by-laws. - There is also a change to the historical service level horizon used to calculate eligible capital costs from 10 years to 15 years (save for certain exceptions). 	<ul style="list-style-type: none"> - Seek clarification of which “certain” studies are excluded - Review growth-related capital projects to determine studies included - Immediately discontinue collection of DC for Housing Service 	<ul style="list-style-type: none"> - Policy Planning Division - Finance Division 	- Ongoing
TBD	<ul style="list-style-type: none"> - New regulation authority to set services for which land costs would not be an eligible capital cost recoverable through DCs. 	<ul style="list-style-type: none"> - Awaiting further direction on how this will be implemented to determine impact to funding of growth-related capital projects. 	- TBD	- TBD	- TBD
<i>Bill 23, Schedule 7 - Ontario Land Tribunal Act amendments</i>					
November 28, 2022	Ontario Lands Tribunal (OLT) - Third-Party Appeals <ul style="list-style-type: none"> - Only the applicant, municipality, specified public bodies (e.g., utility companies), and the Minister will be permitted to appeal Minor Variance and Consent decisions. - Existing third-party appeals with no hearing date will be dismissed. 	<ul style="list-style-type: none"> - Public consultation for Consents and Minor Variances will be restricted to commenting to the County as part of the development application review process. - Expected to result in fewer OLT appeals. - Notices need to be updated regarding appeal rights. 	<ul style="list-style-type: none"> - Revisions to <i>Planning Act</i> Applications and notices required to amend current wording relating to appeals. - Public Education on when third party appeals are permitted and for what application types. 	<ul style="list-style-type: none"> - Development Planning Division - Legal Division - Policy Planning Division 	<ul style="list-style-type: none"> - Revisions to <i>Planning Act</i> Applications and notices – Completed December 2023. - Public Education – Ongoing 2023.

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All OLT Act changes not yet in force - TBD	OLT - Awarding Costs - OLT will have increased permissions to award costs against a party that loses a hearing.	- The County could be liable for costs, where an appeal is lost at OLT. - To mitigate losses and as part of new <i>Planning Act</i> timelines under <i>Bill 109</i> , it will be important to avoid non-decisions on applications. - To mitigate losses, it will be important to ensure that decisions on <i>Planning Act</i> applications are reviewed and assessed on planning merits as per provincial and municipal legislation, policies, and plans. - Could result in less frivolous appeals. - An example of costs awarded in the past, relate to frivolous appeals on aggregate applications where there were no expert witnesses to defend opposition of proposed operation.	- Review internal development application review processes to ensure efficiency and tight timelines are met (beginning January 1 st , 2023). - Education and training on how land use decisions are made relating to municipal and provincial policies. - Review public education materials on development review and land use planning.	- Policy Planning Division - Development Planning Division - Legal Division - Communications Division - Finance Division	- Waiting on implementing regulation. - Review internal development application review process – completed Fall 2023 – Implementation of revised processes will be ongoing into 2023.
All OLT Act changes not yet in force - TBD	OLT - Other - The Tribunal will be able to dismiss appeals for undue delay. - Regulations may be established to give priority to hearing times for specified matters.	- Could result in less frivolous appeals. - Appeals related to important matters such as housing, could be given priority and prompt hearing dates.	- Review legal process with regards to appeals that may be related to undue delay.	- Legal Division	- Waiting on implementing regulation. - Legal Division to remain lead on all OLT appeals.
<i>Bill 23 – Schedule 6 - Ontario Heritage Act</i>					
Not yet in force - TBD	- When <i>Planning Act</i> applications are received on property that has potential heritage values, municipalities will not be able to issue a notice to designate unless the	- If an application under the <i>Planning Act</i> is received, the County cannot issue a notice of intention to designate as a reaction to the application. This is because the County of Brant does not have any properties ‘listed’ as part of the municipal heritage register.	- Review of heritage conservation program through a municipal benchmarking and audit report to the municipal heritage committee - Undertaking an Arts, Culture and Heritage strategy that considers the relationship of heritage conservation with planning and	- Policy Planning Division - Economic Development Division	- Waiting on implementing regulation. - Preliminary training and discussion in January 2023 with

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	<p>property is listed on the municipal register.</p> <p>- Regulations may be established on criteria for HCD Plans, and a process is proposed that will allow amendments to such plans once approved.</p>	<p>- Listing a property now has similar requirements to designating a property, creating a redundancy in the process.</p> <p>- As a better use of limited resources, the County may want to focus on creating HCDs to protect heritage properties and provide guidance on heritage-related character rather than focusing on individual designations.</p> <p>- More information on this topic will be provided through the County of Brant Municipal Heritage Committee, once discussed with the committee after its inaugural meeting in January 2023.</p>	<p>development to help the County of Brant prioritize objectives and determine an appropriate implementation plan.</p> <p>- Policies have been included within the County's draft new official plan to consider creating Heritage Conservation Districts (HCDs) or transitioning to a Community Planning Permit System (CPPS).</p> <p>- Education will be provided to the municipal heritage committee on recent legislative changes.</p>		<p>the municipal Heritage Committee.</p>