

**Summary of Bill 23, More Homes Built Faster Act, 2022
Changes to Development Charges Act and Planning Act**

The new Supporting Growth and Housing in York and Durham Regions Act, 2022 is the subject of a separate report.

There are a number of proposed legislative changes with no Regional implications and that not summarized below, including:

- Ontario Heritage Act ([ERO# 019-6196](#))
- New Home Construction Licensing Act, 2017 ([Proposal # 22-MGCS021](#))
- Ontario Underground Infrastructure Notification System Act, 2012 ([Proposal # 22-MGCS022](#))
- Proposed Building Code changes ([Proposal # 22-MMAH016](#), [Proposal # 22-MMAH019](#), [ERO# 019-6211](#))

Development Charges Act, 1997

(ERO# 019-6172)	Summary of Changes	Regional Implications	Preliminary Comments
Duration of Development Charges (DC) by-law	<ul style="list-style-type: none"> • Maximum by-law term is extended from 5 to 10 years. 	<ul style="list-style-type: none"> • No immediate financial implications as current development charges bylaw has a prescribed expiry of June 16, 2027 	<ul style="list-style-type: none"> • While the change provides municipalities with the potential to have a bylaw for up to 10 years when taken together with proposed new phase-in rules, municipalities will need to assess whether they should update the bylaw prior to the 10-year expiration to maximize cost recovery

ATTACHMENT 5

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<p>Mandatory phase-in of new DC by-law rates</p>	<ul style="list-style-type: none"> • New DC by-law rates, resultant from a by-law update/amendment, phased in over first 5 years; no more than 80% in year 1 to 100% by years 5 and onwards. Applies retroactively to by-laws passed on, or after, June 1, 2022 and for subsequent by-laws. 	<ul style="list-style-type: none"> • No immediate financial implications as York Region’s 2022 DC Bylaw was passed on May 26, 2022 	<ul style="list-style-type: none"> • Disincentivizes municipalities to update DC Bylaws earlier than the maximum 10-year term because of the phase-in provisions that prohibit full DC rate recovery in the first four years of a new bylaw • Subject to section 5(6)3 of the Act, any shortfall from phasing in of DC rates may need to be made up from tax levy or user rates • Any reduction in DC cost recovery could limit the Region’s ability to deliver on its growth-related capital plan which could potentially slow housing construction
<p>New DC exemptions or partial exemptions/discounts</p> <p>Proposed definitions: *Average market rent - the average market rent for the year in which the residential unit is occupied by a tenant, as identified in the bulletin entitled the “Affordable Residential Units for the Purposes of the Development Charges Act, 1997 Bulletin”,</p>	<p>1. Affordable housing (full exemption) <i>Rental</i> - rent is no greater than 80% of the average market rent*. Tenant is at arm’s length to landlord. <i>Ownership</i> - price of the residential unit is no greater than 80% of the average purchase price**; sold to a person who is dealing at arm’s length. Requires agreements with</p>	<ul style="list-style-type: none"> • Immediate financial implications are unknown and subject to future take-up 	<ul style="list-style-type: none"> • The Region currently has a number of DC deferral programs that support affordable, rental and non-profit housing, which do not need to be funded from the tax levy or user rates • Subject to section 5(6)3 of the Act, any shortfall from DC exemptions or discounts may need to be made up from tax levy or user rates

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<p>as it is amended from time to time, that is published by the Minister of Municipal Affairs and Housing</p> <p>**Average purchase price - the average purchase price applicable to a residential unit is the average purchase price for the year in which the residential unit is sold, as identified in the bulletin entitled the “Affordable Residential Units for the Purposes of the Development Charges Act, 1997 Bulletin”, published by the Minister of Municipal Affairs and Housing</p>	<p>the local municipality, which may be registered against the lands.</p> <p>2. Attainable housing (full exemption) Must meet the following criteria:</p> <ul style="list-style-type: none"> ▪ Unit is not an affordable unit ▪ Not intended for use as a rental ▪ Developed as part of a <u>prescribed development or class of developments</u> ▪ Sold to a person who is dealing at arm’s length with the seller <p>Requires agreements with the local municipality, which may be registered against the lands.</p> <p>3. Not for profit housing (full exemption) Means a corporation to which the Not-for-Profit Corporations Act, 2010 applies; a corporation without share capital to which the Canada Not-for-profit Corporations Act applies; a non-profit housing co-operative.</p> <p>4. Inclusionary zoning units (full exemption)</p>		<ul style="list-style-type: none"> • Any reduction in DC cost recovery could limit the Region’s ability to deliver on its growth-related capital plan which could potentially slow housing construction • 80% of the average purchase price of a home in York Region is ~\$1.03M (2021), which based on the proposed definition, could be deemed as affordable. This is a significantly higher threshold than municipalities are using to define affordability. As reported in the 2021 Measuring and Monitoring Report, households at the 60th percentile (who make 132k) can only afford a home worth 536K • Additional clarification will be needed from the Province to determine what qualifies as ‘attainable’ housing

