



**TOWNSHIP OF MELANCTHON ELECTRONIC MEETING
INAUGURAL COUNCIL MEETING
THURSDAY, DECEMBER 1, 2022 - 9:00 A.M.**

Council meetings are recorded and will be available on the Township website under Quick Links – Council Agendas and Minutes within 5 business days of the Council meeting.

Join Zoom Meeting

<https://us02web.zoom.us/j/89173678582?pwd=TkVJMHFrelItSzVQRHovMGpINGdWQT09>

Meeting ID: 891 7367 8582

Passcode: 253982

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Meeting ID: 891 7367 8582

Passcode: 253982

AGENDA

- 1. Opening of Meeting** – Denise B. Holmes, CAO/Clerk
- 2. Declaration of Office by Members of Council** - Denise B. Holmes, CAO/Clerk
- 3. Call Council Meeting to Order and Welcome** – Mayor Darren White
- 4. Land Acknowledgement Statement** - Mayor Darren White

We will begin the meeting by sharing the Land Acknowledgement Statement:

We would like to begin by acknowledging that Melancthon Township recognizes the ancestral lands and treaty territories of the Tionontati (Petun/Wyandot(te)), Haudenosaunee (Six Nations), and Anishinaabe Peoples. The Township of Melancthon resides within the lands named under the Haldimand Deed of 1784 and the Lake Simcoe-Nottawasaga Treaty (Treaty 18).

These territories upon which we live and learn, are steeped in rich Indigenous history and traditions. It is with this statement that we declare to honour and respect the past and present connection of Indigenous peoples with this land, its waterways and resources.

5. Announcements

6. Additions, Deletions, Approval of the Agenda

7. Declaration of Pecuniary Interest and the General Nature Thereof

8. Approval of Draft Minutes – November 10, 2022

9. Business Arising from Minutes

10. Point of Privilege or Personal Privilege

11. Public Question Period (Please visit our website under Agendas and Minutes for information on Public Question Period)

12. Public Works

1. Accounts
2. Other

13. Planning

1. Applications to Permit
2. Bill 23, More Homes Built Faster Act
 1. Assessment of Bill 23 Re Development Charges – Watson & Associates
 2. Assessment of Bill 23 Re Conservation Authorities Act – Watson & Associates
 3. Assessment of Bill 23 Re Parkland Dedication – Watson & Associates
 4. Assessment of Bill 23 Re Planning Act and Conservation Authorities Act - Watson & Associates
 5. AMO Submission on Bill 23, Better Municipal Governance Act, 2022 Introduced – Expanding “Strong Mayor” Tools
3. Other

14. Correspondence

Board, Committee & Working Group Minutes

1. Multi-Municipal Wind Turbine Working Group – September 8, 2022

Board & Committee Recommendations

1. Horning’s Mills Park Board Recommendations

Items for Information Purposes

1. Melancthon 2023 Council Meeting Schedule
2. Dufferin County Council Inaugural Meeting
3. RJ Burnside & Associate Limited – Drainage Superintendent Services
4. Municipality of Huron Shores – Opposition to Bill 23
5. Intelivote Election Statistics – Melancthon 2022
6. 2023 Ontario Municipal Partnership Fund Release Documents
7. Letter of Congratulations from Minister Steve Clark
8. Municipality of Lambton Shores – Proposed Legislation Bill 23
9. Primrose School Update – Deputy Mayor McLean
10. Town of Mono – Bill 23 Letter to Minister Clark

Items for Council Action

1. Grand River Conservation Authority - Pre-Consultation Regarding Proposed Changes to the Grand River and South Georgian Bay Lake Simcoe Source Protection Plans, Under s.34 of the Clean Water Act, 2006
2. Horning's Mills Hall Board Request for Additional Member

15. General Business

1. Accounts
2. Report from Denise Holmes – Council Member Appointments to Boards and Committees
3. Notice of Intent to Pass By-law
 1. Municipal Officials
 2. Committee of Adjustment
 3. Authorize the Signing of the Memorandum of Understanding Between the Corporation of the County of Dufferin and the Corporation of the Township of Melancthon for Shared Land Use Planning Services
4. New/Other Business/Additions
 1. Appointment of Nottawasaga Valley Conservation Authority Board Member
 2. Appointment of Multi-Municipal Wind Turbine Working Group Member
 3. Appointment of Roads Sub-Committee – Three Members of Council
 4. Appointment of Environmental Sustainability Committee – Three Members of Council
 5. Appointment of Human Resources Sub-Committee – Two Members of Council
 6. Appointment of Road Safety Task Force – Three Members of Council
 7. Appointment of a Member to the Grand River Conservation Authority Board of Management
 8. Appointment of the Chair of the Property Standards Appeal Committee
 9. Appointment of the Chair of the Committee of the Whole
5. Unfinished Business
 1. Township Diversity Policy

16. Delegations

1. 11:00 a.m. – Jennifer Kostyria and Spencer Fitzpatrick, Ministry of Municipal Affairs and Housing – Council Orientation Training Session

17. Third Reading of By-laws

18. Notice of Motion

19. Confirmation By-law

20. Adjournment and Date of Next Meeting – Thursday, December 15, 2022 at 9:00 a.m.

DECLARATION OF OFFICE

(Section 232 of the *Municipal Act, 2001*)

I _____, having been elected or appointed to the office
(name of person)

of _____
(name of office)

in the municipality of _____
(name of municipality)

do solemnly promise and declare that:

1. I will truly, faithfully and impartially exercise this office to the best of my knowledge and ability.
2. I have not received and will not receive any payment or reward, or promise thereof, for the exercise of this office in a biased, corrupt or any improper manner.
3. I will disclose any pecuniary interest, direct or indirect, in accordance with the *Municipal Conflict of Interest Act*.
4. I will be faithful and bear true allegiance to His Majesty King Charles the Third.

And I make this solemn promise and declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

Declared before me at the _____)
 at the.....)
)
)
 on)
 _____)

signature of declarant

Commissioner for taking Affidavits

**APPLICATIONS TO PERMIT FOR APPROVAL
December 1, 2022 COUNCIL MEETING**

PROPERTY OWNER	PROPERTY DESCRIPTION	SIZE OF BUILDING	TYPE OF STRUCTURE	USE OF BUILDING	DOLLAR VALUE	D.C.'s	COMMENTS
Amsey Bauman Agent - Aaron Bauman	116116 2nd Line SW Pt Lot 302, Con 3 SW	115.57 m2 (1244 sqft)	Addition	Rebuild Portion of House, and add 3 Porches	\$250,000	No	Approved
Ryan Byers	199226 2nd Line NE Pt Lot 220, Con 2 NE 7R3692 Part 2	241.54 m2 (2600 sqft)	Accessory Building	Personal Storage	\$80,000	No	Approved
Howard Kated Agent - Harry M. Lay	53 Church Street Pt Lot 14, Con 2 Os Rp 7R4298 Part1pt	442.36 m2 (4761.52 sqft)	Single Family Dwelling	Dwelling	\$750,000	No	Failed - NEC approval required and possibly NVCA (No DC's as former house was taken down less then 5 years ago)
Levi F. Martin Agent - Aaron Bauman	198093 2nd Line NE Pt Lot 19, Con 3 NE	185.8 m2 (2000 sqft)	Home Industry	Wood Working Shop	\$150,000		Failed - the same driveway must be used for the house and the home industry as per the by-law
Clinton Black	117022 2nd Line SW Pt Lots 289/290, Con 3 SW RP 7R5841 Part 1	467.5 m2 (5032.12 sqft)	Addition to Existing Accessory Building	Personal Storage/Workshop	\$100,000	No	Approved
Heather Spencer-Caughill	118142 2nd Line SW Pt Lots 253/254, Con 3 SW	558 m2 (6006.26 sqft)	Accessory Building	Farm Machinery Storage		No	Failed - no dollar value on application, designer page of application missing and site plan did not have setbacks labeled

Denise Holmes

From: Watson & Associates Economists Ltd. <info@watsonecon.ca>
Sent: Friday, November 11, 2022 6:09 PM
To: Watson & Associates Economists Ltd.
Subject: Assessment of Bill 23 (More Homes Built Faster Act) - Development Charges
Attachments: Assessment of Bill 23 (More Homes Built Faster Act) – Development Charges.pdf

Good afternoon:

In follow-up to our correspondence on October 31, 2022, we are continuing to provide information on the proposed legislative changes arising from Bill 23, the *More Homes Built Faster Act, 2022*.

As a firm, we are committed to keeping our clients up to date on these proposed legislative changes and the anticipated impacts arising from the proposed Bill. We will be sending out multiple letters that cover the following topics:

- Development Charges;
- Community Benefits Charges;
- Parkland Dedication;
- Conservation Authorities; and
- Planning Matters.

These letters will also be posted to our website in the Insights section under Opinions.

The attached letter provides further details with respect to the anticipated impacts arising from the changes to the *Development Charges Act*.

If you have any questions regarding Bill 23, we would be pleased to discuss them with you, at your convenience.

Best regards,

Andrew Grunda, MBA, CPA, CMA
Principal



Watson & Associates
Economists Ltd.

grunda@watsonecon.ca
Office: 905-272-3600 ext. 229
Mobile: 905-301-2523
Fax: 905-272-3602

watsonecon.ca



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November 11, 2022

To Our Development Charge Clients:

Re: Assessment of Bill 23 (*More Homes Built Faster Act*) – Development Charges

On behalf of our many municipal clients, we are continuing to provide the most up-to-date information on the proposed changes to the *Development Charges Act* (D.C.A.) as proposed by Bill 23 (*More Homes Built Faster Act*). As identified in our October 31, 2022 letter to you, our firm is providing an evaluation of the proposed changes to the D.C.A. along with potential impacts arising from these changes. The following comments will be included in our formal response to the Province, which we anticipate presenting to the Standing Committee on Heritage, Infrastructure and Cultural Policy next week.

1. Overview Commentary

The Province has introduced Bill 23 with the following objective: “*This plan is part of a long-term strategy to increase housing supply and provide attainable housing options for hardworking Ontarians and their families.*” The Province’s plan is to address the housing crisis by targeting the creation of 1.5 million homes over the next 10 years. To implement this plan, Bill 23 introduces a number of changes to the D.C.A., along with nine other Acts including the *Planning Act*, which seek to increase the supply of housing.

As discussed later in this letter, there are proposed changes to the D.C.A. which we would anticipate may limit the future supply of housing units. For urban growth to occur, water and wastewater services must be in place before building permits can be issued for housing. Most municipalities assume the risk of constructing this infrastructure and wait for development to occur. Currently, 26% of municipalities providing water/wastewater services are carrying negative development charge (D.C.) reserve fund balances for these services¹ and many others are carrying significant growth-related debt. In addition to the current burdens, Bill 23 proposes to:

- Phase in any new by-laws over five years which, on average, would reduce D.C. revenues by approximately 10%;
- Introduce new exemptions which would provide a potential loss of 10-15% of the D.C. funding;

¹ Based on 2020 Financial Information Return data.



- Remove funding of water/wastewater master plans and environmental assessments which provide for specific planning and approval of infrastructure; and
- Make changes to the *Planning Act* that would minimize upper-tier planning in two-tier systems where the upper-tier municipality provides water/wastewater servicing. This disjointing between planning approvals and timing/location of infrastructure construction may result in inefficient servicing, further limiting the supply of serviced land.

The loss in funding noted above must then be passed on to existing rate payers. This comes at a time when municipalities must implement asset management plans under the *Infrastructure for Jobs and Prosperity Act* to maintain existing infrastructure. Significant annual rate increases may then limit funding to the capital budget and hence delay construction of growth-related infrastructure needed to expand the supply of serviced land.

The above-noted D.C.A. changes will also impact other services in a similar manner.

The removal of municipal housing as an eligible service will reduce municipalities' participation in creating assisted/affordable housing units. Based on present D.C. by-laws in place, over \$2.2 billion in net growth-related expenditures providing for over 47,000 units (or 3.1% of the Province's 1.5 million housing target) would be impacted by this change.

The proposed changes to the D.C.A. result in a subsidization of growth by the existing rate/taxpayer by reducing the D.C.s payable. Over the past 33 years, there have been changes made to the D.C.A. which have similarly reduced the D.C.s payable by development. These historical reductions have not resulted in a decrease in housing prices; hence, it is difficult to relate the loss of needed infrastructure funding to affordable housing. The increases in water/wastewater rates and property taxes would directly impact housing affordability for the existing rate/taxpayer.

While the merits of affordable housing initiatives are not in question, they may be best achieved by participation at local, provincial, and federal levels. Should the reduction in D.C.s be determined to be a positive contributor to increasing the amount of affordable housing, then grants and subsidies should be provided to municipalities to fund the growth-related infrastructure and thereby reduce the D.C. In this way, the required funding is in place to create the land supply. Alternatively, other funding options could be made available to municipalities as an offset (e.g., the Association of Municipalities of Ontario (AMO) has suggested municipalities have access to 1% of HST, consideration of a special Land Transfer Tax, etc.).

A summary of the proposed D.C.A. changes, along with our firm's commentary, is provided below.



2. Changes to the D.C.A.

2.1 Additional Residential Unit Exemption: The rules for these exemptions are now provided in the D.C.A., rather than the regulations and are summarized as follows:

- Exemption for residential units in existing rental residential buildings – For rental residential buildings with four or more residential units, the greater of one unit or 1% of the existing residential units will be exempt from D.C.
- Exemption for additional residential units in existing and new residential buildings
 - The following developments will be exempt from a D.C.:
 - A second unit in a detached, semi-detached, or rowhouse if all buildings and ancillary structures cumulatively contain no more than one residential unit;
 - A third unit in a detached, semi-detached, or rowhouse if no buildings or ancillary structures contain any residential units; and
 - One residential unit in a building or structure ancillary to a detached, semi-detached, or rowhouse on a parcel of urban land, if the detached, semi-detached, or rowhouse contains no more than two residential units and no other buildings or ancillary structures contain any residential units.

Analysis/Commentary

- For existing single-family homes, this change will not have an impact. For other existing low/medium-density units and for all new units, however, this allowance of a third additional unit that will be exempt from D.C.s adds a further revenue loss burden to municipalities to finance infrastructure. This is of greatest concern for water and wastewater services where each additional unit will require additional capacity in water and wastewater treatment plants. This additional exemption will cause a reduction in D.C.s and hence will require funding by water and wastewater rates.
- Other services, such as transit and active transportation, will also be impacted as increased density will create a greater need for these services, and without an offsetting revenue to fund the capital needs, service levels provided may be reduced in the future.

2.2 Removal of Housing as an Eligible D.C. Service: Housing services would be removed as an eligible service. Municipalities with by-laws that include a charge for housing services can no longer collect for this service once subsection 2 (2) of Schedule 3 of the Bill comes into force.

Analysis/Commentary

- The removal of housing services will reduce municipalities' participation in creating assisted/affordable housing units and/or put further burden on municipal



taxpayers. This service seeks to construct municipal affordable housing for growing communities. The removal of this service could reduce the number of affordable units being constructed over the next ten years, if the municipalities can no longer afford the construction. Based on present D.C. by-laws in place, over \$2.2 billion in net growth-related expenditures providing for over 47,000 additional units (or 3.1% of the Province's 1.5 million housing target) would be impacted by this change.

2.3 New Statutory Exemptions: Affordable units, attainable units, inclusionary zoning units and non-profit housing developments will be exempt from the payment of D.C.s, as follows:

- Affordable Rental Units: Where rent is no more than 80% of the average market rent as defined by a new bulletin published by the Ministry of Municipal Affairs and Housing.
- Affordable Owned Units: Where the price of the unit is no more than 80% of the average purchase price as defined by a new bulletin published by the Ministry of Municipal Affairs and Housing.
- Attainable Units: Excludes affordable units and rental units; will be defined as prescribed development or class of development and sold to a person who is at "arm's length" from the seller.
 - Note: for affordable and attainable units, the municipality shall enter into an agreement that ensures the unit remains affordable or attainable for 25 years.
- Inclusionary Zoning Units: Affordable housing units required under inclusionary zoning by-laws will be exempt from a D.C.
- Non-Profit Housing: Non-profit housing units are exempt from D.C. instalment payments due after this section comes into force.

Analysis/Commentary

- While this is an admirable goal to create additional affordable housing units, further D.C. exemptions will continue to provide additional financial burdens on municipalities to fund these exemptions without the financial participation of senior levels of government.
- The definition of "attainable" is unclear, as this has not yet been defined in the regulations.
- Municipalities will have to enter into agreements to ensure these units remain affordable and attainable over a period of time which will increase the administrative burden (and costs) on municipalities. These administrative burdens will be cumbersome and will need to be monitored by both the upper-tier and lower-tier municipalities.
- It is unclear whether the bulletin provided by the Province will be specific to each municipality, each County/Region, or Province-wide. Due to the disparity in



incomes across Ontario, affordability will vary significantly across these jurisdictions. Even within an individual municipality, there can be disparity in the average market rents and average market purchase prices.

2.4 Historical Level of Service: Currently, the increase in need for service is limited by the average historical level of service calculated over the ten year period preceding the preparation of the D.C. background study. This average will be extended to the historical 15-year period.

Analysis/Commentary

- For municipalities experiencing significant growth in recent years, this may reduce the level of service cap, and the correspondingly D.C. recovery. For many other municipalities seeking to save for new facilities, this may reduce their overall recoveries and potentially delay construction.
- This further limits municipalities in their ability to finance growth-related capital expenditures where debt funding was recently issued. Given that municipalities are also legislated to address asset management requirements, their ability to incur further debt may be constrained.

2.5 Capital Costs: The definition of capital costs may be revised to prescribe services for which land or an interest in land will be restricted. Additionally, costs of studies, including the preparation of the D.C. background study, will no longer be an eligible capital cost for D.C. funding.