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	<p>Residential units that are affordable housing units required to be included in a development or redevelopment pursuant to a by-law passed under section 34 of the Planning Act to give effect to the policies described in subsection 16 (4) (Inclusionary zoning policies).</p> <p>5. Rental housing (discount/partial exemption) Rental means development of a building or structure with four or more residential units all of which are intended for use as rented residential premises. Discounts are as follows:</p> <ul style="list-style-type: none"> ▪ 3 bedrooms or more – 25% discount ▪ 2 bedrooms – 20 % discount ▪ Any other – 15% discount 		
<p>Exemptions for second suites in existing and new buildings (including additional units in rental buildings, limited to the greater of 1 or 1% of existing units)</p>	<ul style="list-style-type: none"> • Moves from regulations to legislation with minor changes. 	<ul style="list-style-type: none"> • Immediate financial implications are unknown and subject to future take-up 	<ul style="list-style-type: none"> • In 2021, the Region saw 139 registered second suites (which were exempt from DCs). Given the proposed changes, the number of secondary/additional suites could increase • Subject to section 5(6)3 of the Act, any shortfall from DC exemptions may need to be

ATTACHMENT 5

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			<p>made up from tax levy or user rates</p> <ul style="list-style-type: none"> Any reduction in DC cost recovery could limit the Region's ability to deliver on its growth-related capital plan which could potentially slow housing construction
Removal of service - Housing	<ul style="list-style-type: none"> Municipalities are no longer able to collect development charges for Housing Services, as at Royal Assent. 	<ul style="list-style-type: none"> Immediate financial implications as Housing Services are deemed to be removed from the Region's DC Bylaw 	<ul style="list-style-type: none"> The Region's 2022 DC Background Study and Bylaw helps fund \$181 million in DC-eligible costs for the construction of over 2,700 new community housing units over the next 20 years To maintain the current capital program, any growth-related capital costs not recovered through development charges may need to be made up from the tax levy and water & wastewater user rates
Removal of DC-eligible costs – studies and land	<ul style="list-style-type: none"> Growth studies, including other studies, no longer eligible for subsequent by-laws. Costs to acquire land or an interest in land, including a leasehold interest <u>except in relation to such services as are prescribed for the purposes of</u> 	<ul style="list-style-type: none"> No immediate financial implications as this change would not take effect until the Region's next development charges update 	<ul style="list-style-type: none"> The Region's 2022 DC Background Study and Bylaw helps fund over \$200 million in growth-related plans and studies over the next 20 years Additional clarification will be needed from the Province to determine if Environmental Assessments and Infrastructure

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	<p><u>this paragraph</u> (underlined is new – services to be prescribed).</p>		<p>Master Plans remain eligible for DC recovery</p> <ul style="list-style-type: none"> • Additional clarification will be needed from the Province to determine the services that will not be eligible for land cost recovery through development charges • Any costs associated with growth studies and the acquisition of land, that are not recovered through DCs, may need to be made up from tax levy or water and wastewater user rates
<p>Interest rate changes on frozen DCs/installment payments</p>	<ul style="list-style-type: none"> • Capped at a maximum, average Prime plus 1% <p>Proposed Definition: * Average prime rate, means the mean, rounded to the nearest hundredth of a percentage point, of the annual rates of interest announced by each of the Royal Bank of Canada, The Bank of Nova Scotia, the Canadian Imperial Bank of Commerce, the Bank of Montreal and The Toronto-Dominion Bank to be its prime or reference rate of interest in effect on that date for determining interest rates on Canadian dollar commercial loans by that bank in Canada.</p>	<ul style="list-style-type: none"> • No immediate financial implications as the Region’s current rate is 5%, which is below the prescribed maximum rate 	<ul style="list-style-type: none"> • The Region will need to update its Interest Policy to reflect the change
<p>Historic average service level timeframe</p>	<ul style="list-style-type: none"> • Extended from 10 years to 15 years 	<ul style="list-style-type: none"> • No immediate financial implications as this change would not take effect until the Region’s next DC Bylaw update 	<ul style="list-style-type: none"> • Increasing the timeframe for the historical service level used to calculate DCs, from 10 to 15 years, could potentially result in lower DC rates and delay DC collections

ATTACHMENT 5

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			<ul style="list-style-type: none"> • Could impact the following services: Public Health, Waste Diversion, Court Services, Public Works, Police Services, Ambulance Services and Long-Term Care
Allocation of monies in reserve fund	<ul style="list-style-type: none"> • Beginning in 2023 and in each calendar year thereafter, a municipality shall spend or allocate at least 60% of the monies that are in a reserve fund for services at the beginning of the year. Applies to water, wastewater and roads. Additional services to which this change applies may be prescribed. 	<ul style="list-style-type: none"> • Immediate implications, with respect to reporting under section 43 of the <i>Development Charges Act, 1997</i>, as this requirement takes effect as at Royal Assent and for 2023 • York Region currently complies with this requirement because of the amount of existing debt for services already prescribed in the Bill 	<ul style="list-style-type: none"> • If by the end of 2023, and for every year thereafter, the Region does not spend or allocate 60% of the monies in the Water, Wastewater and Roads reserves, the Region could be in non-conformity with this new section • Additional clarification is needed from the Province to determine what is meant by 'allocate' and the result of non-conformity

Planning Act

(ERO# 019-6163)	Summary of Proposed Changes	Regional Implications	Preliminary Comments
Additional Residential Units	<ul style="list-style-type: none"> • Allow up to three units per lot (i.e., up to three units in the primary building, or up to two in primary building and one in ancillary building or structure). These changes would apply to any parcel of urban residential land in settlement 	<ul style="list-style-type: none"> • Potential positive increase in rental supply and affordable housing • Potential to help increase transit ridership 	<ul style="list-style-type: none"> • Require monitoring and reporting of units and prior confirmation of water and wastewater servicing capacity

(ERO# 019-6163)	Summary of Proposed Changes	Regional Implications	Preliminary Comments
	<p>areas with full municipal water and sewage services</p> <ul style="list-style-type: none"> • Prohibit municipalities from imposing development charges (regardless of unit size), parkland dedication or cash-in-lieu requirements, applying minimum unit sizes or requiring more than one parking space per unit with regard to new units built under this permission 		
<p>Planning Appeals</p>	<ul style="list-style-type: none"> • Limit third-party appeals. Appeals would only be maintained for key participants (e.g., applicants, province, public bodies, First Nations, and utility providers that participated in the process) except where appeals have already been restricted (e.g., Minister’s decision on new official plan). • The “upper-tier municipality without planning responsibilities” would not be able to appeal land use planning decisions • Region’s rights to appeal have been removed on local plans and amendments, zoning by-laws, subdivisions, consent and minor variance 	<ul style="list-style-type: none"> • Reduced public appeal rights and participation in the planning process • The Region is losing the right to seek party status on appeals of local plans and amendments and other planning instruments • Appeals made by a third-party that the Region is currently involved in will be dismissed unless the third party falls within the list of "specified persons" or public bodies specified or the appeal has been scheduled for a hearing on the merits before Oct. 25, 2022 	<ul style="list-style-type: none"> • Provide appeal mechanisms to address matters related to natural systems, Regional roads, human services and infrastructure delivery, including appeals to urban expansion where there is no Regional servicing infrastructure

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<p>Upper-tier and Lower-tier Municipal Planning Responsibilities</p>	<ul style="list-style-type: none"> • Remove planning responsibilities in the County of Simcoe, and the Regional Municipalities of Halton, Peel, York, Durham, Niagara and Waterloo. • Regulation-making authority to prescribe additional upper-tier municipalities as an “upper-tier municipality without planning responsibilities” in the future if needed • Where upper-tier planning responsibilities are removed: <ul style="list-style-type: none"> ▪ Existing upper-tier official plans would be deemed to form part of the applicable lower-tier municipality’s official plan, until the lower-tier official plan has been updated ▪ Lower-tier official plans and amendments would be approved by the Minister of Municipal Affairs and Housing (Minister’s decision on new official plans and section 26 updates would not be appealable) ▪ The approval authority for subdivisions and consents would be assigned to lower-tier municipalities, unless the Minister provides otherwise through regulation 	<ul style="list-style-type: none"> • Planning for growth and servicing have been coordinated in manner to maintain fiscal sustainability at the Regional level. With the elimination of the upper-tier planning responsibilities, it is unclear how growth management and servicing will be addressed in this new model. The current process of planning and prioritizing Regional infrastructure and service delivery will need to continue. 	<ul style="list-style-type: none"> • Could result in unintended inefficiencies and delays in the planning review/ development approval process and subsequent delay of housing construction • Risk that Regional, cross-border, infrastructure, and comprehensive planning matters including but not limited to transportation, transit, water and wastewater services and financial sustainability may not be addressed. • A transition towards local-level decision-making needs to ensure that progress in coordinated, comprehensive planning and environmental protection is maintained • Planning and development of complete communities is coordinated at the Regional level to support health and quality of life. Collaborations between public health and planning will need to continue at the local municipal level to ensure plans and development