Analysis/Commentary

- Land
 - Land costs are proposed to be removed from the list of eligible costs for certain services (to be prescribed later). Land represents a significant cost for some municipalities in the purchase of property to provide services to new residents. This is a cost required due to growth and should be funded by new development, if not dedicated by development directly.
- Studies
 - Studies, such as Official Plans and Secondary Plans, are required to establish when, where, and how a municipality will grow. These growth-related studies should remain funded by growth.
 - Master Plans and environmental assessments are required to understand the servicing needs development will place on hard infrastructure such as water, wastewater, stormwater, and roads. These studies are necessary to inform the servicing required to establish the supply of lands for development; without these servicing studies, additional development cannot proceed. This would restrict the supply of serviced land and would be counter to the Province's intent to create additional housing units.



2.6 Mandatory Phase-in of a D.C.: For all D.C. by-laws passed after June 1, 2022, the charge must be phased-in annually over the first five years the by-law is in force, as follows:

- Year 1 – 80% of the maximum charge;
- Year 2 – 85% of the maximum charge;
- Year 3 – 90% of the maximum charge;
- Year 4 – 95% of the maximum charge; and
- Year 5 to expiry – 100% of the maximum charge.

Note: for a D.C. by-law passed on or after June 1, 2022, the phase-in provisions would only apply to D.C.s payable on or after the day subsection 5 (7) of Schedule 3 of the Bill comes into force (i.e., no refunds are required for a D.C. payable between June 1, 2022 and the day the Bill receives Royal Assent). The phased-in charges also apply with respect to the determination of the charges under section 26.2 of the Act (i.e., eligible site plan and zoning by-law amendment applications).

Analysis/Commentary

- Water, wastewater, stormwater, and roads are essential services for creating land supply for new homes. These expenditures are significant and must be made in advance of growth. As a result, the municipality assumes the investment in the infrastructure and then assumes risk that the economy will remain buoyant enough to allow for the recovery of these costs in a timely manner. Otherwise, these growth-related costs will directly impact the existing rate payer.
- The mandatory phase-in will result in municipalities losing approximately 10% to 15% of revenues over the five-year phase-in period. For services such as water, wastewater, stormwater, and to some extent roads, this will result in the municipality having to fund this shortfall from other sources (i.e., taxes and rates). This may result in: 1) the delay of construction of infrastructure that is required to service new homes; and 2) a negative impact on the tax/rate payer who will have to fund these D.C. revenue losses.
- Growth has increased in communities outside the Greater Toronto Area (G.T.A.) (e.g. municipalities in the outer rim), requiring significant investments in water and wastewater treatment services. Currently, there are several municipalities in the process of negotiating with developing landowners to provide these treatment services. For example, there are two municipalities within the outer rim (one is 10 km from the G.T.A. while the other is 50 km from the G.T.A.) imminently about to enter into developer agreements and award tenders for the servicing of the equivalent of 8,000 single detached units (or up to 20,000 high-density units). This proposed change to the D.C.A. alone will stop the creation of those units due to debt capacity issues and the significant financial impact placed on



ratepayers due to the D.C. funding loss. Given our work throughout the Province, it is expected that there will be many municipalities in similar situations.

- Based on 2020 Financial Information Return (F.I.R.) data, there are 214 municipalities with D.C. reserve funds. Of those, 130 provide water and wastewater services and of those, 34 municipalities (or 26%) are carrying negative water and wastewater reserve fund balances. As a result, it appears many municipalities are already carrying significant burdens in investing in water/wastewater infrastructure to create additional development lands. This proposed change will worsen the problem and, in many cases, significantly delay or inhibit the creation of serviced lands in the future.
- Note that it is unclear how the phase-in provisions will affect amendments to existing D.C. by-laws.

2.7 D.C. By-law Expiry: A D.C. by-law would expire ten years after the day it comes into force. This extends the by-law's life from five years, currently. D.C. by-laws that expire prior to subsection 6 (1) of the Bill coming into force would not be allowed to extend the life of the by-law.

Analysis/Commentary

- The extension of the life of the D.C. by-law would appear to not have an immediate financial impact on municipalities. Due to the recent increases in actual construction costs experienced by municipalities, however, the index used to adjust the D.C. for inflation is not keeping adequate pace (e.g., the most recent D.C. index has increased at 15% over the past year; however, municipalities are experiencing 40%-60% increases in tender prices). As a result, amending the present by-laws to update cost estimates for planned infrastructure would place municipalities in a better financial position.
- As a result of the above, delaying the updating of current D.C. by-laws for five more years would reduce actual D.C. recoveries and place the municipalities at risk of underfunding growth-related expenditures.

2.8 Instalment Payments: Non-profit housing development has been removed from the instalment payment section of the Act (section 26.1), as these units are now exempt from the payment of a D.C.

Analysis/Commentary

- This change is more administrative in nature due to the additional exemption for non-profit housing units.

2.9 Rental Housing Discount: The D.C. payable for rental housing development will be reduced based on the number of bedrooms in each unit as follows:

- Three or more bedrooms – 25% reduction;



- Two bedrooms – 20% reduction; and
- All other bedroom quantities – 15% reduction.

Analysis/Commentary

- Further discounts to D.C.s will place an additional financial burden on municipalities to fund these reductions.
- The discount for rental housing does not appear to have the same requirements as the affordable and attainable exemptions to enter into an agreement for a specified length of time. This means a developer may build a rental development and convert the development (say to a condominium) in the future hence avoiding the full D.C. payment for its increase in need for service.

2.10 Maximum Interest Rate for Instalments and Determination of Charge for Eligible Site Plan and Zoning By-law Amendment Applications: No maximum interest rate was previously prescribed. Under the proposed changes, the maximum interest rate would be set at the average prime rate plus 1%. How the average prime rate is determined is further defined under section 9 of Schedule 3 of the Bill. This maximum interest rate provision would apply to all instalment payments and eligible site plan and zoning by-law amendment applications occurring after section 9 of Schedule 3 of the Bill comes into force.

Analysis/Commentary

- Setting the maximum interest rate at 1%+ the average prime rate appears consistent with the current approach for some municipalities but is a potential reduction for others.
- It appears a municipality can select the adjustment date for which the average prime rate would be calculated.
- The proposed change will require municipalities to change their interest rate policies, or amend their by-laws, as well as increase the administrative burden on municipalities.

2.11 Requirement to Allocate Funds Received: Similar to the requirements for community benefits charges, annually, beginning in 2023, municipalities will be required to spend or allocate at least 60% of the monies in a reserve fund at the beginning of the year for water, wastewater, and services related to a highway. Other services may be prescribed by the regulation.

Analysis/Commentary

- This proposed change appears largely administrative and would not have a financial impact on municipalities. This can be achieved as a schedule as part of the annual capital budget process or can be included as one of the schedules



with the annual D.C. Treasurer Statement. This, however, will increase the administrative burden on municipalities.

2.12 Amendments to Section 44 (Front-ending): This section has been updated to include the new mandatory exemptions for affordable, attainable, and non-profit housing, along with required affordable residential units under inclusionary zoning by-laws.

Analysis/Commentary

- This change is administrative to align with the additional statutory exemptions.

2.13 Amendments to Section 60: Various amendments to this section were required to align the earlier described changes.

Analysis/Commentary

- These changes are administrative in nature.

We will continue to monitor the legislative changes and advise as the Bill proceeds.

Yours very truly,

WATSON & ASSOCIATES ECONOMISTS LTD.

Gary Scandlan, BA, PLE, Managing Partner

Andrew Grunda, MBA, CPA, CMA, Principal

Jamie Cook, MCIP, RPP, PLE, Managing Partner

Peter Simcisko, BA (Hons), MBE, Managing Partner

Sean-Michael Stephen, MBA, Managing Partner

Jack Ammendolia, BES, PLE, Managing Partner

Denise Holmes

From: Watson & Associates Economists Ltd. <info@watsonecon.ca>
Sent: Monday, November 14, 2022 6:33 PM
To: Watson & Associates Economists Ltd.
Subject: Assessment of Bill 23 (More Homes Built Faster Act) - Planning Act and Conservation Authorities Act
Attachments: Bill 23 Client Response Letter Re Planning Matters - Nov 14 2022.pdf; Assessment of Bill 23 (More Homes Built Faster Act) Conservation Authorities Act.pdf

Good afternoon:

In follow-up to our correspondence on October 31, 2022, we are continuing to provide information on the proposed legislative changes arising from Bill 23, the *More Homes Built Faster Act, 2022*.

As a firm, we are committed to keeping our clients up to date on these proposed legislative changes and the anticipated impacts arising from the proposed Bill. We will be sending out multiple letters that cover the following topics:

- Development Charges;
- Community Benefits Charges;
- Parkland Dedication;
- Conservation Authorities; and
- Planning Matters.

These letters will also be posted to our website in the Insights section under Opinions.

The attached letters provide further details with respect to the anticipated impacts arising from the changes to the *Planning Act* and the *Conservation Authorities Act*.

If you have any questions regarding Bill 23, we would be pleased to discuss them with you, at your convenience.

Best regards,

Andrew Grunda, MBA, CPA, CMA
Principal



Watson & Associates
Economists Ltd.

grunda@watsonecon.ca
Office: 905-272-3600 ext. 229
Mobile: 905-301-2523
Fax: 905-272-3602

watsonecon.ca



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November 14, 2022

Dear Clients:

Re: Assessment of Bill 23 (*More Homes Built Faster Act*) – Planning Matters

On behalf of our many municipal clients, we are continuing to provide the most up to date information on the proposed changes to housing and planning related legislation as proposed by Bill 23 (*More Homes Built Faster Act*). As identified in our October 31, 2022 letter to you, our firm is providing an evaluation of the proposed changes along with potential impacts arising from these changes. The following comments will be included in our formal response to the Province which we anticipate presenting to the Standing Committee on Heritage, Infrastructure and Cultural Policy this week.

Overview Commentary

The Province has introduced Bill 23 with the following objective: “This plan is part of a long-term strategy to increase housing supply and provide attainable housing options for hardworking Ontarians and their families.” The Province’s plan is to address the housing crisis by targeting the creation of 1.5 million homes over the next 10 years. To implement this, Bill 23 introduces a number of changes which seek to increase the supply of housing. The following summary of proposed key housing and planning related changes, along with our firm’s commentary, is provided below. It is noted that this letter specifically focuses on the impacts of Bill 23 regarding long-range planning and growth management initiatives at the municipal level.

Streamlining Municipal Planning Responsibilities

Schedule 9 of the Bill proposes a number of amendments to the *Planning Act*. Subsection 1 (1) of the Act is proposed to be amended to provide for two different classes of upper-tier municipalities; those that have planning responsibilities and those that do not. Changes are proposed to remove the planning policy and approval responsibilities from the following upper-tier municipalities: Regions of Durham, Halton, Niagara, Peel, Waterloo, and York, as well as the County of Simcoe. In addition, the proposed changes could potentially be applied to additional upper-tier municipalities in the future via regulation.

The proposed amendments under Schedule 9 of the Bill introduce numerous questions related to the approach to ensuring effective leadership, management and integration of regional and local land use planning across the affected jurisdictions. In addition to providing a broad vision and planning direction with respect to the long-term management of urban, rural and natural systems, upper-tier municipal planning authorities also play a critical role regarding the coordination, phasing, and delivery of



water, wastewater and transportation infrastructure as well as other municipal services. The Provincial Policy Statement, 2020 (P.P.S.), sets out specific responsibilities for upper-tier municipalities, in consultation with lower-tier municipalities, related to planning coordination, housing, economic development, natural environment and municipal infrastructure. Furthermore, the P.P.S. directs upper-tier municipal planning authorities to provide policy direction to lower-tier municipalities on matters that cross municipal boundaries.

While the proposed amendment to the Bill aims to streamline the land use planning process across the affected municipalities, it risks increasing complexity and miscommunication while adding to the technical and administrative efforts of both lower-tier and upper-tier municipalities, as well as the Province.

Furthermore, it would remove critical planning resources and knowledge at the upper-tier level which are required when addressing matters that cross technical disciplines and municipal jurisdictions. This would potentially result in disjointed efforts and outcomes with respect to local planning approvals and regional municipal service delivery.

Review of the Potential Integration of A Place to Grow and the Provincial Policy Statement (P.P.S.)

The Ministry of Municipal Affairs and Housing is undertaking a housing-focused policy review of A Place to Grow: the Growth Plan for the Greater Golden Horseshoe (G.G.H.), 2019, as amended, hereinafter referred to as the Growth Plan, and the P.P.S. The Province is reviewing the potential integration of the P.P.S. and the Growth Plan into a new Province-wide planning policy framework that is intended to:

- Leverage housing-supportive policies of both policy documents, while removing or streamlining policies that result in duplication, delays or burden the development of housing;
- Ensure key growth management and planning tools are available to increase housing supply and support a range and mix of housing options;
- Continue to protect the environment, cultural heritage, and public health and safety; and
- Ensure that growth is supported with the appropriate amount and type of community infrastructure.

Since the release of the Growth Plan in 2006 under the *Places to Grow Act, 2005*, G.G.H. municipalities have been in a continuous cycle of developing and defending growth management processes and Official Plan updates. Over the past several years, all G.G.H. upper-tier, single-tier, and most lower-tier municipalities have initiated the process of updating their respective Official Plans to bring these documents into conformity with the Growth Plan. Within the G.G.H., this process is referred to as a Municipal Comprehensive Review (M.C.R.). Many of these municipalities have



completed their draft M.C.R. analyses and draft Official Plan updates for provincial approval, while several others are approaching completion.

The required technical analysis associated with the growth analysis and urban land needs assessment component of the M.C.R. process is set out in the Provincial Land Needs Assessment (L.N.A.) methodology, which is specific to G.G.H. municipalities.^[1] The M.C.R. process has required tremendous time and effort on behalf of municipalities, consulting agencies, stakeholder groups and involved residents. The results of these efforts represent a key planning milestone for all G.G.H. municipalities and provide a solid foundation to build on as it relates to future growth management implementation, monitoring and benchmarking.

Ontario municipalities located outside the G.G.H. are also now in the process of updating their respective Official Plans in accordance with the P.P.S. For municipalities in these jurisdictions, this process is referred to as a Comprehensive Review (C.R.). While there are potential benefits regarding the consolidation of the P.P.S. and the Growth Plan, as it relates to the M.C.R. and C.R. process, there are a number of issues that should be considered regarding this effort, particularly as they relate to long-term growth management and urban land needs, discussed below.

Long-Term Population and Employment Forecasts

Schedule 3 of the Growth Plan establishes minimum long-term population and employment forecasts for upper-tier and single-tier municipalities in the G.G.H. to the year 2051. The Ministry of Finance (M.O.F.) also establishes long-term population forecasts for all Ontario Census Divisions (C.D.s), which typically represent upper-tier municipalities, separated municipalities, and single-tier municipalities. The M.O.F. forecasts are not recognized as official forecasts for planning purposes in Ontario; however, they are updated annually and can be used to inform population forecasts in Official Plans. Under a consolidated Growth Plan and P.P.S., consideration would need to be given to the role and source of growth forecasts established by the Province for all Ontario municipalities.

Provincial Land Needs Assessment Methodology Guidelines

As previously noted, the L.N.A. methodology for G.G.H. municipalities was updated by the Province in 2020. In accordance with the Growth Plan, the L.N.A. methodology provides a step-by-step approach to conducting growth forecasts and urban land need assessments for upper-tier and single-tier municipalities for both Community Areas (i.e., living areas) and Employment Areas. All other Ontario municipalities rely on the 1995 Provincial Projection Methodology Guidelines (P.P.M.G.) for guidance regarding the technical approach to growth forecasts and urban land need assessments. It is noted

[1] A Place to Grow: Growth Plan for the Greater Golden Horseshoe, Land Needs Assessment Methodology for the Greater Golden Horseshoe. August 2020.



that the 1995 P.P.M.G. suggests that a simplified methodology can be used for smaller or low-growth municipalities. It is further noted that the P.P.M.G. is meant to be used as “best practices” and the guidelines are not mandatory. Under a consolidated Growth Plan and P.P.S., consideration is required regarding the application of a standardized L.N.A. methodology for all Ontario municipalities.

Addressing Urban Land Needs for Urban Settlement Areas

An important term used in the P.P.S. in the context of both urban land needs and housing affordability is the *Regional Market Area (R.M.A.)*. The R.M.A. is defined in the P.P.S. and Growth Plan (with modifications) as follows:

“an area that has a high degree of social and economic interaction. The upper- or single-tier municipality, or planning area, will normally serve as the regional market area. However, where a regional market area extends significantly beyond these boundaries, then the regional market area may be based on the larger market area. Where regional market areas are very large and sparsely populated, a smaller area, if defined in an official plan, may be utilized.”

With respect to urban residential land needs assessments, the broad objective of this policy is to ensure the efficient and wise use of all designated urban lands, both occupied and vacant, within the R.M.A. before expanding Urban Settlement Area boundaries. Across southern Ontario municipalities, a key challenge with the application of this policy is the mismatch of urban residential land needs at the urban settlement area level within the defined R.M.A. geography.

If the R.M.A. definition is interpreted too rigidly, it can constrain urban residential development within Urban Settlement Areas, and more broadly across entire municipalities, where identified urban land surpluses have been determined elsewhere within the R.M.A. Neither the P.P.S. nor the Growth Plan provide adequate direction for addressing residential urban land supply and demand mismatches within the R.M.A. Subsection 2.2.1.6 of the Growth Plan provides policy direction regarding *Excess Lands*, which applies exclusively to Outer Ring G.G.H. municipalities. Under a consolidated Growth Plan and P.P.S., a review of the R.M.A. and Excess Lands policies would be required to determine an appropriate and standardized approach to addressing localized urban residential land needs for Urban Settlement Areas and local municipalities.

Residential Intensification Targets and Minimum Density Requirements

Subsection 2.2.7.2 of the Growth Plan provides direction with respect to minimum greenfield density targets for G.G.H. upper-tier and single-tier municipalities. These densities range between 40 and 50 people and jobs per gross hectare (ha). Minimum density requirements are also prescribed in the Growth Plan for Strategic Growth Areas,



such as Urban Growth Centres and Major Transit Station Areas (M.T.S.A.s). The P.P.S. does not prescribe minimum density targets for Ontario municipalities but does require municipalities to establish density targets for areas adjacent, or in proximity, to M.T.S.A.s and corridors.

Subsection 2.2.2.1 of the Growth Plan requires upper-tier and single-tier G.G.H. municipalities to establish minimum intensification targets within delineated built-up areas (B.U.A.s). These were established under the Growth Plan, 2006. The delineated B.U.A.s within G.G.H. municipalities have remained unchanged since the Growth Plan was established in 2006. The P.P.S. also requires municipalities to establish residential intensification targets but does not prescribe minimum density targets for Ontario municipalities. Furthermore, the P.P.S. does not require municipalities to delineate built area boundaries in Official Plans; however, some Ontario municipalities outside the G.G.H. have delineated built area boundaries for planning purposes. It is noted that the delineation of built area boundaries may be subject to change or update for municipalities outside the G.G.H., while B.U.A.s within the G.G.H. will remain fixed as of 2006. Under a consolidated Growth Plan and P.P.S., a standardized approach to minimum density requirements and residential intensification targets would be required for all Ontario municipalities.

Rural Housing

An identified area of the Growth Plan and P.P.S. review is to provide policy direction to enable more residential development in Rural Areas. Rural Settlement Areas include existing hamlets or similar existing small settlement areas that are established in Official Plans. These communities are typically serviced by individual, private, on-site water and/or private wastewater systems. Rural Settlement Areas provide clusters of business operations that are essential to future economic growth. Infilling and minor rounding out of existing residential and non-residential development within Rural Settlement Areas is important to ensure that these areas remain vibrant, sustainable and complete communities. Under a consolidated Growth Plan and P.P.S., enabling more residential development in Rural Settlement Areas, and Rural Areas more broadly, would need to be considered within the context of the existing provincial and local policy frameworks, the land use hierarchy identified in Official Plans, the provision of servicing, as well as the protection of natural heritage and agricultural lands.

Employment Area Conversion

An identified area of the Growth Plan and P.P.S. review is to provide policy direction to streamline and simplify the conversion of Employment Areas to new residential and mixed-use development, where appropriate. Employment Areas form a vital component of a municipality's land use structure and represent an integral part of the local economic development potential and competitiveness of municipalities. If not carefully evaluated, the conversion of Employment Areas to non-employment uses can potentially lead to negative impacts on the local economy in several ways. First,



Employment Area conversions can reduce employment opportunities, particularly in export-based sectors, creating local imbalances between population and employment. Second, Employment Area conversions can potentially erode employment land supply and lead to further conversion pressure as a result of encroachment of non-employment uses within, or adjacent to, Employment Areas. Finally, Employment Area conversions can potentially fragment existing Employment Areas, undermining their functionality and competitive position. Under a consolidated Growth Plan and P.P.S., policy direction regarding the conversion of Employment Areas should emphasize principles and criteria that examine both the quantity and quality of Employment Areas within the context of the local and regional market attributes, as well as the planned urban function of the subject conversion sites.

2031 Municipal Housing Targets

The Province has identified that an additional 1.5 million new housing units are required to be built over the next decade to meet Ontario's current and forecast housing needs. Furthermore, the Province has assigned municipal housing targets, identifying the number of new housing units needed by 2031, impacting 29 of Ontario's largest and many of the fastest growing single/lower tier municipalities. Key observations on the Province's plan are as follows:

- The municipal housing targets for 2031 collectively account for 1,229,000 units, representing about 82% of Ontario's overall 1.5 million new homes target.
- Of the 29 municipalities with housing targets identified, 25 are within the G.G.H. and four are located in other areas of southwestern and southeastern Ontario.
- Within the G.G.H. municipalities, the municipal housing targets are generally higher than approved housing forecasts. In non-G.G.H. municipalities, there is generally less discrepancy between the approved housing forecasts and the Province's targets. Having said that, the Municipal Housing Pledges are not intended to replace current municipal Official Plans.
- The municipal housing targets are based on current and future housing needs. A share of the overall housing need is attributed to a structural deficit in existing housing inventories, while a portion of the housing need is linked to anticipated population growth over the next decade.
- The housing targets are adapted from the housing needs assessment provided in the "Ontario's Need for 1.5 Million More Homes" report, prepared by Smart Prosperity Institute, dated August 2022.
- The impacted municipalities are being asked to prepare Municipal Housing Pledges to meet these housing targets. These pledges must include details on how the municipality will enable/support housing development through a range of planning, development approvals and infrastructure related initiatives.
- These housing pledges are not intended to replace current municipal Official Plans and are not expected to impact adopted municipal population or employment projections.



- While the municipal housing targets do not specify housing form, density, or geographic location (e.g., greenfield, intensification), it is anticipated that any needs beyond adopted housing forecasts will largely comprise rental and affordable housing units primarily located within B.U.A.s, and to a lesser extent, designated greenfield areas (D.G.A.s).
- To develop effective local policies and programs to support the achievement of the housing targets, it is recommended that municipalities assess their existing and future housing needs through a local lens, building on the high-level assessment provided by the Province.
- Local housing needs should be considered within a broader growth management framework, reflecting population, labour and employment/economic growth potential, and addressed through a planning, economic, fiscal and housing affordability lens.

Potential Changes to Inclusionary Zoning

Inclusionary zoning is a tool that can be used by municipalities to ensure the provision of affordable housing. Ontario Regulation (O. Reg.) 232/18 implements inclusionary zoning in Ontario. The proposed amendments to O. Reg 232/18 would:

- Establish 5% as the upper limit on the number of affordable housing units; the 5% limit would be based on either the number of units or percentage share of gross floor area of the total residential units; and
- Establish a maximum period of twenty-five (25) years over which the affordable housing units would be required to remain affordable.

While the proposed changes provide certainty with respect to affordable housing to be provided under inclusionary zoning, they greatly limit a municipality's ability to tailor the provision for affordable housing to the local market and for development feasibility considerations identified through the required Inclusionary Zoning Assessment Report.

We will continue to monitor the legislative changes and advise as the Bill proceeds.

Yours very truly,

WATSON & ASSOCIATES ECONOMISTS LTD.

Jamie Cook, MCIP, RPP, PLE, Managing Partner
Gary Scandlan, BA, PLE, Managing Partner
Andrew Grunda, MBA, CPA, CMA, Principal
Peter Simcisko, BA (Hons), MBE, Managing Partner
Sean-Michael Stephen, MBA, Managing Partner
Jack Ammendolia, BES, PLE, Managing Partner

November 14, 2022

To Our Conservation Authority and Municipal Clients:

Re: Assessment of Bill 23 (More Homes Built Faster Act) – Conservation Authorities Act

On behalf of our many conservation authority and municipal clients, we are continuing to provide the most up-to-date information on the proposed changes to the *Conservation Authorities Act* (C.A. Act) as proposed by Bill 23 (*More Homes Built Faster Act*). As identified in our October 31, 2022 letter to you, our firm is providing an evaluation of the proposed changes to the C.A. Act along with potential impacts arising from these changes. The following comments will be included in our formal response to the Province.

1. Overview Commentary

The Province has introduced Bill 23 with the following objective: “*This plan is part of a long-term strategy to increase housing supply and provide attainable housing options for hardworking Ontarians and their families.*” The Province’s plan is to address the housing crisis by targeting the creation of 1.5 million homes over the next 10 years. To implement this plan, Bill 23 introduces a number of changes to the C.A. Act., along with nine other Acts including the *Development Charges Act* and the *Planning Act*, which seek to increase the supply of housing.

One of the proposed amendments to the C.A. Act is that the Minister of Natural Resources and Forestry would have the authority to prevent a conservation authority from increasing their fees and charges. Providing the Minister with this power is proposed to limit the financial burden of any fee increases on developers and landowners in an attempt to accelerate housing in Ontario and make housing more affordable. The proposed limitation would result in a cross-subsidization of the costs of plan review and permitting for development to existing taxpayers. This is a result of these costs having to be offset by the municipal levy charged by conservation authorities.

If these costs cannot be recovered from the municipal levy, then conservation authorities would be under pressure to provide the intended level of service for development approvals with less funding. When considered in combination with the other changes proposed that would limit the scope of conservation authority involvement in the development approvals process, this may impact the quality and efficiency of the approvals process, and potentially impair the Province’s goal of accelerating an increase in housing development.



Over the past 33 years, there have been other changes to legislation, such as the *Development Charges Act*, that have reduced the costs payable by development. These historical reductions have not resulted in a decrease in housing prices; hence, it is difficult to relate how further limiting funding for municipal and conservation authority services will increase the supply of affordable housing. Moreover, conservation authority fees for plan review and permitting in the Greater Toronto Area and outer rim typically comprise less than 0.1% of the cost of a new home. This further illustrates the limited impact this proposal would have on making housing more affordable. The potential increase on the municipal levy, however, would add to the burden of housing affordability for the existing taxpayer, particularly when coupled with the other legislative changes proposed by Bill 23.

2. Changes to the C.A. Act

2.1 Changes to conservation authority involvement in the development approvals process

- Programs and services that are prohibited within municipal and other programs and services:
 - Authorities would no longer be permitted to review and comment on a proposal, application, or other matter made under a prescribed Act (if not related to their mandatory programs and services under O. Reg. 686/21). The Province proposes that a new regulation would prescribe the following Acts in this regard:
 - The *Aggregate Resources Act*
 - The *Condominium Act*
 - The *Drainage Act*
 - The *Endangered Species Act*
 - The *Environmental Assessment Act*
 - The *Environmental Protection Act*
 - The *Niagara Escarpment Planning and Development Act*
 - The *Ontario Heritage Act*
 - The *Ontario Water Resources Act*
 - The *Planning Act*.
- Exemptions to requiring a permit under section 28 of the *Conservation Authorities Act*
 - Where development has been authorized under the *Planning Act* it will be exempt from required permits to authorize the development under section 28 of the *Conservation Authorities Act*. Exemptions to permits would also be granted where prescribed conditions are met.
 - Regulation making authority would be provided to govern the exceptions to section 28 permits, including prescribing municipalities to which the exception applies, and any other conditions or restrictions that must be satisfied.



- Shortened timeframe for decisions
 - Applicants may appeal the failure of the authority to issue a permit to the Ontario Land Tribunal within 90 days (shortened from 120 days currently).

Analysis/Commentary

- These changes would focus an authority's role in plan review and commenting on applications made under the above Acts (including the *Planning Act*) to the risks of natural hazards only, limit the developments in which permits under section 28 of the C.A Act would be required, and shorten timeframes for issuing permits. Authorities would no longer be able to review applications with respect to the natural heritage impacts.
- With respect to natural heritage review requirements, the Province is proposing to integrate the Provincial Policy Statement, 2020 (P.P.S.) and A Place To Grow: Growth Plan for the Greater Golden Horseshoe into a new Province-wide planning policy instrument. It is proposed that this new instrument could include changes to natural heritage policy direction.
- Recent amendments to the C.A. Act have already been implemented to limit a conservation authority to programs and services within their core mandate unless they have entered into an agreement with a municipal partner. Conservation authorities are able to efficiently provide services, such as natural heritage review required under the P.P.S., to municipalities across their watershed. Removing this ability from conservation authorities may result in municipalities having to find other external sources with the expertise to undertake this review, adding to the cost and timeframes for development approvals and negatively impacting the Province's goal of creating more housing.

2.2 Minister's ability to freeze fees

- The Minister would have the ability to direct an authority to not change the amount of any fee it charges (including for mandatory programs and services) for a specified period of time.

Analysis/Commentary

- Limiting the ability of conservation authorities to recover the costs of plan review and permitting from benefiting developers and landowners will place additional financial burdens on conservation authorities and municipalities to fund these activities.
- As the goal of the Province is to create more housing, it is suggested that any limitations to conservation authority fees that are implemented should only apply to plan review and permitting fees related to the construction of new homes.



We will continue to monitor the legislative changes and advise as the Bill proceeds.

Yours very truly,

WATSON & ASSOCIATES ECONOMISTS LTD.

Sean-Michael Stephen, MBA, Managing Partner

Gary Scandlan, BA, PLE, Managing Partner

Andrew Grunda, MBA, CPA, CMA, Principal

Jamie Cook, MCIP, RPP, PLE, Managing Partner

Peter Simcisko, BA (Hons), MBE, Managing Partner

Jack Ammendolia, BES, PLE, Managing Partner

Denise Holmes

From: Watson & Associates Economists Ltd. <info@watsonecon.ca>
Sent: Wednesday, November 16, 2022 6:01 PM
To: Watson & Associates Economists Ltd.
Subject: Assessment of Bill 23 (More Homes Built Faster Act) - Community Benefits Charges and Parkland Dedication
Attachments: Assessment of Bill 23 (More Homes Built Faster Act) Community Benefits Charges - November 16, 2022.pdf; Assessment of Bill 23 (More Homes Built Faster Act) - Parkland Dedication - November 16, 2022.pdf

Good afternoon:

In follow-up to our correspondence on October 31, 2022, we are continuing to provide information on the proposed legislative changes arising from Bill 23, the *More Homes Built Faster Act, 2022*.

As a firm, we are committed to keeping our clients up to date on these proposed legislative changes and the anticipated impacts arising from the proposed Bill. We will be sending out multiple letters that cover the following topics:

- Development Charges;
- Community Benefits Charges;
- Parkland Dedication;
- Conservation Authorities; and
- Planning Matters.

These letters will also be posted to our website in the Insights section under Opinions.

The attached letters provide further details with respect to the anticipated impacts on community benefits charges and parkland dedication arising from proposed changes to the *Planning Act*.

If you have any questions regarding Bill 23, we would be pleased to discuss them with you, at your convenience.

Best regards,

Andrew Grunda, MBA, CPA, CMA
Principal



Watson & Associates
Economists Ltd.

grunda@watsonecon.ca
Office: 905-272-3600 ext. 229
Mobile: 905-301-2523
Fax: 905-272-3602

watsonecon.ca



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November 16, 2022

To Our Municipal Clients:

Re: Assessment of Bill 23 (*More Homes Built Faster Act*) – Community Benefits Charges

On behalf of our many municipal clients, we are continuing to provide the most up-to-date information on the proposed changes to the *Planning Act* related to community benefits charges (C.B.C.s), as proposed by Bill 23 (*More Homes Built Faster Act*). As identified in our October 31, 2022 letter to you, our firm is providing an evaluation of the proposed changes to C.B.C.s along with potential impacts arising from these changes. The following comments will be included in our formal response to the Province, which we anticipate presenting to the Standing Committee on Heritage, Infrastructure and Cultural Policy later this week.

1. Overview Commentary

The Province has introduced Bill 23 with the following objective: “*This plan is part of a long-term strategy to increase housing supply and provide attainable housing options for hardworking Ontarians and their families.*” The Province’s plan is to address the housing crisis by targeting the creation of 1.5 million homes over the next 10 years. To implement this plan, Bill 23 introduces several changes to the *Planning Act*, along with nine other Acts including the *Development Charges Act* (D.C.A.) and the *Conservation Authorities Act*, which seek to increase the supply of housing.

One of the proposed amendments to the *Planning Act* seeks to exempt affordable housing units (ownership and rental) and attainable housing units from C.B.C.s. While the creation of affordable housing units is an admirable goal, there is a lack of robust empirical evidence to suggest that reducing development-related fees improves housing affordability. Municipalities rely on C.B.C. funding to emplace the critical infrastructure needed to maintain livable, sustainable communities as development occurs. Introducing additional exemptions from the payment of these charges results in further revenue losses to municipalities. The resultant shortfalls in capital funding then need to be addressed by delaying growth-related infrastructure projects and/or increasing the burden on existing taxpayers through higher property taxes (which itself reduces housing affordability). If the additional exemptions from C.B.C.s are deemed to be an important element of increasing the affordable housing supply, then adequate transfers from the provincial and federal governments should be provided to municipalities to offset the revenue losses resulting from these policies.



A summary of the proposed C.B.C. changes, along with our firm's commentary, is provided below.

2. Changes to the *Planning Act* – C.B.C.s

2.1 New Statutory Exemptions: Affordable residential units, attainable residential units, and inclusionary zoning residential units will be exempt from the payment of C.B.C.s., with definitions provided as follows:

- **Affordable Residential Units (Rented):** Where rent is no more than 80% of the average market rent as defined by a new bulletin published by the Ministry of Municipal Affairs and Housing.
- **Affordable Residential Units (Ownership):** Where the price of the unit is no more than 80% of the average purchase price as defined by a new bulletin published by the Ministry of Municipal Affairs and Housing.
- **Attainable Residential Units:** Excludes affordable units and rental units; will be defined as prescribed development or class of development and sold to a person who is at "arm's length" from the seller.
- **Inclusionary Zoning Units:** Affordable housing units required under inclusionary zoning by-laws.

The exemption is proposed to be implemented by applying a discount to the maximum amount of the C.B.C. that can be imposed (i.e., 4% of land value, as specified in section 37 of the *Planning Act*). For example, if the affordable, attainable, and/or inclusionary zoning residential units represent 25% of the total building floor area, then the maximum C.B.C. that could be imposed on the development would be 3% of total land value (i.e., a reduction of 25% from the maximum C.B.C. of 4% of land value).