ATTACHMENT 5

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			<p>applications have the appropriate review to support public health and a healthy built environment</p> <ul style="list-style-type: none"> • Risk that comprehensive policies in the Regional Official Plan will be removed or amended through local official plans resulting in an inconsistent policy approach
Removal of municipal Upper-tier roles	<ul style="list-style-type: none"> • The proposed changes would also have the effect of removing the following upper-tier municipal roles and requirements for an “upper-tier municipality without planning responsibilities”: <ul style="list-style-type: none"> ▪ Requirement to have planning advisory committees ▪ Ability to have land division committees ▪ Ability to have a local appeal body ▪ Ability to assume any authority, responsibility, duty or function of a lower-tier municipality ▪ Ability to use the protected major transit station area tool 	<ul style="list-style-type: none"> • The Region is no longer required to have the Planning Advisory Committee 	<ul style="list-style-type: none"> • Regional governments play an essential role in planning, financing and delivering major infrastructure to support growth management in a coordinated manner • Local municipal Planning Advisory Committees may increase public participation and input into local planning matters • The Region can support local planning advisory committees on growth management, cross-boundary and infrastructure matters
Removal of municipal Upper-tier provisions	<ul style="list-style-type: none"> • As a result of the proposed changes, the following provisions would no longer be applicable in an “upper-tier 	<ul style="list-style-type: none"> • Region’s delegated approval authority from the Province removed for local official plans 	<ul style="list-style-type: none"> • Approximately 80% of local official plan amendments are

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	<p>municipality without planning responsibilities”:</p> <ul style="list-style-type: none"> ▪ Allowing the Minister to delegate approval authority for official plans/amendments to/from upper-tier municipalities, and provisions for upper-tier municipalities to delegate to/from upper-tier municipal staff/committees or lower-tier municipalities ▪ Requiring lower-tier official plans to conform with upper-tier official plans (Existing upper-tier official plans would be deemed to form part of the applicable lower-tier municipality’s official plan, until the lower-tier official plan has been updated) ▪ Limits on appeals of official plans/amendments that are only relevant to upper-tier municipalities ▪ Requiring lower-tier official plan policies for a community planning permit system (CPPS) to conform with the upper-tier municipality’s CPPS policies 	<p>and local official plan amendments (would now be the Minister of Municipal Affairs and Housing)</p> <ul style="list-style-type: none"> • York Region’s delegation authority removed for official plan amendment exemptions to local municipalities. 	<p>already exempt from Regional approval</p> <ul style="list-style-type: none"> • Minister’s approval of lower-tier municipal official plans may result in slower decision timeframes given the increased number of approvals and less familiarity with the upper-tier plans, which may result in the unintended delay of the approvals process and subsequent delay of housing construction
<p>Role of Conservation Authorities</p>	<ul style="list-style-type: none"> • Streamlined processes to sever and dispose of land. Expedite the existing processes associated with the severance and conveyance of land, regardless of whether provincial grant money was provided under the Conservation Authorities Act, for the 	<ul style="list-style-type: none"> • Results in conservation authority land being sold for development, reducing greenspace available to the public and climate mitigation and adaptation implications including flooding due to 	<ul style="list-style-type: none"> • Conservation authority-owned lands should remain in public ownership and remain greenspace. • Any land identified that could support housing development

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	<p>purposes of projects related to flood control, erosion control, bank stabilization shoreline management works or the preservation of environmentally sensitive lands</p> <ul style="list-style-type: none"> • Limit conservation authority appeals, when acting as a public body, other than when acting as an applicant, of land use planning decisions under the Planning Act to matters related to natural hazards policies in provincial policy statements issued under the Planning Act 	<p>increased impervious land use</p> <ul style="list-style-type: none"> • COVID-19 confirmed that urban greenspace is essential in higher density communities, and existing greenspace was inadequate in addressing demand. Reduced greenspace will exacerbate inaccessibility. • Sale of lands may result in development in areas outside settlement areas not contemplated within the land use planning context or for servicing under the water and transportation master plans. Increasing servicing needs in these areas is likely to add additional to already constrained infrastructure without the ability to add additional capacity in the near-term • Will likely reduce the Region’s ability to meet its forest canopy and woodland cover targets, along with reductions in the Region’s Vision goal to 	<p>should be appropriate for such purposes and have servicing, access to amenities and services, and be located outside of hazard lands and environmental features</p> <ul style="list-style-type: none"> • Any new housing should have criteria including affordability and density • Conservation authority sale of lands to unlock housing will also require servicing in areas not contemplated. Meeting servicing needs will require a concerted effort from multiple levels of government. Presently only wastewater conveyance has been streamlined, this will need to be extended to wastewater treatment, drinking water, and roads infrastructure.

ATTACHMENT 5

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		increase greenspace per 100,000 residents	
Zoning Around Transit	<ul style="list-style-type: none"> • Require municipalities to amend their zoning by-laws to conform with official plan policies that establish minimum densities and heights around transit Major Transit Station Areas (MTSA) and Protected MTSA's within one year of the official plan policies being approved by the Minister • Restriction on appeals of the implementing zoning by-law amendments regarding permitted heights and densities and permitted uses would expire after one year of the protected major transit station official plan policies coming into effect 	<ul style="list-style-type: none"> • Potential impact on ridership, best use of transit infrastructure if PMTSA densities can be appealed following 1 year of protection 	<ul style="list-style-type: none"> • MTSA boundaries and densities should be afforded full in perpetuity protection from appeal
Community Benefit Charges (CBC)	<ul style="list-style-type: none"> • The maximum CBC payable could not exceed the prescribed percentage of the value of the land (maximum CBC of 4% of land value) multiplied by a ratio of the floor area of the new building or structure that is proposed to be erected as part of the development or redevelopment to all buildings and structures on the site • Maximum CBC payable (4% of land value) for development or redevelopment to be discounted based on the floor area of affordable housing 	<ul style="list-style-type: none"> • Not applicable 	<ul style="list-style-type: none"> • Local municipality's responsibility to administer

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	units, attainable housing units and inclusionary zoning affordable housing units as a proportion of the floor area of the total development		
Site Plan Control	<ul style="list-style-type: none"> • Remove all aspects of site plan control for residential development proposals up to 10 units, except for land lease communities • The proposed changes would also limit the scope of site plan control by removing the ability to regulate architectural details and limiting the ability to regulate aesthetic aspects of landscape design 	<ul style="list-style-type: none"> • Limiting scope of site plan control may have implications on the right-of-way, access control, tree planting, drainage, and high-quality urban design. 	<ul style="list-style-type: none"> • Potential for the loss of sustainability measures obtained through site plan approval
Parkland Dedication	<ul style="list-style-type: none"> • Affordable and attainable housing units as well as affordable housing units required by inclusionary zoning exempt from parkland dedication requirements. The maximum 5% basic rate for residential development would be discounted based on number of these units relative to total units in the development. These units would also not be included for the purposes of determining the maximum alternative rate. Not-for-profit housing developments would also be exempt from parkland dedication requirements • A second, or second and third residential unit in a detached-house, 	<ul style="list-style-type: none"> • Reduction of parkland dedication could result in reduced greenspaces and increased pressure on existing greenspaces, including Regional forests. Greenspaces play an important role in quality of life, recreation, and climate mitigation and adaptation, benefits that could be impacted by reduced greenspaces. • COVID-19 confirmed that urban greenspace is essential in higher density communities, 	<ul style="list-style-type: none"> • Reduction of parkland dedication may make it difficult for municipalities to provide enough greenspace to meet resident demands • Recommend ensuring parkland dedication prioritizes accessible and equitable allocation of green spaces for all types of housing units, including affordable and attainable housing units, and in higher density communities.

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	<p>semi-detached house or rowhouse would be exempt from parkland dedication requirements, as would one residential unit in an ancillary structure</p> <ul style="list-style-type: none"> • Require parkland dedication rates to be determined at time of zoning/site plan application • The maximum alternative parkland dedication rate for land conveyed of 1 hectare for each 300 dwelling units would be changed to 1 hectare for each 600 net residential units and for payments in lieu, the current rate of 1 hectare for each 500 dwelling units would be changed to 1 hectare for each 1000 net residential units • No more than 15% of the amount of land subject to the development proposal (or equivalent value) could be required for parks or other recreational purposes for sites greater than 5 hectares and no more than 10% for sites 5 hectares or less • Require municipalities to develop a 'parks plan' before passing a parkland dedication by-law instead of developing such a plan before adopting the official 	<p>and existing greenspace was inadequate in addressing demand. Reduced greenspace will exacerbate inaccessibility.</p> <ul style="list-style-type: none"> • May reduce development costs for Regional and non-profit community housing, consistent with Regional Council's resolution requesting local municipalities to exempt Housing York Inc. developments from local parkland fees. 	