Analysis/Commentary

- While this is an admirable goal to create additional affordable housing units, further C.B.C. exemptions will continue to provide additional financial burdens on municipalities to fund these exemptions without the financial participation of senior levels of government.
- The definition of "attainable" is unclear, as this has not yet been defined in the regulations.
- Under the proposed changes to the D.C.A, municipalities will have to enter into agreements to ensure that affordable units remain affordable for 25 years and that attainable units are attainable at the time they are sold. An agreement does not appear to be required for affordable/attainable residential units exempt from payment of a C.B.C. Assuming, however, that most developments required to pay a C.B.C. would also be paying development charges, the units will be covered by the agreements required under the D.C.A. These agreements should be allowed to include the C.B.C. so that if a municipality needs to enforce the



provisions of an agreement, both development charges and C.B.C.s could be collected accordingly.

- These agreements will increase the administrative burden (and costs) on municipalities. Furthermore, the administration of these agreements will be cumbersome and will need to be monitored by both the upper-tier and lower-tier municipalities.
- It is unclear whether the bulletin provided by the Province will be specific to each municipality, each County/Region, or Province-wide. Due to the disparity in incomes across Ontario, affordability will vary significantly across these jurisdictions. Even within an individual municipality, there can be disparity in the average market rents and average market purchase prices.
- Where municipalities are imposing the C.B.C. on a per dwelling unit basis, they will need to ensure that the total C.B.C. being imposed for all eligible units is not in excess of the incremental development calculation (e.g., as per the example above, not greater than 3% of the total land value).

2.2 Limiting the Maximum C.B.C. in Proportion to Incremental Development:

Where development or redevelopment is occurring on a parcel of land with an existing building or structure, the maximum C.B.C. that could be imposed would be calculated based on the incremental development only. For example, if a building is being expanded by 150,000 sq.ft. on a parcel of land with an existing 50,000 sq.ft. building, then the maximum C.B.C. that could be imposed on the development would be 3% of total land value (i.e., $150,000 \text{ sq.ft.} / 200,000 \text{ sq.ft.} = 75\% \times 4\%$ maximum prescribed rate = 3% of total land value).

Analysis/Commentary

- With municipal C.B.C. by-laws imposing the C.B.C. based on the land total land value or testing the C.B.C. payable relative to total land value, there will be a reduction in revenues currently anticipated. At present, some municipal C.B.C. by-laws have provisions excluding existing buildings from the land valuation used to calculate the C.B.C. payable or to test the maximum charge that can be imposed. As such, this proposal largely seeks to clarify the administration of the charge.



We will continue to monitor the legislative changes and will keep you informed as the Bill proceeds.

Yours very truly,

WATSON & ASSOCIATES ECONOMISTS LTD.

Andrew Grunda, MBA, CPA, CMA, Principal

Gary Scandlan, BA, PLE, Managing Partner

Jamie Cook, MCIP, RPP, PLE, Managing Partner

Peter Simcisko, BA (Hons), MBE, Managing Partner

Sean-Michael Stephen, MBA, Managing Partner

Jack Ammendolia, BES, PLE, Managing Partner

November 16, 2022

To Our Parkland Dedication By-Law Clients:

Re: Assessment of Bill 23 (More Homes Built Faster Act)

On behalf of our many municipal clients, we are continuing to provide the most up-to-date information on the proposed changes to the parkland dedication requirements of the *Planning Act*, as proposed by Bill 23 (*More Homes Built Faster Act*). As identified in our October 31, 2022 letter to you, our firm is providing an evaluation of the proposed changes to section 42 of the *Planning Act*, along with potential impacts arising from these changes. The following comments will be included in our formal response to the Province, which we anticipate presenting to the Standing Committee on Heritage, Infrastructure and Cultural Policy later this week.

1. Overview Commentary

The Province has introduced Bill 23 with the following objective: *"This plan is part of a long-term strategy to increase housing supply and provide attainable housing options for hardworking Ontarians and their families."* The Province's plan is to address the housing crisis by targeting the creation of 1.5 million homes over the next 10 years. To implement this plan, Bill 23 introduces a number of changes to the *Planning Act* (along with nine other Acts, including the *Development Charges Act (D.C.A.)*), which seek to increase the supply of housing.

As discussed later in this letter, the proposed changes to parkland dedication would significantly reduce the amount of parkland conveyance and payments-in-lieu (P.I.L.) of parkland to municipalities. The proposed changes under Bill 23 would impact municipalities by:

- Reducing the amount of development subject to parkland dedication by exempting affordable, attainable, non-profit and additional residential dwelling units;
- Reducing P.I.L. revenues for some developments by grandfathering in charges by up to 2 years, reflecting land values at the time of Site Plan and Zoning By-law Amendment applications;
- Reducing and capping the alternative requirements for parkland dedication, which results in significant reductions in parkland conveyance and P.I.L. revenues, particularly for high-density developments;
- Increasing the administrative burden on municipalities by requiring the preparation of and consultation on a parks plan with the passage of a parkland



- dedication by-law, whether utilizing the standard or alternative requirements, and by requiring the allocation and reporting on funds annually; and
- Limiting local decision-making by allowing the Province to prescribe criteria for municipal acceptance of encumbered lands and privately owned public space (POPs) for parks purposes.

It is anticipated that the resultant loss in parkland dedication from development will result in either a cross-subsidization from existing taxpayers having to provide increased funding for parks services to maintain planned levels of service in their community, or an erosion of service levels over time. The timing of these changes, and others proposed in Bill 23 to limit funding from development, is occurring at a time when municipalities are faced with increased funding challenges associated with cost inflation and the implementation of asset management plans under the *Infrastructure for Jobs and Prosperity Act*.

A summary of the proposed parkland dedication changes under section 42 of the *Planning Act*, along with our firm's commentary, is provided below.

2. Changes to Section 42 of the *Planning Act*

2.1 New Statutory Exemptions: Affordable residential units, attainable residential units, inclusionary zoning residential units, non-profit housing and additional residential unit developments will be exempt from parkland dedication requirements. For affordable, attainable, and inclusionary zoning residential units, the exemption is proposed to be implemented by:

- discounting the standard parkland dedication requirements (i.e., 5% of land) based on the proportion of development excluding affordable, attainable and inclusionary zoning residential units relative to the total residential units for the development; or
- where the alternative requirement is imposed, the affordable, attainable and inclusionary zoning residential units would be excluded from the calculation.

For non-profit housing and additional residential units, a parkland dedication by-law (i.e., a by-law passed under section 42 of the *Planning Act*) will not apply to these types of development:

- **Affordable Rental Unit:** as defined under subsection 4.1 (2) of the D.C.A., where rent is no more than 80% of the average market rent as defined by a new bulletin published by the Ministry of Municipal Affairs and Housing.
- **Affordable Owned Unit:** as defined under subsection 4.1 (3) of the D.C.A., where the price of the unit is no more than 80% of the average purchase price as defined by a new bulletin published by the Ministry of Municipal Affairs and Housing.



- **Attainable Unit:** as defined under subsection 4.1 (4) of the D.C.A., excludes affordable units and rental units, will be defined as prescribed development or class of development and sold to a person who is at “arm’s length” from the seller.
- **Inclusionary Zoning Units:** as described under subsection 4.3 (2) of the D.C.A.
- **Non-Profit Housing:** as defined under subsection 4.2 (1) of the D.C.A.
- **Additional Residential Units, including:**
 - A second unit in a detached, semi-detached, or rowhouse if all buildings and ancillary structures cumulatively contain no more than one residential unit;
 - A third unit in a detached, semi-detached, or rowhouse if no buildings or ancillary structures contain any residential units; and
 - One residential unit in a building or structure ancillary to a detached, semi-detached, or rowhouse on a parcel of urban land, if the detached, semi-detached, or rowhouse contains no more than two residential units and no other buildings or ancillary structures contain any residential units.

Analysis/Commentary

- While reducing municipal requirements for the conveyance of land or P.I.L. of parkland may provide a further margin for builders to create additional affordable housing units, the proposed parkland dedication exemptions will increase the financial burdens on municipalities to fund these exemptions from property tax sources (in the absence of any financial participation by senior levels of government) or erode municipalities’ planned level of parks service.
- The definition of “attainable” is unclear, as this has not yet been defined in the regulations to the D.C.A.
- Under the proposed changes to the D.C.A, municipalities will have to enter into agreements to ensure these units remain affordable and attainable over a period of time, which will increase the administrative burden (and costs) on municipalities. An agreement does not appear to be required for affordable/attainable units exempt from parkland dedication. Assuming, however, that most developments required to convey land or provide P.I.L. of parkland would also be required to pay development charges, the units will be covered by the agreements required under the D.C.A. As such, the *Planning Act* changes should provide for P.I.L. requirements if the status of the development changes during the period.
- It is unclear whether the bulletin provided by the Province to determine if a development is affordable will be specific to each municipality or aggregated by County/Region or Province. Due to the disparity in incomes across Ontario, affordability will vary significantly across these jurisdictions. Even within an individual municipality there can be disparity in the average market rents and average market purchase prices.



- While the proposed exemptions for non-profit housing and additional residential units may be easily applied for municipalities imposing the alternative requirement, as these requirements are imposed on a per residential unit basis, it is unclear at this time how a by-law requiring the standard provision of 5% of residential land would be applied.

2.2 Determination of Parkland Dedication: Similar to the rules under the D.C.A., the determination of parkland dedication for a building permit issued within two years of a Site Plan and/or Zoning By-law Amendment approval would be subject to the requirements in the by-law as at the date of planning application submission.

Analysis/Commentary

- If passed as currently drafted, these changes would not apply to site plan or zoning by-law applications made before subsection 12 (6) of Schedule 9 of the *More Homes Built Faster Act* comes into force.
- For applications made after the in-force date, this would represent a lag in P.I.L. value provided to municipalities, as it would represent the respective land value up to two years prior vs. current value at building permit issuance. For municipalities having to purchase parkland, this will put additional funding pressure on property tax funding sources to make up the difference, or further erode the municipality's planned level of parks service.

2.3 Alternative Parkland Dedication Requirement: The following amendments are proposed for the imposition of the alternative parkland dedication requirements:

- The alternative requirement of 1 hectare (ha) per 300 dwelling units would be reduced to 1 ha per 600 dwelling units where land is being conveyed. Where the municipality imposes P.I.L. requirements, the amendments would reduce the amount from 1 ha per 500 dwelling units to 1 ha per 1,000 net residential units.
- Proposed amendments clarify that the alternative requirement would only be calculated on the incremental units of development/redevelopment.
- The alternative requirement would be capped at 10% of the land area or land value where the land proposed for development or redevelopment is 5 ha or less; and 15% of the land area or land value where the land proposed for development or redevelopment is greater than 5 ha.

Analysis/Commentary

- If passed as currently drafted, the decrease in the alternative requirements for land conveyed and P.I.L. would not apply to building permits issued before subsection 12 (8) of Schedule 9 of the *More Homes Built Faster Act* comes into force.
- Most municipal parkland dedication by-laws only imposed the alternative requirements on incremental development. As such, the proposed amendments



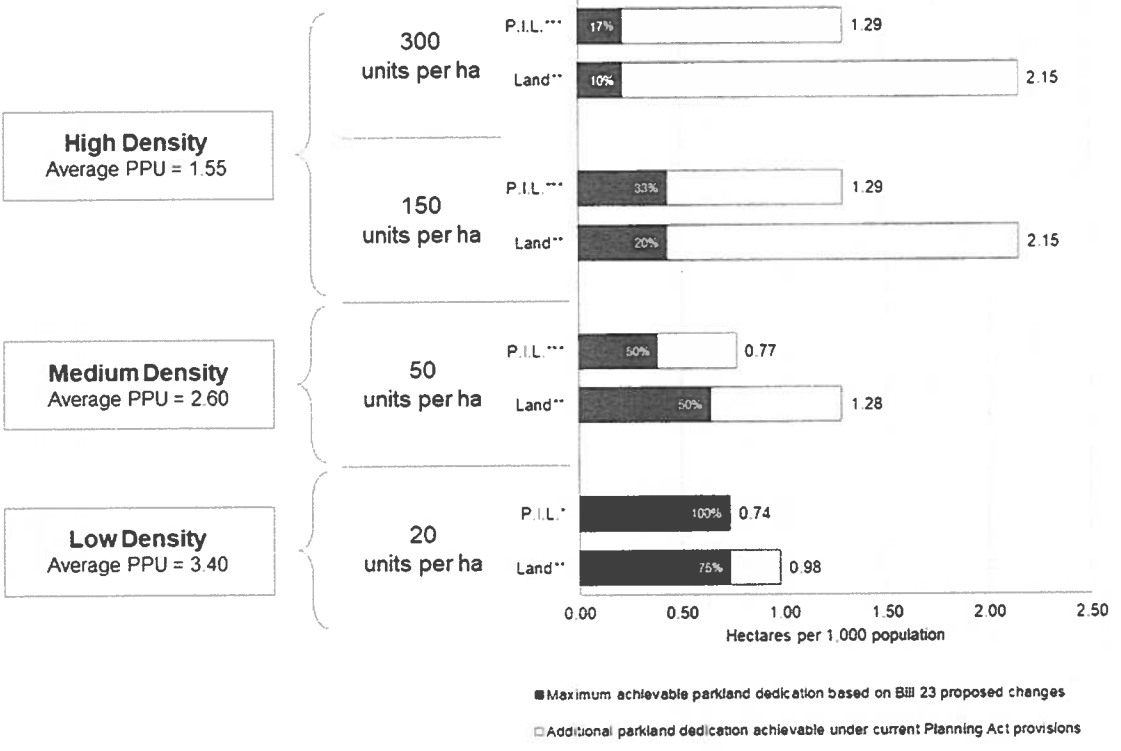
for net residential units seek to clarify the matter where parkland dedication by-laws are unclear.

- Section 42 previously imposed the alternative requirement caps of 10% and 15% of land area or value, depending on the respective developable land area, for developments only within designated transit-oriented communities. By repealing subsection 42 (3.2) of the *Planning Act*, these caps would apply to all developable lands under the by-law.
- As illustrated in the figure below, lowering the alternative parkland dedication requirement and imposing caps based on the developable land area will place significant downward pressure on the amount of parkland dedication provided to municipalities, particularly those municipalities with significant amounts of high-density development. For example:
 - Low-density development of 20 units per net ha (uph), with a person per unit (P.P.U.) occupancy of 3.4, would have produced a land conveyance of 0.98 ha per 1,000 population. The proposed change would reduce this to 0.74 ha, approximately 75% of current levels.
 - Medium-density development of 50 uph, with a P.P.U. of 2.6 would produce land conveyance at 50% of current levels (0.64 vs. 1.28 ha/1,000 population).
 - Low-rise development of 150 uph, with a P.P.U. of 2.6 would produce land conveyance at 20% of current levels (0.43 vs. 2.15 ha/1,000 population). P.I.L. would be approximately 1/3 of current levels.
 - High-rise development of 300 uph, with a P.P.U. of 2.6 would produce land conveyance at 10% of current levels (0.22 vs. 2.15 ha/1,000 population). P.I.L. would be approximately 17% of current levels.^[1]

^[1] Low-rise and high-rise developments with sites larger than 5 ha would only be marginally better under the proposed changes, at 30% and 15% of land conveyance and 50% and 25% P.I.L., respectively.



Maximum Achievable Parkland Dedication (hectares per 1,000 population)
Development Sites ≤ 5 hectares



* Using standard requirement (5% of land area or land value)
 ** Using alternative requirement of 1 hectare of land per 300 units
 *** Using alternative P.I.L. requirement of 1 hectare per 500 units



- Based on the proposed alternative requirement rates and land area caps, municipalities would be better off:
 - For land conveyance, imposing the alternative requirement for densities greater than 30 units per ha.
 - Sites of 5 ha or less, land conveyance would be capped at 10% of land area at densities greater than 60 units per ha.
 - Sites greater than 5 ha, land conveyance would be capped at 15% of land area at densities greater than 90 units per ha.
 - For P.I.L. of parkland, imposing the alternative requirement for densities greater than 50 units per ha.
 - Sites of 5 ha or less, land conveyance would be capped at 10% of land area at densities greater than 100 units per ha.
 - Sites greater than 5 ha, land conveyance would be capped at 15% of land area at densities greater than 150 units per ha.
 - For densities less than 30 units per ha, imposing the standard requirement of 5% of land area for land conveyance and P.I.L. of parkland.

2.4 Parks Plan: The preparation of a publicly available parks plan as part of enabling an Official Plan will be required at the time of passing a parkland dedication by-law under section 42 of the *Planning Act*.

Analysis/Commentary

- The proposed change will still require municipal Official Plans to contain specific policies dealing with the provision of land for parks or other public recreational purposes where the alternative requirement is used.
- The requirement to prepare and consult on a parks plan prior to passing a by-law under section 42 would now appear to equally apply to a by-law including the standard parkland dedication requirements, as well as the alternative parkland dedication requirements. This will result in an increase in the administrative burden (and cost) for municipalities using the standard parkland dedication requirements.
- Municipalities imposing the alternative requirement in a parkland dedication by-law on September 18, 2020 had their by-law expire on September 18, 2022 as a result of the *COVID-19 Economic Recovery Act* amendments. Many municipalities recently undertook to pass a new parkland dedication by-law, examining their needs for parkland and other recreational assets. Similar transitional provisions for existing parkland dedication by-laws should be provided with sufficient time granted to allow municipalities to prepare and consult on the required parks plan.

2.5 Identification of Lands for Conveyance: Owners will be allowed to identify lands to meet parkland conveyance requirements, within regulatory criteria. These lands may include encumbered lands and privately owned public space (POPs).



Municipalities may enter into agreements with the owners of the land regarding POPs to enforce conditions, and these agreements may be registered on title. The suitability of land for parks and recreational purposes will be appealable to the Ontario Land Tribunal (OLT).

Analysis/Commentary

- The proposed changes allow the owner of land to identify encumbered lands for parkland dedication consistent with the provisions available to the Minister of Infrastructure to order such lands within transit-oriented communities. Similar to the expansion of parkland dedication caps, these changes would allow this to occur for all developable lands under the by-law. The proposed changes go further to allow for an interest in land, or POPs.
- The municipality may refuse the land identified for conveyance, providing notice to the owner with such requirements as prescribed. The owner, however, may appeal the decision to the OLT. The hearing would result in the Tribunal determining if the lands identified are in accordance with the criteria prescribed. These “criteria” are unclear, as they have not yet been defined in the regulations.
- Many municipal parkland dedication by-laws do not except encumber lands or POPs as suitable lands for parkland dedication. This is due, in part, to municipalities’ inability to control the lands being dedicated or that they are not suitable to meet service levels for parks services. Municipalities that do accept these types of lands for parkland or other recreational purposes have clearly expressed such in their parkland dedication by-laws. The proposed changes would appear to allow the developers of the land, and the Province within prescribed criteria, to determine future parks service levels in municipalities in place of municipal council intent.

2.6 Requirement to Allocate Funds Received: Similar to the requirements for C.B.C.s, and proposed for the D.C.A. under Bill 23, annually beginning in 2023, municipalities will be required to spend or allocate at least 60% of the monies in a reserve fund at the beginning of the year.

Analysis/Commentary

- This proposed change appears largely administrative, increasing the burden on municipalities. This change would not have a fiscal impact and could be achieved as a schedule to annual capital budget. Moreover, as the Province may prescribe annual reporting, similar to the requirements under the D.C.A. and for a C.B.C under the *Planning Act*.



We will continue to monitor the legislative changes and will keep you informed as the Bill proceeds.

Yours very truly,

WATSON & ASSOCIATES ECONOMISTS LTD.

Andrew Grunda, MBA, CPA, CMA, Principal
Gary Scandlan, BA, PLE, Managing Partner
Jamie Cook, MCIP, RPP, PLE, Managing Partner
Peter Simcisko, BA (Hons), MBE, Managing Partner
Sean-Michael Stephen, MBA, Managing Partner
Jack Ammendolia, BES, PLE, Managing Partner

Denise Holmes

From: Watson & Associates Economists Ltd. <info@watsonecon.ca>
Sent: Friday, November 18, 2022 10:35 AM
To: Watson & Associates Economists Ltd.
Subject: Assessment of Bill 23 (More Homes Built Faster Act) - Planning Act and Conservation Authorities Act
Attachments: Letter to Standing Committee - November 17 2022.pdf; Standing Committee on Bill 23 - November 17 2022 Presentation.pdf

Good morning:

In follow-up to our correspondence on October 31, 2022, we are continuing to provide information on the proposed legislative changes arising from Bill 23, the *More Homes Built Faster Act, 2022*.

As a firm, we are committed to keeping our clients up to date on these proposed legislative changes and the anticipated impacts arising from the proposed Bill. We have sent out multiple letters that cover the following topics:

- Development Charges;
- Community Benefits Charges;
- Parkland Dedication;
- Conservation Authorities; and
- Planning Matters.

These letters have also been posted to our website in the Insights section under Opinions.

On behalf of our municipal clients, Gary Scandlan, Managing Partner, participated in a session of the Standing Committee on Heritage, Infrastructure, and Cultural Policy regarding the assessment of Bill 23. The attached letter and presentation were provided to the Standing Committee at that time.

If you have any questions regarding Bill 23, we would be pleased to discuss them with you, at your convenience.

Best regards,

Andrew Grunda, MBA, CPA, CMA
Principal



Watson & Associates
Economists Ltd.

grunda@watsonecon.ca
Office: 905-272-3600 ext. 229
Mobile: 905-301-2523
Fax: 905-272-3602

watsonecon.ca



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November 16, 2022

To Laurie Scott, MPP, Chair of the Standing Committee on Heritage,
Infrastructure, and Cultural Policy:

Re: Bill 23, *More Homes Built Faster Act, 2022*

Firstly, on behalf of Watson & Associates Economists Ltd. (Watson), we would like to thank you for receiving our comments on the Province's proposed changes to the *Development Charges Act (D.C.A.)*, *Planning Act*, and *Conservation Authorities Act*, by way of Bill 23, *More Homes Built Faster Act*. The following letter is submitted to the Standing Committee on Heritage, Infrastructure, and Cultural Policy (the "Standing Committee") to supplement the presentation by Gary Scandlan, Managing Partner, on November 17, 2022.

Watson is one of Canada's leading economic consulting firms, comprising municipal economists, planners, accountants, and support staff. The firm has been in operation since 1982. Our work has involved many aspects of municipal finance and economics, including assisting municipalities across the Province with development charges (D.C.s) studies, community benefits charges (C.B.C.) studies, parkland dedication studies, fiscal impact assessments, full cost user fee pricing models, demographic forecasts, growth management studies, and more.

Watson appreciates that the lack of attainable housing is an important issue facing the Province today. This letter, however, provides some commentary on how the Bill may negatively impact the Province's goal to "increase housing supply and provide attainable housing options for hardworking Ontarians and their families," along with the financial burden this legislation will have on municipalities and existing homeowners.

1. Impact on Housing Supply

As stated by the Province, the goal is to create an additional 1.5 million new homes over the next 10 years; however, the changes proposed in Bill 23 may actually limit the supply of housing. For urban growth to occur, water and wastewater services must be in place before building permits can be issued for housing. Most municipalities assume the risk of constructing this infrastructure and wait for development to occur. Currently, 26% of municipalities providing water/wastewater services are carrying negative D.C. reserve fund balances for these services^[1] and many others are carrying significant

[1] Based on 2020 Financial Information Return data.



growth-related debt. The following provides a list of the changes to the various pieces of legislation and how they would negatively impact the supply of housing.

Development Charges Act

- **Mandatory Phase-in:** The Bill proposes to phase-in the D.C. over the first five-years of being in force. A review of various municipal D.C. by-laws indicates this proposed phase-in will cause a reduction in the amount of D.C. revenue collected by approximately 10% over the phase-in period. This loss in revenue will need to be funded by existing taxpayers, thus subsidizing growth. With respect to water, wastewater, and roads services, if the municipality does not have the ability to fund this lost revenue, it may delay the timing of capital projects, which in turn, will delay the availability of land for the construction of new homes. Additionally, this phase-in would apply to non-residential development. It is unclear how this would increase the housing supply. This matter is further compounded by the loss of revenue due to the additional statutory exemptions discussed in section 2 of this letter.
- **Removal of Housing Services:** Upper-tier and single-tier municipalities across the Province utilize D.C.s to help fund the construction of new affordable housing units with the goal of providing affordable housing to those in need. The removal of housing services as a D.C.-eligible service will reduce municipalities' participation in creating assisted/affordable housing units. Based on present D.C. by-laws, over \$2.2 billion in net growth-related expenditures providing for over 47,000 affordable housing units (or 3.1% of the Province's 1.5 million housing target) would be impacted by this proposed change.
- **Removal of Studies from the Definition of Capital Costs:** Studies, such as Official Plans and Secondary Plans, are required to establish when, where, and how a municipality will grow. Master Plans, environmental assessments and other studies are required to understand the servicing needs development will place on infrastructure such as water, wastewater, stormwater, and roads. These studies are necessary to inform the servicing required to establish the supply of lands for development; without these servicing studies, additional development cannot proceed. Removing direct funding for these studies would restrict/delay the supply of serviced land and would be counter to the Province's intent to create additional housing units.

Planning Act

- **Removal of Planning Policy and Approval Responsibilities:** Removal of these policies and responsibilities from the Regions of Durham, Halton, Niagara, Peel, Waterloo, and York, as well as the County of Simcoe (and potentially others in the future) may result in disjointed planning policies and a lack of coordination of Regional water and wastewater infrastructure. Lower-tier municipalities may have significantly different goals which may lead to inefficient



phasing/staging of development lands, less coordination of servicing plans, and an increased administrative burden for both lower-tier and upper-tier municipalities, as well as the Province.

2. Additional Financial Burden on Municipalities and Taxpayers

The proposed changes to the various Acts will have significant financial impacts on Ontario's municipalities along with their respective taxpayers. It is anticipated that these changes are in direct conflict with the principle that "growth pays for growth" and will put additional pressure on property taxes and water and wastewater rates. This increase in funding of growth-related needs from existing taxpayers and ratepayers will create affordability issues for existing homeowners, thus transferring the financial burden of home ownership, not reducing it. The following provides a summary of the proposed changes and how they would increase the financial burden on municipalities and existing taxpayers.

Development Charges Act

- **Additional Statutory Exemptions (also applies to C.B.C.s and Parkland Dedication) and Discounts:** The Bill provides for a number of statutory exemptions for additional residential units, affordable housing, attainable housing, non-profit housing, and affordable units through inclusionary zoning. In addition, discounts for rental housing will be required.
 - The definition of "affordable" is based on 80% of the market value, whereas municipalities define "affordable" relative to income levels. This broader definition will result in more housing units being eligible for D.C. exemptions which do not meet municipal definitions of "affordable."
 - The definition of "attainable" appears to be even more broad; however, no details are provided on the proposed regulatory definition.
 - These exemptions will result in a loss of D.C. revenue of approximately 10-15% that the municipalities will have to fund from other sources (i.e., property taxes or water/wastewater rates).
- **Mandatory Phase-in:** As noted in section 1 above, this may result in a loss of 10% in D.C. revenues to municipalities.
- **Removal of Housing Services:** As noted in section 1 above, based on present D.C. by-laws in place, over \$2.2 billion in net growth-related expenditures providing for over 47,000 units (*or 3.1% of the Province's 1.5 million housing target*) would be impacted by this change.
- **Revised Definition of Capital Costs:** The Bill proposes to remove the cost of land for certain services (yet to be defined) and studies from the definition of costs eligible for D.C.s.
 - Land – Land represents a significant cost for some municipalities in the purchase of property to provide services to new residents (e.g., water



- plants, new roads, etc.). This is a cost required due to growth and should be funded by new development, if not dedicated by development directly.
- Studies – Master planning and Environmental Assessments are integral to construction of hard infrastructure required to service new development. Removing these costs from being D.C. eligible will shift the burden of these growth-related costs to existing taxpayers and ratepayers.

Planning Act – Parkland Dedication

- **Reduction in Alternative Parkland Dedication Requirements:** The alternative dedication requirement where land is being conveyed of 1 hectare (ha) per 300 dwelling units would be reduced to 1 ha per 600 dwelling units. Where the municipality imposes payment in lieu (P.I.L.) alternative requirements, the amendments would reduce the amount from 1 ha per 500 dwelling units to 1 ha per 1,000 net residential units. Municipalities already face challenges with the supply of adequate parkland due to the rising cost of land and current limitations under the *Planning Act* relative to municipal parkland standards. By cutting the parkland dedication requirements in half, this will further reduce the municipalities' ability to purchase parkland and will result in additional burden on taxpayers to maintain municipal parkland standards or result in a reduction in the level of parks service over time.
- **10-15% Cap on Land Area for Alternative Rate:** The alternative requirement would be capped at 10% of the land area or land value where the land proposed for development or redevelopment is 5 ha or less; and 15% of the land area or land value where the land proposed for development or redevelopment is greater than 5 ha. These caps would significantly reduce parkland dedication, particularly for high-density residential development and place the maximum dedication levels equivalent to medium-density developments. Given that high-density developments provide limited parklands on site, the contribution made towards creating more land to service the land needs generated is significantly under contributed. Again, these shortfalls will have to be funded by property taxes if Council wishes to maintain municipal parkland standards for existing and future residents.

3. Summary Commentary

The above summarizes our concerns with the proposed legislative changes and their impact on the housing supply as well as their financial impact to municipalities and their taxpayers. There are a number of other concerns with the proposed legislation that we have outlined in our detailed responses provided in the attachments. These are as appended as follows:

- Attachment 1 – Changes to the D.C.A.
- Attachment 2 – Changes to the *Planning Act*



- Attachment 3 – Changes to the *Planning Act* – Parkland Dedication
- Attachment 4 – Changes to the *Planning Act* – Community Benefits Charges
- Attachment 5 – Changes to the *Conservation Authorities Act*.

To conclude, while the goal of these proposed changes is to reduce the upfront cost to a new home purchaser, the funding loss for this will come from the existing taxpayer, i.e., existing residents and businesses subsidizing new home purchasers, hence increasing housing affordability concerns.

Over the past 40 years, our firm has undertaken numerous fiscal impact studies of residential development and, as a whole, the new taxes and fees generated by residential growth do not equal the new operating costs required to support these developments. As well, based on past changes to the D.C.A., historical reductions have not resulted in a decrease in the price of housing, hence it is difficult to relate the loss of needed infrastructure funding to affordable housing.

As a result, we would provide the following considerations for the Standing Committee:

1. From the proposed legislation, phase-in charges and exemptions for services essential to creating developable land supply (water, wastewater, stormwater and roads) should be removed...or funded by grants from senior levels of government.
2. Reduction in parkland contributions, caps for high-density development and developer ability to provide encumbered lands/POPS should be removed from parkland dedication legislation to continue to allow municipalities to determine the appropriate level of service for parks.
3. Alternatively, to minimize the overall impact on the taxpayer and ratepayer, provide access to other revenue sources (e.g., HST, land transfer tax) to fund all D.C., parkland dedication, and C.B.C. revenue losses.
4. Municipal housing should continue as an eligible D.C. service.



We again want to thank the Standing Committee for receiving our presentation and correspondence and would appreciate the Committee's consideration of our concerns.

Yours very truly,

WATSON & ASSOCIATES ECONOMISTS LTD.

Andrew Grunda, MBA, CPA, CMA, Principal

Gary Scandlan, BA, PLE, Managing Partner

Jamie Cook, MCIP, RPP, PLE, Managing Partner

Peter Simcisko, BA (Hons), MBE, Managing Partner

Sean-Michael Stephen, MBA, Managing Partner

Jack Ammendolia, BES, PLE, Managing Partner



Appendices



Attachment 1 - Changes to the D.C.A.

1. Additional Residential Unit Exemption: The rules for these exemptions are now provided in the D.C.A., rather than the regulations and are summarized as follows:

- Exemption for residential units in existing rental residential buildings – For rental residential buildings with four or more residential units, the greater of one unit or 1% of the existing residential units will be exempt from D.C.
- Exemption for additional residential units in existing and new residential buildings
 - The following developments will be exempt from a D.C.:
 - A second unit in a detached, semi-detached, or rowhouse if all buildings and ancillary structures cumulatively contain no more than one residential unit;
 - A third unit in a detached, semi-detached, or rowhouse if no buildings or ancillary structures contain any residential units; and
 - One residential unit in a building or structure ancillary to a detached, semi-detached, or rowhouse on a parcel of urban land, if the detached, semi-detached, or rowhouse contains no more than two residential units and no other buildings or ancillary structures contain any residential units.

Analysis/Commentary

- For existing single-family homes, this change will not have an impact. For other existing low/medium-density units and for all new units, however, this allowance of a third additional unit that will be exempt from D.C.s adds a further revenue loss burden to municipalities to finance infrastructure. This is of greatest concern for water and wastewater services where each additional unit will require additional capacity in water and wastewater treatment plants. This additional exemption will cause a reduction in D.C.s and hence will require funding by water and wastewater rates.
- Other services, such as transit and active transportation, will also be impacted as increased density will create a greater need for these services, and without an offsetting revenue to fund the capital needs, service levels provided may be reduced in the future.

2. Removal of Housing as an Eligible D.C. Service: Housing services would be removed as an eligible service. Municipalities with by-laws that include a charge for housing services can no longer collect for this service once subsection 2 (2) of Schedule 3 of the Bill comes into force.

Analysis/Commentary

- The removal of housing services will reduce municipalities' participation in creating assisted/affordable housing units and/or put further burden on municipal



taxpayers. This service seeks to construct municipal affordable housing for growing communities. The removal of this service could reduce the number of affordable units being constructed over the next ten years, if the municipalities can no longer afford the construction. Based on present D.C. by-laws in place, over \$2.2 billion in net growth-related expenditures providing for over 47,000 additional units (or 3.1% of the Province's 1.5 million housing target) would be impacted by this change.

3. New Statutory Exemptions: Affordable units, attainable units, inclusionary zoning units and non-profit housing developments will be exempt from the payment of D.C.s, as follows:

- Affordable Rental Units: Where rent is no more than 80% of the average market rent as defined by a new bulletin published by the Ministry of Municipal Affairs and Housing.
- Affordable Owned Units: Where the price of the unit is no more than 80% of the average purchase price as defined by a new bulletin published by the Ministry of Municipal Affairs and Housing.
- Attainable Units: Excludes affordable units and rental units; will be defined as prescribed development or class of development and sold to a person who is at "arm's length" from the seller.
 - Note: for affordable and attainable units, the municipality shall enter into an agreement that ensures the unit remains affordable or attainable for 25 years.
- Inclusionary Zoning Units: Affordable housing units required under inclusionary zoning by-laws will be exempt from a D.C.
- Non-Profit Housing: Non-profit housing units are exempt from D.C. instalment payments due after this section comes into force.

Analysis/Commentary

- While this is an admirable goal to create additional affordable housing units, further D.C. exemptions will continue to provide additional financial burdens on municipalities to fund these exemptions without the financial participation of senior levels of government.
- The definition of "attainable" is unclear, as this has not yet been defined in the regulations.
- Municipalities will have to enter into agreements to ensure these units remain affordable and attainable over a period of time which will increase the administrative burden (and costs) on municipalities. These administrative burdens will be cumbersome and will need to be monitored by both the upper-tier and lower-tier municipalities.
- It is unclear whether the bulletin provided by the Province will be specific to each municipality, each County/Region, or Province-wide. Due to the disparity in



incomes across Ontario, affordability will vary significantly across these jurisdictions. Even within an individual municipality, there can be disparity in the average market rents and average market purchase prices.