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	<p>plan policies required to be able to use the alternative parkland requirement</p> <ul style="list-style-type: none"> Beginning in 2023, the proposed changes would require municipalities to allocate or spend at least 60% of their parkland dedication reserve balance at the start of each year 		

Conservation Authorities Act

(ERO# 019-2927 and ERO# 019-6141)	Summary of Proposed Changes	Regional Implications	Preliminary Comments
Proposed Regulation	<ul style="list-style-type: none"> Repeal the 36 individual regulations under the Conservation Authorities Act, a single regulation is proposed for all 36 Authorities in the province. 	<ul style="list-style-type: none"> Minimal, additional powers will be provided for Lake Simcoe Region Conservation Authority to support the implementation of the Lake Simcoe Protection Plan 	
Identify Lands for Housing	<ul style="list-style-type: none"> Require a land inventory to identify conservation authority-owned or controlled lands that could support housing development. Disposition (sales, easements, leases) of conservation authority-owned land will be streamlined to facilitate development of these lands 	<ul style="list-style-type: none"> Results in conservation authority land being sold for development, reducing greenspace available to the public and climate mitigation and adaptation implications including flooding due to increased impervious land use COVID-19 confirmed that urban greenspace is essential in higher-density communities, and existing greenspace was 	<ul style="list-style-type: none"> Conservation authority-owned lands should remain in public ownership and remain greenspace Any land identified that could support housing development should be appropriate with servicing, access to amenities and services, and be located outside of hazard lands and environmental features

ATTACHMENT 5

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		<p>inadequate in addressing demand. Reduced greenspace will exacerbate inaccessibility</p> <ul style="list-style-type: none"> • Will likely reduce the Region’s ability to meet its forest canopy and woodland cover targets, along with reductions in the Region’s Vision goal to increase greenspace per 100,000 residents • Sale of lands may result in development in areas outside settlement areas not contemplated within the land use planning context or for servicing under the water and transportation master plans. Increasing servicing needs in these areas is likely to add additional to already constrained infrastructure without the ability to add additional capacity in the near-term 	<ul style="list-style-type: none"> • Any new housing should have criteria including affordability and density • Conservation authority sale of lands to unlock housing will also require servicing in areas not contemplated. Meeting servicing needs will require a concerted effort from multiple levels of government. Presently only wastewater conveyance has been streamlined, this will need to be extended to wastewater treatment, drinking water, and roads infrastructure
<p>Limitation on commenting and review of development</p>	<ul style="list-style-type: none"> • Prevents a review or commenting role for a wide array of legislation, which cannot be included under an agreement with a municipality 	<ul style="list-style-type: none"> • Prevents conservation authorities from undertaking a commenting role on behalf of the Region for a wide array of legislation, including the 	<ul style="list-style-type: none"> • Conservation authorities perform an important role in the planning process on behalf of municipalities, limiting their ability to provide this support

ATTACHMENT 5

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related proposals and applications		<p>Endangered Species Act, Environmental Assessment Act, Environmental Protection Act, and Planning Act</p> <ul style="list-style-type: none"> • Region relies on conservation authority expertise to execute municipal duties under the legislation listed, including reviewing these applications from a water resource sustainability perspective 	<p>impacts the ability of a municipality to execute its duties. This could result in the unintended delay of approvals and subsequent delay of housing construction</p>
Community Infrastructure and Housing Accelerator	<ul style="list-style-type: none"> • Require conservation authorities to issue permits for projects subject to a Community Infrastructure and Housing Accelerator order and allow the Minister to review and amend any conditions attached to those permits to expedite zoning changes 	<ul style="list-style-type: none"> • Given that conservation authorities' permitting authority is limited strictly to natural hazards, this infers a Community Infrastructure and Housing Accelerator order could occur in hazard lands such as floodplains, resulting in risk and insurance implications, and climate adaptation implications 	<ul style="list-style-type: none"> • Conservation Authorities should not be compelled to approve permits for development within regulated areas unless appropriate to do so
Minister's Zoning Order conditions	<ul style="list-style-type: none"> • Gives authority to the Minister to prescribe conditions on a permit issued by a conservation authority where there is a Minister's Zoning Order, and to also prescribe limits on what conditions a conservation authority may include 	<ul style="list-style-type: none"> • Given that conservation authorities' permitting authority is limited strictly to natural hazards, this infers a development could occur in hazard lands such as floodplains, resulting in risk and 	<ul style="list-style-type: none"> • Conservation Authorities should not be compelled to approve permits for development within regulated areas unless appropriate to do so