4. Historical Level of Service: Currently, the increase in need for service is limited by the average historical level of service calculated over the ten year period preceding the preparation of the D.C. background study. This average will be extended to the historical 15-year period.

Analysis/Commentary

- For municipalities experiencing significant growth in recent years, this may reduce the level of service cap, and the correspondingly D.C. recovery. For many other municipalities seeking to save for new facilities, this may reduce their overall recoveries and potentially delay construction.
- This further limits municipalities in their ability to finance growth-related capital expenditures where debt funding was recently issued. Given that municipalities are also legislated to address asset management requirements, their ability to incur further debt may be constrained.

5. Capital Costs: The definition of capital costs may be revised to prescribe services for which land or an interest in land will be restricted. Additionally, costs of studies, including the preparation of the D.C. background study, will no longer be an eligible capital cost for D.C. funding.

Analysis/Commentary

- Land
 - Land costs are proposed to be removed from the list of eligible costs for certain services (to be prescribed later). Land represents a significant cost for some municipalities in the purchase of property to provide services to new residents. This is a cost required due to growth and should be funded by new development, if not dedicated by development directly.
- Studies
 - Studies, such as Official Plans and Secondary Plans, are required to establish when, where, and how a municipality will grow. These growth-related studies should remain funded by growth.
 - Master Plans and environmental assessments are required to understand the servicing needs development will place on hard infrastructure such as water, wastewater, stormwater, and roads. These studies are necessary to inform the servicing required to establish the supply of lands for development; without these servicing studies, additional development cannot proceed. This would restrict the supply of serviced land and would be counter to the Province's intent to create additional housing units.



6. Mandatory Phase-in of a D.C.: For all D.C. by-laws passed after June 1, 2022, the charge must be phased-in annually over the first five years the by-law is in force, as follows:

- Year 1 – 80% of the maximum charge;
- Year 2 – 85% of the maximum charge;
- Year 3 – 90% of the maximum charge;
- Year 4 – 95% of the maximum charge; and
- Year 5 to expiry – 100% of the maximum charge.

Note: for a D.C. by-law passed on or after June 1, 2022, the phase-in provisions would only apply to D.C.s payable on or after the day subsection 5 (7) of Schedule 3 of the Bill comes into force (i.e., no refunds are required for a D.C. payable between June 1, 2022 and the day the Bill receives Royal Assent). The phased-in charges also apply with respect to the determination of the charges under section 26.2 of the Act (i.e., eligible site plan and zoning by-law amendment applications).

Analysis/Commentary

- Water, wastewater, stormwater, and roads are essential services for creating land supply for new homes. These expenditures are significant and must be made in advance of growth. As a result, the municipality assumes the investment in the infrastructure and then assumes risk that the economy will remain buoyant enough to allow for the recovery of these costs in a timely manner. Otherwise, these growth-related costs will directly impact the existing rate payer.
- The mandatory phase-in will result in municipalities losing approximately 10% to 15% of revenues over the five-year phase-in period. For services such as water, wastewater, stormwater, and to some extent roads, this will result in the municipality having to fund this shortfall from other sources (i.e., taxes and rates). This may result in: 1) the delay of construction of infrastructure that is required to service new homes; and 2) a negative impact on the tax/rate payer who will have to fund these D.C. revenue losses.
- Growth has increased in communities outside the Greater Toronto Area (G.T.A.) (e.g. municipalities in the outer rim), requiring significant investments in water and wastewater treatment services. Currently, there are several municipalities in the process of negotiating with developing landowners to provide these treatment services. For example, there are two municipalities within the outer rim (one is 10 km from the G.T.A. while the other is 50 km from the G.T.A.) imminently about to enter into developer agreements and award tenders for the servicing of the equivalent of 8,000 single detached units (or up to 20,000 high-density units). This proposed change to the D.C.A. alone will stop the creation of those units due to debt capacity issues and the significant financial impact placed on



ratepayers due to the D.C. funding loss. Given our work throughout the Province, it is expected that there will be many municipalities in similar situations.

- Based on 2020 Financial Information Return (F.I.R.) data, there are 214 municipalities with D.C. reserve funds. Of those, 130 provide water and wastewater services and of those, 34 municipalities (or 26%) are carrying negative water and wastewater reserve fund balances. As a result, it appears many municipalities are already carrying significant burdens in investing in water/wastewater infrastructure to create additional development lands. This proposed change will worsen the problem and, in many cases, significantly delay or inhibit the creation of serviced lands in the future.
- Note that it is unclear how the phase-in provisions will affect amendments to existing D.C. by-laws.

7. D.C. By-law Expiry: A D.C. by-law would expire ten years after the day it comes into force. This extends the by-law's life from five years, currently. D.C. by-laws that expire prior to subsection 6 (1) of the Bill coming into force would not be allowed to extend the life of the by-law.

Analysis/Commentary

- The extension of the life of the D.C. by-law would appear to not have an immediate financial impact on municipalities. Due to the recent increases in actual construction costs experienced by municipalities, however, the index used to adjust the D.C. for inflation is not keeping adequate pace (e.g., the most recent D.C. index has increased at 15% over the past year; however, municipalities are experiencing 40%-60% increases in tender prices). As a result, amending the present by-laws to update cost estimates for planned infrastructure would place municipalities in a better financial position.
- As a result of the above, delaying the updating of current D.C. by-laws for five more years would reduce actual D.C. recoveries and place the municipalities at risk of underfunding growth-related expenditures.

8. Instalment Payments: Non-profit housing development has been removed from the instalment payment section of the Act (section 26.1), as these units are now exempt from the payment of a D.C.

Analysis/Commentary

- This change is more administrative in nature due to the additional exemption for non-profit housing units.

9. Rental Housing Discount: The D.C. payable for rental housing development will be reduced based on the number of bedrooms in each unit as follows:

- Three or more bedrooms – 25% reduction;



- Two bedrooms – 20% reduction; and
- All other bedroom quantities – 15% reduction.

Analysis/Commentary

- Further discounts to D.C.s will place an additional financial burden on municipalities to fund these reductions.
- The discount for rental housing does not appear to have the same requirements as the affordable and attainable exemptions to enter into an agreement for a specified length of time. This means a developer may build a rental development and convert the development (say to a condominium) in the future hence avoiding the full D.C. payment for its increase in need for service.

10. Maximum Interest Rate for Instalments and Determination of Charge for Eligible Site Plan and Zoning By-law Amendment Applications: No maximum interest rate was previously prescribed. Under the proposed changes, the maximum interest rate would be set at the average prime rate plus 1%. How the average prime rate is determined is further defined under section 9 of Schedule 3 of the Bill. This maximum interest rate provision would apply to all instalment payments and eligible site plan and zoning by-law amendment applications occurring after section 9 of Schedule 3 of the Bill comes into force.

Analysis/Commentary

- Setting the maximum interest rate at 1%+ the average prime rate appears consistent with the current approach for some municipalities but is a potential reduction for others.
- It appears a municipality can select the adjustment date for which the average prime rate would be calculated.
- The proposed change will require municipalities to change their interest rate policies, or amend their by-laws, as well as increase the administrative burden on municipalities.

11. Requirement to Allocate Funds Received: Similar to the requirements for community benefits charges, annually, beginning in 2023, municipalities will be required to spend or allocate at least 60% of the monies in a reserve fund at the beginning of the year for water, wastewater, and services related to a highway. Other services may be prescribed by the regulation.

Analysis/Commentary

- This proposed change appears largely administrative and would not have a financial impact on municipalities. This can be achieved as a schedule as part of the annual capital budget process or can be included as one of the schedules



with the annual D.C. Treasurer Statement. This, however, will increase the administrative burden on municipalities.

12. Amendments to Section 44 (Front-ending): This section has been updated to include the new mandatory exemptions for affordable, attainable, and non-profit housing, along with required affordable residential units under inclusionary zoning by-laws.

Analysis/Commentary

- This change is administrative to align with the additional statutory exemptions.

13. Amendments to Section 60: Various amendments to this section were required to align the earlier described changes.

Analysis/Commentary

- These changes are administrative in nature.



Attachment 2 - Changes to the *Planning Act*

The following summary of proposed key housing and planning related changes, along with our firm's commentary, is provided below. It is noted that this commentary specifically focuses on the impacts of Bill 23 regarding long-range planning and growth management initiatives at the municipal level.

1. Streamlining Municipal Planning Responsibilities

Schedule 9 of the Bill proposes a number of amendments to the *Planning Act*. Subsection 1 (1) of the Act is proposed to be amended to provide for two different classes of upper-tier municipalities; those that have planning responsibilities and those that do not. Changes are proposed to remove the planning policy and approval responsibilities from the following upper-tier municipalities: Regions of Durham, Halton, Niagara, Peel, Waterloo, and York, as well as the County of Simcoe. In addition, the proposed changes could potentially be applied to additional upper-tier municipalities in the future via regulation.

The proposed amendments under Schedule 9 of the Bill introduce numerous questions related to the approach to ensuring effective leadership, management and integration of regional and local land use planning across the affected jurisdictions. In addition to providing a broad vision and planning direction with respect to the long-term management of urban, rural and natural systems, upper-tier municipal planning authorities also play a critical role regarding the coordination, phasing, and delivery of water, wastewater and transportation infrastructure as well as other municipal services. The Provincial Policy Statement, 2020 (P.P.S.) sets out specific responsibilities for upper-tier municipalities, in consultation with lower-tier municipalities, related to planning coordination, housing, economic development, natural environment and municipal infrastructure. Furthermore, the P.P.S. directs upper-tier municipal planning authorities to provide policy direction to lower-tier municipalities on matters that cross municipal boundaries.

While the proposed amendment to the Bill aims to streamline the land use planning process across the affected municipalities, it risks increasing complexity and miscommunication while adding to the technical and administrative efforts of both lower-tier and upper-tier municipalities, as well as the Province.

Furthermore, it would remove critical planning resources and knowledge at the upper-tier level which are required when addressing matters that cross technical disciplines and municipal jurisdictions. This would potentially result in disjointed efforts and outcomes with respect to local planning approvals and regional municipal service delivery.



2. Review of the Potential Integration of A Place to Grow and the Provincial Policy Statement (P.P.S.)

The Ministry of Municipal Affairs and Housing is undertaking a housing-focused policy review of A Place to Grow: the Growth Plan for the Greater Golden Horseshoe (G.G.H.), 2019, as amended, hereinafter referred to as the Growth Plan, and the P.P.S. The Province is reviewing the potential integration of the P.P.S. and the Growth Plan into a new Province-wide planning policy framework that is intended to:

- Leverage housing-supportive policies of both policy documents, while removing or streamlining policies that result in duplication, delays or burden the development of housing;
- Ensure key growth management and planning tools are available to increase housing supply and support a range and mix of housing options;
- Continue to protect the environment, cultural heritage, and public health and safety; and
- Ensure that growth is supported with the appropriate amount and type of community infrastructure.

Since the release of the Growth Plan in 2006 under the *Places to Grow Act, 2005*, G.G.H. municipalities have been in a continuous cycle of developing and defending growth management processes and Official Plan updates. Over the past several years, all G.G.H. upper-tier, single-tier, and most lower-tier municipalities have initiated the process of updating their respective Official Plans to bring these documents into conformity with the Growth Plan. Within the G.G.H., this process is referred to as a Municipal Comprehensive Review (M.C.R.). Many of these municipalities have completed their draft M.C.R. analyses and draft Official Plan updates for provincial approval, while several others are approaching completion.

The required technical analysis associated with the growth analysis and urban land needs assessment component of the M.C.R. process is set out in the Provincial Land Needs Assessment (L.N.A.) methodology, which is specific to G.G.H. municipalities.^[1] The M.C.R. process has required tremendous time and effort on behalf of municipalities, consulting agencies, stakeholder groups and involved residents. The results of these efforts represent a key planning milestone for all G.G.H. municipalities and provide a solid foundation to build on as it relates to future growth management implementation, monitoring and benchmarking.

Ontario municipalities located outside the G.G.H. are also now in the process of updating their respective Official Plans in accordance with the P.P.S. For municipalities in these jurisdictions, this process is referred to as a Comprehensive Review (C.R.). While there are potential benefits regarding the consolidation of the

^[1] A Place to Grow: Growth Plan for the Greater Golden Horseshoe, Land Needs Assessment Methodology for the Greater Golden Horseshoe. August 2020.



P.P.S. and the Growth Plan, as it relates to the M.C.R. and C.R. process, there are a number of issues that should be considered regarding this effort, particularly as they relate to long-term growth management and urban land needs, discussed below.

Long-Term Population and Employment Forecasts

Schedule 3 of the Growth Plan establishes minimum long-term population and employment forecasts for upper-tier and single-tier municipalities in the G.G.H. to the year 2051. The Ministry of Finance (M.O.F.) also establishes long-term population forecasts for all Ontario Census Divisions (C.D.s), which typically represent upper-tier municipalities, separated municipalities, and single-tier municipalities. The M.O.F. forecasts are not recognized as official forecasts for planning purposes in Ontario; however, they are updated annually and can be used to inform population forecasts in Official Plans. Under a consolidated Growth Plan and P.P.S., consideration would need to be given to the role and source of growth forecasts established by the Province for all Ontario municipalities.

Provincial Land Needs Assessment Methodology Guidelines

As previously noted, the L.N.A. methodology for G.G.H. municipalities was updated by the Province in 2020. In accordance with the Growth Plan, the L.N.A. methodology provides a step-by-step approach to conducting growth forecasts and urban land need assessments for upper-tier and single-tier municipalities for both Community Areas (i.e., living areas) and Employment Areas. All other Ontario municipalities rely on the 1995 Provincial Projection Methodology Guidelines (P.P.M.G.) for guidance regarding the technical approach to growth forecasts and urban land need assessments. It is noted that the 1995 P.P.M.G. suggests that a simplified methodology can be used for smaller or low-growth municipalities. It is further noted that the P.P.M.G. is meant to be used as “best practices” and the guidelines are not mandatory. Under a consolidated Growth Plan and P.P.S., consideration is required regarding the application of a standardized L.N.A. methodology for all Ontario municipalities.

Addressing Urban Land Needs for Urban Settlement Areas

An important term used in the P.P.S. in the context of both urban land needs and housing affordability is the *Regional Market Area (R.M.A.)*. The R.M.A. is defined in the P.P.S. and Growth Plan (with modifications) as follows:

“an area that has a high degree of social and economic interaction. The upper- or single-tier municipality, or planning area, will normally serve as the regional market area. However, where a regional market area extends significantly beyond these boundaries, then the regional market area may be based on the larger market area. Where regional market areas are



very large and sparsely populated, a smaller area, if defined in an official plan, may be utilized.”

With respect to urban residential land needs assessments, the broad objective of this policy is to ensure the efficient and wise use of all designated urban lands, both occupied and vacant, within the R.M.A. before expanding Urban Settlement Area boundaries. Across southern Ontario municipalities, a key challenge with the application of this policy is the mismatch of urban residential land needs at the urban settlement area level within the defined R.M.A. geography.

If the R.M.A. definition is interpreted too rigidly, it can constrain urban residential development within Urban Settlement Areas, and more broadly across entire municipalities, where identified urban land surpluses have been determined elsewhere within the R.M.A. Neither the P.P.S. nor the Growth Plan provide adequate direction for addressing residential urban land supply and demand mismatches within the R.M.A. Subsection 2.2.1.6 of the Growth Plan provides policy direction regarding *Excess Lands*, which applies exclusively to Outer Ring G.G.H. municipalities. Under a consolidated Growth Plan and P.P.S., a review of the R.M.A. and Excess Lands policies would be required to determine an appropriate and standardized approach to addressing localized urban residential land needs for Urban Settlement Areas and local municipalities.

Residential Intensification Targets and Minimum Density Requirements

Subsection 2.2.7.2 of the Growth Plan provides direction with respect to minimum greenfield density targets for G.G.H. upper-tier and single-tier municipalities. These densities range between 40 and 50 people and jobs per gross hectare (ha). Minimum density requirements are also prescribed in the Growth Plan for Strategic Growth Areas, such as Urban Growth Centres and Major Transit Station Areas (M.T.S.A.s). The P.P.S. does not prescribe minimum density targets for Ontario municipalities but does require municipalities to establish density targets for areas adjacent, or in proximity, to M.T.S.A.s and corridors.

Subsection 2.2.2.1 of the Growth Plan requires upper-tier and single-tier G.G.H. municipalities to establish minimum intensification targets within delineated built-up areas (B.U.A.s). These were established under the Growth Plan, 2006. The delineated B.U.A.s within G.G.H. municipalities have remained unchanged since the Growth Plan was established in 2006. The P.P.S. also requires municipalities to establish residential intensification targets but does not prescribe minimum density targets for Ontario municipalities. Furthermore, the P.P.S. does not require municipalities to delineate built area boundaries in Official Plans; however, some Ontario municipalities outside the G.G.H. have delineated built area boundaries for planning purposes. It is noted that the delineation of built area boundaries may be subject to change or update for municipalities outside the G.G.H., while B.U.A.s within the G.G.H. will remain fixed as of 2006. Under a consolidated Growth Plan



and P.P.S., a standardized approach to minimum density requirements and residential intensification targets would be required for all Ontario municipalities.

Rural Housing

An identified area of the Growth Plan and P.P.S. review is to provide policy direction to enable more residential development in Rural Areas. Rural Settlement Areas include existing hamlets or similar existing small settlement areas that are established in Official Plans. These communities are typically serviced by individual, private, on-site water and/or private wastewater systems. Rural Settlement Areas provide clusters of business operations that are essential to future economic growth. Infilling and minor rounding out of existing residential and non-residential development within Rural Settlement Areas is important to ensure that these areas remain vibrant, sustainable and complete communities. Under a consolidated Growth Plan and P.P.S., enabling more residential development in Rural Settlement Areas, and Rural Areas more broadly, would need to be considered within the context of the existing provincial and local policy frameworks, the land use hierarchy identified in Official Plans, the provision of servicing, as well as the protection of natural heritage and agricultural lands.

Employment Area Conversion

An identified area of the Growth Plan and P.P.S. review is to provide policy direction to streamline and simplify the conversion of Employment Areas to new residential and mixed-use development, where appropriate. Employment Areas form a vital component of a municipality's land use structure and represent an integral part of the local economic development potential and competitiveness of municipalities. If not carefully evaluated, the conversion of Employment Areas to non-employment uses can potentially lead to negative impacts on the local economy in several ways. First, Employment Area conversions can reduce employment opportunities, particularly in export-based sectors, creating local imbalances between population and employment. Second, Employment Area conversions can potentially erode employment land supply and lead to further conversion pressure as a result of encroachment of non-employment uses within, or adjacent to, Employment Areas. Finally, Employment Area conversions can potentially fragment existing Employment Areas, undermining their functionality and competitive position. Under a consolidated Growth Plan and P.P.S., policy direction regarding the conversion of Employment Areas should emphasize principles and criteria that examine both the quantity and quality of Employment Areas within the context of the local and regional market attributes, as well as the planned urban function of the subject conversion sites.

3. 2031 Municipal Housing Targets

The Province has identified that an additional 1.5 million new housing units are required to be built over the next decade to meet Ontario's current and forecast



housing needs. Furthermore, the Province has assigned municipal housing targets, identifying the number of new housing units needed by 2031, impacting 29 of Ontario's largest and many of the fastest growing single/lower tier municipalities. Key observations on the Province's plan are as follows:

- The municipal housing targets for 2031 collectively account for 1,229,000 units, representing about 82% of Ontario's overall 1.5 million new homes target.
- Of the 29 municipalities with housing targets identified, 25 are within the G.G.H. and four are located in other areas of southwestern and southeastern Ontario.
- Within the G.G.H. municipalities, the municipal housing targets are generally higher than approved housing forecasts. In non-G.G.H. municipalities, there is generally less discrepancy between the approved housing forecasts and the Province's targets. Having said that, the Municipal Housing Pledges are not intended to replace current municipal Official Plans.
- The municipal housing targets are based on current and future housing needs. A share of the overall housing need is attributed to a structural deficit in existing housing inventories, while a portion of the housing need is linked to anticipated population growth over the next decade.
- The housing targets are adapted from the housing needs assessment provided in the "Ontario's Need for 1.5 Million More Homes" report, prepared by Smart Prosperity Institute, dated August 2022.
- The impacted municipalities are being asked to prepare Municipal Housing Pledges to meet these housing targets. These pledges must include details on how the municipality will enable/support housing development through a range of planning, development approvals and infrastructure related initiatives.
- These housing pledges are not intended to replace current municipal Official Plans and are not expected to impact adopted municipal population or employment projections.
- While the municipal housing targets do not specify housing form, density, or geographic location (e.g., greenfield, intensification), it is anticipated that any needs beyond adopted housing forecasts will largely comprise rental and affordable housing units primarily located within B.U.A.s, and to a lesser extent, designated greenfield areas (D.G.A.s).
- To develop effective local policies and programs to support the achievement of the housing targets, it is recommended that municipalities assess their existing and future housing needs through a local lens, building on the high-level assessment provided by the Province.
- Local housing needs should be considered within a broader growth management framework, reflecting population, labour and employment/economic growth potential, and addressed through a planning, economic, fiscal and housing affordability lens.



4. Potential Changes to Inclusionary Zoning

Inclusionary zoning is a tool that can be used by municipalities to ensure the provision of affordable housing. Ontario Regulation (O. Reg.) 232/18 implements inclusionary zoning in Ontario. The proposed amendments to O. Reg 232/18 would:

- Establish 5% as the upper limit on the number of affordable housing units; the 5% limit would be based on either the number of units or percentage share of gross floor area of the total residential units; and
- Establish a maximum period of twenty-five (25) years over which the affordable housing units would be required to remain affordable.

While the proposed changes provide certainty with respect to affordable housing to be provided under inclusionary zoning, they greatly limit a municipality's ability to tailor the provision for affordable housing to the local market and for development feasibility considerations identified through the required Inclusionary Zoning Assessment Report.



Attachment 3 - Changes to the *Planning Act* – Parkland Dedication

1. **New Statutory Exemptions:** Affordable residential units, attainable residential units, inclusionary zoning residential units, non-profit housing and additional residential unit developments will be exempt from parkland dedication requirements. For affordable, attainable, and inclusionary zoning residential units, the exemption is proposed to be implemented by:

- discounting the standard parkland dedication requirements (i.e., 5% of land) based on the proportion of development excluding affordable, attainable and inclusionary zoning residential units relative to the total residential units for the development; or
- where the alternative requirement is imposed, the affordable, attainable and inclusionary zoning residential units would be excluded from the calculation.

For non-profit housing and additional residential units, a parkland dedication by-law (i.e., a by-law passed under section 42 of the *Planning Act*) will not apply to these types of development:

- **Affordable Rental Unit:** as defined under subsection 4.1 (2) of the D.C.A., where rent is no more than 80% of the average market rent as defined by a new bulletin published by the Ministry of Municipal Affairs and Housing.
- **Affordable Owned Unit:** as defined under subsection 4.1 (3) of the D.C.A., where the price of the unit is no more than 80% of the average purchase price as defined by a new bulletin published by the Ministry of Municipal Affairs and Housing.
- **Attainable Unit:** as defined under subsection 4.1 (4) of the D.C.A., excludes affordable units and rental units, will be defined as prescribed development or class of development and sold to a person who is at “arm’s length” from the seller.
- **Inclusionary Zoning Units:** as described under subsection 4.3 (2) of the D.C.A.
- **Non-Profit Housing:** as defined under subsection 4.2 (1) of the D.C.A.
- **Additional Residential Units, including:**
 - A second unit in a detached, semi-detached, or rowhouse if all buildings and ancillary structures cumulatively contain no more than one residential unit;
 - A third unit in a detached, semi-detached, or rowhouse if no buildings or ancillary structures contain any residential units; and
 - One residential unit in a building or structure ancillary to a detached, semi-detached, or rowhouse on a parcel of urban land, if the detached, semi-detached, or rowhouse contains no more than two residential units and no other buildings or ancillary structures contain any residential units.



Analysis/Commentary

- While reducing municipal requirements for the conveyance of land or P.I.L. of parkland may provide a further margin for builders to create additional affordable housing units, the proposed parkland dedication exemptions will increase the financial burdens on municipalities to fund these exemptions from property tax sources (in the absence of any financial participation by senior levels of government) or erode municipalities' planned level of parks service.
- The definition of "attainable" is unclear, as this has not yet been defined in the regulations to the D.C.A.
- Under the proposed changes to the D.C.A, municipalities will have to enter into agreements to ensure these units remain affordable and attainable over a period of time, which will increase the administrative burden (and costs) on municipalities. An agreement does not appear to be required for affordable/attainable units exempt from parkland dedication. Assuming, however, that most developments required to convey land or provide P.I.L. of parkland would also be required to pay development charges, the units will be covered by the agreements required under the D.C.A. As such, the *Planning Act* changes should provide for P.I.L. requirements if the status of the development changes during the period.
- It is unclear whether the bulletin provided by the Province to determine if a development is affordable will be specific to each municipality or aggregated by County/Region or Province. Due to the disparity in incomes across Ontario, affordability will vary significantly across these jurisdictions. Even within an individual municipality there can be disparity in the average market rents and average market purchase prices.
- While the proposed exemptions for non-profit housing and additional residential units may be easily applied for municipalities imposing the alternative requirement, as these requirements are imposed on a per residential unit basis, it is unclear at this time how a by-law requiring the standard provision of 5% of residential land would be applied.

2. Determination of Parkland Dedication: Similar to the rules under the D.C.A., the determination of parkland dedication for a building permit issued within two years of a Site Plan and/or Zoning By-law Amendment approval would be subject to the requirements in the by-law as at the date of planning application submission.

Analysis/Commentary

- If passed as currently drafted, these changes would not apply to site plan or zoning by-law applications made before subsection 12 (6) of Schedule 9 of the *More Homes Built Faster Act* comes into force.
- For applications made after the in-force date, this would represent a lag in P.I.L. value provided to municipalities, as it would represent the respective land value



up to two years prior vs. current value at building permit issuance. For municipalities having to purchase parkland, this will put additional funding pressure on property tax funding sources to make up the difference, or further erode the municipality's planned level of parks service.

3. Alternative Parkland Dedication Requirement: The following amendments are proposed for the imposition of the alternative parkland dedication requirements:

- The alternative requirement of 1 hectare (ha) per 300 dwelling units would be reduced to 1 ha per 600 dwelling units where land is being conveyed. Where the municipality imposes P.I.L. requirements, the amendments would reduce the amount from 1 ha per 500 dwelling units to 1 ha per 1,000 net residential units.
- Proposed amendments clarify that the alternative requirement would only be calculated on the incremental units of development/redevelopment.
- The alternative requirement would be capped at 10% of the land area or land value where the land proposed for development or redevelopment is 5 ha or less; and 15% of the land area or land value where the land proposed for development or redevelopment is greater than 5 ha.

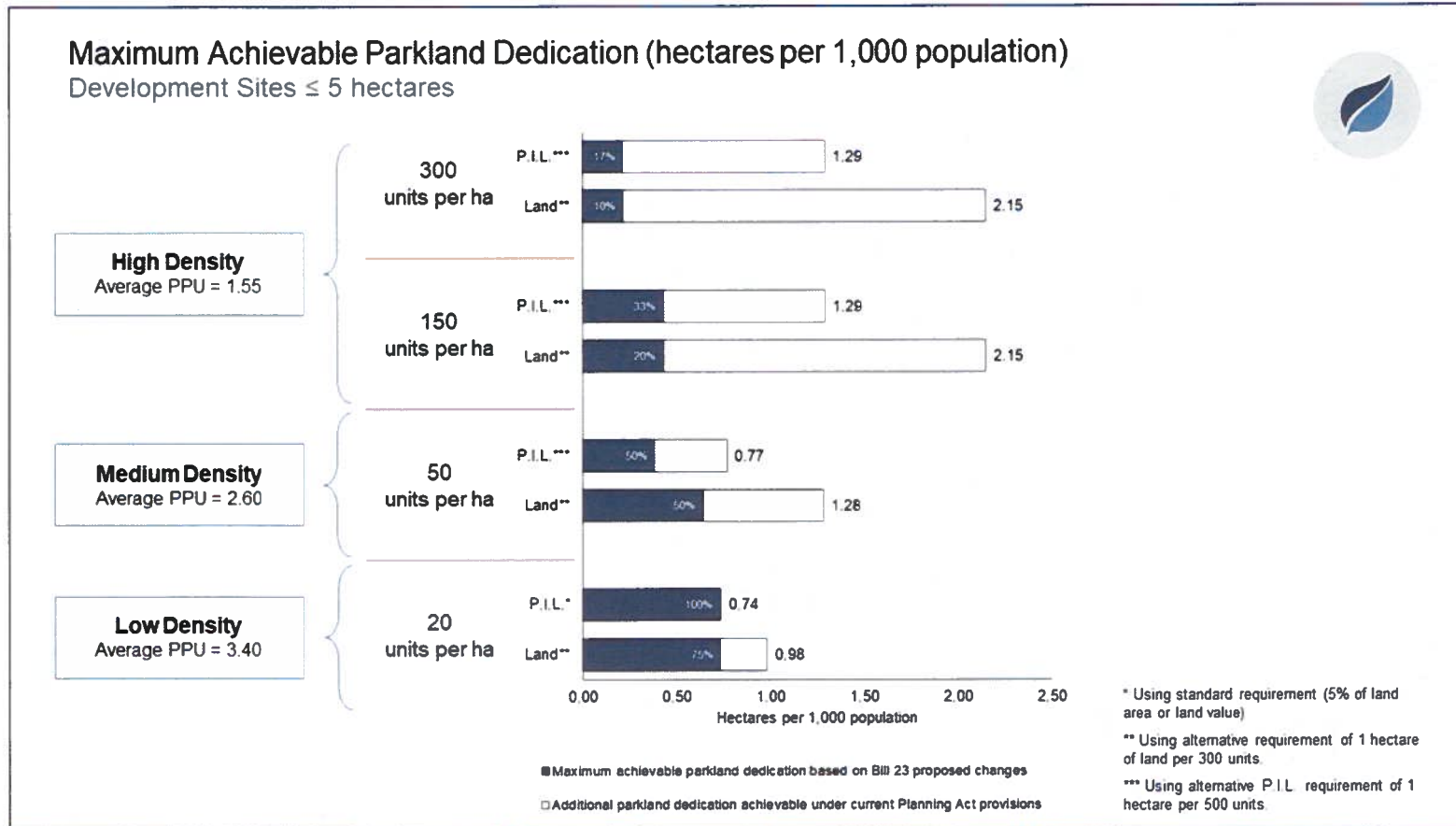
Analysis/Commentary

- If passed as currently drafted, the decrease in the alternative requirements for land conveyed and P.I.L. would not apply to building permits issued before subsection 12 (8) of Schedule 9 of the *More Homes Built Faster Act* comes into force.
- Most municipal parkland dedication by-laws only imposed the alternative requirements on incremental development. As such, the proposed amendments for net residential units seek to clarify the matter where parkland dedication by-laws are unclear.
- Section 42 previously imposed the alternative requirement caps of 10% and 15% of land area or value, depending on the respective developable land area, for developments only within designated transit-oriented communities. By repealing subsection 42 (3.2) of the *Planning Act*, these caps would apply to all developable lands under the by-law.
- As illustrated in the figure below, lowering the alternative parkland dedication requirement and imposing caps based on the developable land area will place significant downward pressure on the amount of parkland dedication provided to municipalities, particularly those municipalities with significant amounts of high-density development. For example:
 - Low-density development of 20 units per net ha (uph), with a person per unit (P.P.U.) occupancy of 3.4, would have produced a land conveyance of 0.98 ha per 1,000 population. The proposed change would reduce this to 0.74 ha, approximately 75% of current levels.



- Medium-density development of 50 uph, with a P.P.U. of 2.6 would produce land conveyance at 50% of current levels (0.64 vs. 1.28 ha/1,000 population).
- Low-rise development of 150 uph, with a P.P.U. of 2.6 would produce land conveyance at 20% of current levels (0.43 vs. 2.15 ha/1,000 population). P.I.L. would be approximately 1/3 of current levels.
- High-rise development of 300 uph, with a P.P.U. of 2.6 would produce land conveyance at 10% of current levels (0.22 vs. 2.15 ha/1,000 population). P.I.L. would be approximately 17% of current levels.^[1]
- Based on the proposed alternative requirement rates and land area caps, municipalities would be better off:
 - For land conveyance, imposing the alternative requirement for densities greater than 30 units per ha.
 - Sites of 5 ha or less, land conveyance would be capped at 10% of land area at densities greater than 60 units per ha.
 - Sites greater than 5 ha, land conveyance would be capped at 15% of land area at densities greater than 90 units per ha.
 - For P.I.L. of parkland, imposing the alternative requirement for densities greater than 50 units per ha.
 - Sites of 5 ha or less, land conveyance would be capped at 10% of land area at densities greater than 100 units per ha.
 - Sites greater than 5 ha, land conveyance would be capped at 15% of land area at densities greater than 150 units per ha.
 - For densities less than 30 units per ha, imposing the standard requirement of 5% of land area for land conveyance and P.I.L. of parkland.

^[1] Low-rise and high-rise developments with sites larger than 5 ha would only be marginally better under the proposed changes, at 30% and 15% of land conveyance and 50% and 25% P.I.L., respectively.





4. Parks Plan: The preparation of a publicly available parks plan as part of enabling an Official Plan will be required at the time of passing a parkland dedication by-law under section 42 of the *Planning Act*.

Analysis/Commentary

- The proposed change will still require municipal Official Plans to contain specific policies dealing with the provision of land for parks or other public recreational purposes where the alternative requirement is used.
- The requirement to prepare and consult on a parks plan prior to passing a by-law under section 42 would now appear to equally apply to a by-law including the standard parkland dedication requirements, as well as the alternative parkland dedication requirements. This will result in an increase in the administrative burden (and cost) for municipalities using the standard parkland dedication requirements.
- Municipalities imposing the alternative requirement in a parkland dedication by-law on September 18, 2020 had their by-law expire on September 18, 2022 as a result of the *COVID-19 Economic Recovery Act* amendments. Many municipalities recently undertook to pass a new parkland dedication by-law, examining their needs for parkland and other recreational assets. Similar transitional provisions for existing parkland dedication by-laws should be provided with sufficient time granted to allow municipalities to prepare and consult on the required parks plan.

5. Identification of Lands for Conveyance: Owners will be allowed to identify lands to meet parkland conveyance requirements, within regulatory criteria. These lands may include encumbered lands and privately owned public space (POPs). Municipalities may enter into agreements with the owners of the land regarding POPs to enforce conditions, and these agreements may be registered on title. The suitability of land for parks and recreational purposes will be appealable to the Ontario Land Tribunal (OLT).

Analysis/Commentary

- The proposed changes allow the owner of land to identify encumbered lands for parkland dedication consistent with the provisions available to the Minister of Infrastructure to order such lands within transit-oriented communities. Similar to the expansion of parkland dedication caps, these changes would allow this to occur for all developable lands under the by-law. The proposed changes go further to allow for an interest in land, or POPs.
- The municipality may refuse the land identified for conveyance, providing notice to the owner with such requirements as prescribed. The owner, however, may appeal the decision to the OLT. The hearing would result in the Tribunal determining if the lands identified are in accordance with the criteria prescribed. These “criteria” are unclear, as they have not yet been defined in the regulations.