ATTACHMENT 5

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		insurance implications, and climate adaptation implications	
Permit Exemptions	<ul style="list-style-type: none"> Exempt development authorized under the Planning Act from requiring a permit under the Conservation Authorities Act in municipalities set out in regulation, where certain conditions are met as set out in regulation 	<ul style="list-style-type: none"> Limiting conservation authorities' permitting authority strictly to natural hazards reduces their ability to protect Regional watersheds 	<ul style="list-style-type: none"> Conservation Authorities should not be compelled to approve permits for development within regulated areas unless appropriate to do so
Permit Decisions	<ul style="list-style-type: none"> "Pollution" and "conservation of land" no longer considered in development permit decisions 	<ul style="list-style-type: none"> Changes to permitting limiting conservation authorities permitting powers to natural hazard lands reduces their ability to reject development that has pollution or land conservation impacts, presenting additional environmental and source water protection risks 	<ul style="list-style-type: none"> Watershed and natural systems protection, including conservation of land is essential to ensuring healthy complete communities and quality of life to York Region residents by providing access to natural open spaces
Appeal Timeframe	<ul style="list-style-type: none"> Change the timeframe in which a permit applicant can appeal to the Ontario Land Tribunal if a CA does not issue a permit from 120 days to 90 days 	<ul style="list-style-type: none"> No Regional implications 	
Fee freeze	<ul style="list-style-type: none"> Conservation Authority fees will be frozen at current levels 	<ul style="list-style-type: none"> No Regional implications 	<ul style="list-style-type: none"> Freezing fees may impact the ability to self-fund CA services putting additional pressure on municipal tax levy

Municipal Act, 2001

Area	Summary of Proposed Changes	Regional Implications	Initial Comments
Residential Rental Properties	<ul style="list-style-type: none"> Establishes authority for the Minister of Municipal Affairs and Housing to make regulations imposing limits and conditions on the powers of a municipality to prohibit and regulate the demolition and conversion of residential rental properties 	<ul style="list-style-type: none"> This could reduce existing affordable housing stock in the Region due to demolition and conversion 	<ul style="list-style-type: none"> Reducing affordable rental housing stock contradicts the Provincial objective of providing more affordable rental housing

Ontario Land Tribunal Act

Area (Proposal #22-MAG011)	Summary of Proposed Changes	Regional Implications	Initial Comments
Dismissal of Proceedings	<ul style="list-style-type: none"> The Tribunal may dismiss a proceeding without a hearing if the Tribunal is of the opinion that the party who brought the proceeding has contributed to undue delay of the proceeding or if a party has failed to comply with an order of the Tribunal in the proceeding 	<ul style="list-style-type: none"> There may be some implications for appeals which are transitioned, where the Region is already a party 	<ul style="list-style-type: none"> York Region supports these efforts to streamline appeals
Costs	<ul style="list-style-type: none"> Gives the Tribunal the power to order an unsuccessful party to pay a successful party's costs, intended to encourage parties to reach an agreement without going through the Tribunal 	<ul style="list-style-type: none"> There may be some implications for appeals which are transitioned, where the Region is already a party 	
Regulation-Making Authority	<ul style="list-style-type: none"> Provides new authority for the Lieutenant Governor in Council to make regulations requiring the Tribunal to prioritize the resolution of 	<ul style="list-style-type: none"> None 	

	<p>specified classes of proceedings, such as cases that create the most housing, for example</p> <ul style="list-style-type: none"> • The Minister will have power to make regulations setting service standards with respect to timing of hearings and decisions for specific case resolution activities 		
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Additional Proposed Changes

Area	Summary of Proposed Changes	Regional Implications	Initial Comments
<p>Municipal Housing Targets and Housing Pledge (ERO# 019-6171)</p>	<ul style="list-style-type: none"> • Assignment of municipal housing targets to 29 selected lower- and single-tier municipalities over the next 10 years • Four municipalities in York Region have housing targets: <ul style="list-style-type: none"> ▪ City of Markham: 44,000 ▪ City of Vaughan: 42,000 ▪ City of Richmond Hill: 27,000 ▪ Town of Newmarket: 12,000 • Direct municipalities to create a 'housing pledge' to implement housing targets which outlines actions municipalities will take to meet targets, and a 'vehicle' for identifying policy proposals to increase housing and infrastructure 	<ul style="list-style-type: none"> • Uncertainties regarding population forecasts in the Growth Plan and the Regional Official Plan, and achievability and enforceability of proposed targets • Without housing affordability, mix and type requirements, housing may be unaffordable 	<ul style="list-style-type: none"> • Need to ensure alignment of targets with infrastructure capacity and timing • Ensure targets for different housing mix and types, and affordability • Ensure targets align with the ability of the private market and the labour force to deliver • The Region has started the Affordable Private Market Housing Implementation Plan to look at mechanisms for local municipalities to use to implement housing pledges

	needs. Pledges are due March 1, 2023 with reporting towards the target annually		
Review of A Place to Grow and Provincial Policy Statement (ERO# 019-6177)	<ul style="list-style-type: none"> Province seeking feedback on proposal to integrate the PPS and A Place to Grow into a single new province-wide plan, streamlining and providing greater flexibility in core elements including <ul style="list-style-type: none"> Residential Land Supply Attainable Housing Supply and Mix Growth Management Agriculture and Natural Heritage Community Infrastructure 	<ul style="list-style-type: none"> Through the Municipal Comprehensive Review, the Region has integrated Growth Plan policies and targets into the Regional Official Plan to achieve conformity. The York Region Official Plan provides 30 years of housing supply with comprehensive planning that integrates financial, infrastructure, and land use planning, ensuring a consistent approach to growth management for all nine local municipalities 	<ul style="list-style-type: none"> There are uncertainties regarding the relationship between merging the PPS and Growth Plan and increasing housing supply Integration of Growth Plan and PPS may reduce certainty making it more difficult to manage growth and deliver infrastructure Eliminating or watering down the Growth Plan would set comprehensive planning backward
Revocation of the Parkway Belt West Plan (ERO# 019-6167)	<ul style="list-style-type: none"> Proposal to revoke the Parkway Belt West Plan to potentially increase housing supply 	<ul style="list-style-type: none"> No Regional implications 	<ul style="list-style-type: none"> The Region supports the proposal to revoke the Parkway Belt West Plan
Rent-to-Own Arrangements (Proposal # 22-MMAH018)	<ul style="list-style-type: none"> Explore 'rent-to-own' home financing model in supporting housing attainability in the province. Potential to engage in a rent-to-own arrangement with two contracts: <ul style="list-style-type: none"> Rental agreement Rent to own agreement The province is seeking feedback on the viability, barriers and issues for renters on the rent to own model, as 	<ul style="list-style-type: none"> No immediate Regional implications as any rent-to-own agreement would be between the developer and the homebuyer Unclear if the Province is assuming a local role (i.e. for Service Managers) in administering a rent-to-own program 	<ul style="list-style-type: none"> The Province should consider setting a legal framework for rent-to-own agreements which developers must follow when entering into agreements with households, to ensure consumer protections. The Province should ensure alignment with any federal rent-to-own initiatives, as the Federal

ATTACHMENT 5

	<p>well as the provincial role to facilitate these agreements</p>		<p>government committed to supporting rent-to-own projects as part of the 2022 Budget.</p> <ul style="list-style-type: none"> • If the Province is assuming a role for municipalities (i.e. Service Managers) in the delivery of this program, administration funding must be provided and eligibility criteria should align with the priorities and needs within the service area.
<p>Proposed Updates to the Ontario Wetland Evaluation System (ERO# 019-6160)</p>	<ul style="list-style-type: none"> • Proposed changes to content in the Ontario Wetland Evaluation System (OWES) manuals including new guidance and moving approval to the professional opinion of wetland evaluators and local decision makers including municipalities. Removal of species at risk and wetland grouping criteria in determining a wetland's significance 	<ul style="list-style-type: none"> • When considered in the context of the broader changes proposed in Bill 23, changes to the evaluation system opens the possibility of development on wetlands and in floodplains. Such a change has the potential to reduce natural functions and groundwater recharge, while also presenting greater flooding risks 	<ul style="list-style-type: none"> • Any changes to the wetland evaluation system should continue to place strong emphasis on maintaining wetland complexes and species at risk habitat and ensuring that development is not permitted in areas where it would present a risk to homeowners
<p>Conserving Ontario's Natural Heritage (ERO # 019-6161)</p>	<ul style="list-style-type: none"> • A discussion paper seeks feedback on how Ontario could offset development pressures on wetlands, woodlands, and other natural wildlife habitat • The Ministry of Natural Resources and Forestry is considering developing an offset policy that 	<ul style="list-style-type: none"> • This may result in natural heritage loss within the Region since there isn't a principle that requires the offsetting to happen locally 	<ul style="list-style-type: none"> • Any offsetting should result in a net gain in natural heritage features and functions within the local area

	<p>would require a net positive impact on these features</p>		
<p>Inclusionary Zoning (ERO #019-6173)</p>	<ul style="list-style-type: none"> • Proposed changes to inclusionary zoning (IZ) rules would standardize the following across the province: <ul style="list-style-type: none"> ▪ Set a maximum affordability period of 25 years ▪ Limit the number of affordable units to 5% of the total number of units or 5% of the total gross floor area of the total residential units, not including common areas ▪ Set affordability at 80% of the average resale price of ownership units or 80% of the average market rent for rental units 	<ul style="list-style-type: none"> • Under the current IZ framework, local municipalities have the ability to set affordability periods, unit set aside rates and affordable sales prices and rents to address local housing needs • The proposed changes would standardize IZ policies across municipalities that choose to implement it, and limit the ability of municipalities to secure more units with longer affordability periods at deeper levels of affordability 	<ul style="list-style-type: none"> • The Province is encouraged to continue to allow local flexibility to ensure IZ policies address local housing needs • Municipal incentives associated with providing IZ units should correspond to the financial value of the IZ units being provided, in terms of depth and length of affordability, and the number of units secured • Provincial regulations must include transition rules to ensure tenants occupying the unit at the end of the affordability period do not experience significant rent increases

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