- Many municipal parkland dedication by-laws do not except encumber lands or POPs as suitable lands for parkland dedication. This is due, in part, to municipalities' inability to control the lands being dedicated or that they are not suitable to meet service levels for parks services. Municipalities that do accept these types of lands for parkland or other recreational purposes have clearly expressed such in their parkland dedication by-laws. The proposed changes would appear to allow the developers of the land, and the Province within prescribed criteria, to determine future parks service levels in municipalities in place of municipal council intent.

6. Requirement to Allocate Funds Received: Similar to the requirements for C.B.C.s, and proposed for the D.C.A. under Bill 23, annually beginning in 2023, municipalities will be required to spend or allocate at least 60% of the monies in a reserve fund at the beginning of the year.

Analysis/Commentary

- This proposed change appears largely administrative, increasing the burden on municipalities. This change would not have a fiscal impact and could be achieved as a schedule to annual capital budget. Moreover, as the Province may prescribe annual reporting, similar to the requirements under the D.C.A. and for a C.B.C under the *Planning Act*.



Attachment 4 - Changes to the *Planning Act* – Community Benefits Charges

1. New Statutory Exemptions: Affordable residential units, attainable residential units, and inclusionary zoning residential units will be exempt from the payment of C.B.C.s., with definitions provided as follows:

- Affordable Residential Units (Rented): Where rent is no more than 80% of the average market rent as defined by a new bulletin published by the Ministry of Municipal Affairs and Housing.
- Affordable Residential Units (Ownership): Where the price of the unit is no more than 80% of the average purchase price as defined by a new bulletin published by the Ministry of Municipal Affairs and Housing.
- Attainable Residential Units: Excludes affordable units and rental units; will be defined as prescribed development or class of development and sold to a person who is at “arm’s length” from the seller.
- Inclusionary Zoning Units: Affordable housing units required under inclusionary zoning by-laws.

The exemption is proposed to be implemented by applying a discount to the maximum amount of the C.B.C. that can be imposed (i.e., 4% of land value, as specified in section 37 of the *Planning Act*). For example, if the affordable, attainable, and/or inclusionary zoning residential units represent 25% of the total building floor area, then the maximum C.B.C. that could be imposed on the development would be 3% of total land value (i.e., a reduction of 25% from the maximum C.B.C. of 4% of land value).

Analysis/Commentary

- While this is an admirable goal to create additional affordable housing units, further C.B.C. exemptions will continue to provide additional financial burdens on municipalities to fund these exemptions without the financial participation of senior levels of government.
- The definition of “attainable” is unclear, as this has not yet been defined in the regulations.
- Under the proposed changes to the D.C.A, municipalities will have to enter into agreements to ensure that affordable units remain affordable for 25 years and that attainable units are attainable at the time they are sold. An agreement does not appear to be required for affordable/attainable residential units exempt from payment of a C.B.C. Assuming, however, that most developments required to pay a C.B.C. would also be paying development charges, the units will be covered by the agreements required under the D.C.A. These agreements should be allowed to include the C.B.C. so that if a municipality needs to enforce the



provisions of an agreement, both development charges and C.B.C.s could be collected accordingly.

- These agreements will increase the administrative burden (and costs) on municipalities. Furthermore, the administration of these agreements will be cumbersome and will need to be monitored by both the upper-tier and lower-tier municipalities.
- It is unclear whether the bulletin provided by the Province will be specific to each municipality, each County/Region, or Province-wide. Due to the disparity in incomes across Ontario, affordability will vary significantly across these jurisdictions. Even within an individual municipality, there can be disparity in the average market rents and average market purchase prices.
- Where municipalities are imposing the C.B.C. on a per dwelling unit basis, they will need to ensure that the total C.B.C. being imposed for all eligible units is not in excess of the incremental development calculation (e.g., as per the example above, not greater than 3% of the total land value).

2. Limiting the Maximum C.B.C. in Proportion to Incremental Development: Where development or redevelopment is occurring on a parcel of land with an existing building or structure, the maximum C.B.C. that could be imposed would be calculated based on the incremental development only. For example, if a building is being expanded by 150,000 sq.ft. on a parcel of land with an existing 50,000 sq.ft. building, then the maximum C.B.C. that could be imposed on the development would be 3% of total land value (i.e., $150,000 \text{ sq.ft.} / 200,000 \text{ sq.ft.} = 75\% \times 4\%$ maximum prescribed rate = 3% of total land value).

Analysis/Commentary

- With municipal C.B.C. by-laws imposing the C.B.C. based on the land total land value or testing the C.B.C. payable relative to total land value, there will be a reduction in revenues currently anticipated. At present, some municipal C.B.C. by-laws have provisions excluding existing buildings from the land valuation used to calculate the C.B.C. payable or to test the maximum charge that can be imposed. As such, this proposal largely seeks to clarify the administration of the charge.



Attachment 5 - Changes to the *Conservation Authorities Act*

1. Changes to conservation authority involvement in the development approvals process

- **Programs and services that are prohibited within municipal and other programs and services:**
 - Authorities would no longer be permitted to review and comment on a proposal, application, or other matter made under a prescribed Act (if not related to their mandatory programs and services under O. Reg. 686/21). The Province proposes that a new regulation would prescribe the following Acts in this regard:
 - The *Aggregate Resources Act*
 - The *Condominium Act*
 - The *Drainage Act*
 - The *Endangered Species Act*
 - The *Environmental Assessment Act*
 - The *Environmental Protection Act*
 - The *Niagara Escarpment Planning and Development Act*
 - The *Ontario Heritage Act*
 - The *Ontario Water Resources Act*
 - The *Planning Act*
- **Exemptions to requiring a permit under section 28 of the *Conservation Authorities Act***
 - Where development has been authorized under the *Planning Act* it will be exempt from required permits to authorize the development under section 28 of the *Conservation Authorities Act*. Exemptions to permits would also be granted where prescribed conditions are met.
 - Regulation making authority would be provided to govern the exceptions to section 28 permits, including prescribing municipalities to which the exception applies, and any other conditions or restrictions that must be satisfied.
- **Shortened timeframe for decisions**
 - Applicants may appeal the failure of the authority to issue a permit to the Ontario Land Tribunal within 90 days (shortened from 120 days currently).

Analysis/Commentary

- These changes would focus an authority's role in plan review and commenting on applications made under the above Acts (including the *Planning Act*) to the risks of natural hazards only, limit the developments in which permits under section 28 of the *Conservation Authorities Act* would be required, and shorten timeframes for issuing permits. Authorities would no longer be able to review applications with respect to the natural heritage impacts.



- With respect to natural heritage review requirements, the Province is proposing to integrate the Provincial Policy Statement, 2020 (P.P.S.) and A Place To Grow: Growth Plan for the Greater Golden Horseshoe into a new Province-wide planning policy instrument. It is proposed that this new instrument could include changes to natural heritage policy direction.
- Recent amendments to the *Conservation Authorities Act* have already been implemented to limit a conservation authority to programs and services within their core mandate unless they have entered into an agreement with a municipal partner. Conservation authorities are able to efficiently provide services, such as natural heritage review required under the P.P.S., to municipalities across their watershed. Removing this ability from conservation authorities may result in municipalities having to find other external sources with the expertise to undertake this review, adding to the cost and timeframes for development approvals and negatively impacting the Province's goal of creating more housing.

2. Minister's ability to freeze fees

- The Minister would have the ability to direct an authority to not change the amount of any fee it charges (including for mandatory programs and services) for a specified period of time.

Analysis/Commentary

- Limiting the ability of conservation authorities to recover the costs of plan review and permitting from benefiting developers and landowners will place additional financial burdens on conservation authorities and municipalities to fund these activities.
- As the goal of the Province is to create more housing, it is suggested that any limitations to conservation authority fees that are implemented should only apply to plan review and permitting fees related to the construction of new homes.



Presentation to the Standing Committee on Heritage, Infrastructure and Cultural Policy on Bill 23

Gary Scandlan, Managing Partner

November 17, 2022

Introduction



- At the outset, we would like to thank the Committee for inviting us to speak.
- We are providing a high-level summary PowerPoint presentation along with a detailed letter submission re Bill 23 as it relates to:
 - Development Charges (D.C.s)
 - Planning
 - Parkland Dedication (P.L.D.)
 - Community Benefits Charges (C.B.C.s)
 - Conservation Authorities (cost recovery and input to the planning process).
- This presentation will provide certain highlights for the Committee's consideration.

Background on Watson & Associates Economists Ltd.



- Watson & Associates Economists Ltd. is a firm of municipal economists, planners and accountants which has been in operation since 1982. With a municipal client base of more than 250 Ontario municipalities and utility commissions, the firm is recognized as a leader in the municipal finance/local government and land economics field.
- Our background is unprecedented including:
 - Having undertaken over one-half of the consulting work completed in Ontario in the D.C. field during the past decade;
 - Provided submissions and undertook discussions with the Province when the *Development Charges Act (D.C.A.)* was first introduced in 1989 and with each subsequent amendment undertaken in 1997, 2015 and 2019 (including being a member of the Provincial Technical Working Group on the 2020 D.C. and C.B.C. regulations;
 - Undertaken numerous studies that focus on growth management, population and employment forecasting, urban land needs, municipal competitiveness, land use planning policy and financial/economic impact analysis;
 - Our work also includes the preparation of asset management plans, P.L.D. reviews, C.B.C.s and conservation authority fees and charges.

1. Proposed Changes Which May Restrict/Inhibit the Future Supply of Developable Lands



Present Situation

- For urban growth to occur, water and wastewater services must be in place before building permits can be issued for housing.
- Most municipalities assume the risk of constructing this infrastructure and wait for development to occur.
- Currently, 26% of municipalities providing water/wastewater services are carrying negative D.C. reserve fund balances for these services and many others are carrying significant growth-related debt.
- Where the total cost of infrastructure is unaffordable, or will cause municipalities to exceed their debt capacity limit, many municipalities enter into front-ending and pre-payment agreements to share the cashflow and risk with developers.

1. Proposed Changes Which May Restrict/Inhibit the Future Supply of Developable Lands (Cont'd)



Bill 23 Impacts

- In addition to the present situation, Bill 23 proposes to:
 - Phase-in any new by-laws over five years which, on average, would reduce D.C. revenues by approximately 10%.
 - Introduce new exemptions which would provide a potential loss of 10-15% of the D.C. funding.
 - Remove funding of water/wastewater master plans and environmental assessments which provide for specific planning and approval of infrastructure.
 - Unclear whether land costs for treatment facilities and/or for the purchase of land for linear infrastructure will continue to be an eligible capital cost.

1. Proposed Changes Which May Restrict/Inhibit the Future Supply of Developable Lands (Cont'd)



Bill 23 Impacts (Cont'd)

- Make changes to the *Planning Act* that would minimize upper-tier planning in two-tier systems where the upper-tier municipality provides water/ wastewater servicing. This disjointing between planning approvals and timing/location of infrastructure construction may result in inefficient servicing, further limiting the supply of serviced land.
- ***The loss in funding noted above must then be passed on to existing rate payers. This comes at a time when municipalities must implement asset management plans under the Infrastructure for Jobs and Prosperity Act to maintain existing infrastructure. Significant annual rate increases may then limit funding to the capital budget and hence delay servicing of additional developable lands for housing.***
- ***Note that Stormwater and Roads are needed at a similar time to support the creation of developable lands.***



2. Proposed Changes which will Impact the Provision of Municipal Housing

- The removal of housing service as an eligible service will reduce municipalities' participation in creating assisted/affordable housing units.
- Based on present and in-place D.C. by-laws, over \$2.2 billion in net growth-related expenditures providing for over 47,000 units (or 3.1% of the Province's 1.5 million housing target) would be impacted by this change.
- Note that several municipalities who are not collecting for the housing service are considering this service for their updated background studies

2. Proposed Changes which will Impact the Provision of Municipal Housing (Cont'd)



Housing Services For Region and Single Tier Municipalities

Municipality	Year of Bylaw	DC for Single Detached Unit - As per By-law Adoption (\$)	Net DC Recoverable Amount Included - As per DC Background Study (\$millions)	Net DC Recoverable - Indexed to 2022 (\$millions)	Number of New Housing Units
Barrie	2019	626	10.3	13.3	539
Brantford	2021	6,665	37.2	42.6	476
Durham	2018	387	31.2	41.7	416
Guelph	2019	-	-	-	-
Halton	2021	986	50.1	57.3	400
Hamilton	2019	648	18.8	25.1	423
London	2019	-	-	-	-
Niagara	2022	2,039	60.0	60.0	372
Ottawa	2019	179	11.6	14.9	1,190
Peel	2019	3,265	200.5	258.1	521
Simcoe	2022	3,153	67.6	67.6	263
Toronto*	2022	8,603	1,477.0	1,477.0	40,000
Waterloo	2019	-	-	-	-
Windsor	2020	-	-	-	-
York	2022	1,608	181.2	181.2	2,569
Totals				2,239	47,200

*Total number of units - the net DC amount is after BTE

3. Proposed Changes – Affordable Housing vs. Housing Affordability



There are numerous changes which would reduce municipal revenue recovery and shift the financial burden from development to the existing taxpayer and ratepayer, as follows:

- Added exemptions for affordable rental/owned residential units, attainable residential units, inclusionary zoning residential units, non-profit housing and additional units in existing homes provide a loss of funding for all D.C. services as well as C.B.C.s and P.L.D. services.
- D.C. phase-in, loss of study and land costs for new infrastructure, municipal housing as an ineligible D.C. service, loss of C.B.C. revenue and parkland contributions reduced by 50% or more (with 10-15% caps) for higher-density developments.
- Minister freeze on conservation authority fees: lowers funding for the authority which increases costs passed on to existing taxpayers for funding.



3. Proposed Changes – Affordable Housing vs. Housing Affordability (Cont'd)

- While the goal of these proposed changes is to reduce the upfront cost to a new home purchaser, the funding for this will come from the existing taxpayer, i.e., existing residents and businesses subsidizing new home purchasers, hence increasing housing affordability concerns.
- Over the past 40 years, our firm has undertaken numerous fiscal impact studies of residential development – as a whole, the new taxes and fees generated by residential growth do not equal the new operating cost required to support these developments.
- Based on past changes to the D.C.A., historical reductions have not resulted in a decrease in the price of housing; hence, it is difficult to relate the loss of needed infrastructure funding to affordable housing.

4. Considerations for the Standing Committee



- From the proposed legislation, phase-in charges and exemptions for services essential to creating developable land supply (water, wastewater, stormwater and roads) should be removed...or funded by grants from senior levels of government.
- Reductions in parkland contributions, caps for high-density development and developer ability to provide encumbered lands/POPS should be removed from P.L.D. legislation to continue to allow municipalities to determine appropriate levels of service for parks.
- Alternatively, to minimize the overall impact on the taxpayer and ratepayer, provide access to other revenue sources (e.g., HST, land transfer tax) to fund all D.C./P.L.D./C.B.C. revenue losses.
- Municipal housing should continue as an eligible D.C. service.

Thank you.



Questions

Denise Holmes

From: AMO Communications <Communicate@amo.on.ca>
Sent: Thursday, November 17, 2022 1:37 PM
To: Denise Holmes
Subject: AMO Policy Update - AMO Submission on Bill 23, Better Municipal Governance Act, 2022 Introduced - Expanding Strong Mayor Tools

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POLICY UPDATE

November 17, 2022

AMO Submission on Bill 23, *Better Municipal Governance Act*, 2022 Introduced – Expanding “Strong Mayor” Tools

Bill 23, *More Homes Built Faster Act*, 2022

AMO was not provided an opportunity to present to the Legislature’s Standing Committee on Heritage and Culture during its review of Bill 23. The Committee heard from dozens of groups and individuals over four days of hearings. AMO was, however, invited by the Official Opposition to present its submission to interested members of the Legislature earlier today through a virtual meeting.

The [AMO submission](#), which has been shared with all MPPs acknowledges that increased housing supply and improved housing affordability is a municipal priority. The submission also urges the government to work in partnership with municipalities in order to achieve its housing goals.

The AMO submission also outlines serious problems with the Bill which was introduced without consultation with municipalities. It illustrates the cost to property taxpayers of transferring a portion of growth costs from private developers to property taxpayers. A preliminary analysis indicates the costs for Ontario’s 29 largest municipalities could be as much as \$1 billion annually between 2023 and 2031. The submission also raises serious concerns about the implications for homeowners and communities of undermining Ontario’s environmental protections.

Better Municipal Governance Act, 2022

Municipal Affairs and Housing Minister, Steve Clark, introduced new legislation yesterday which will, if passed:

- allow the appointment of provincial facilitators to assess Durham, Halton, Peel, Niagara, Waterloo, and York Regions for expanding strong mayor tools
- reappoint the existing Regional Chairs of Niagara, York, and Peel to ensure stability as the Regions work with the provincial facilitators
- allow the Mayors of Ottawa and Toronto to propose or amend certain municipal by-laws related to prescribed provincial priorities with more than one-third of a council vote and make regulations regarding this power.

The proposed legislation also repeals the *Duffins Rouge Agricultural Preserve Act, 2005* to allow development of that land.

In making the announcement, Minister Clark noted that provincial priorities include increasing the supply of housing. The Minister said that provincially appointed facilitators will assess the municipal governments in the designated regions to determine the best mix of roles and responsibilities between the upper and lower-tier municipalities in those regions, and ensure they are equipped to deliver on the government's commitment to build 1.5 million homes over the next 10 years.

The Minister stated that the Bill builds on the *More Homes Built Faster Act*, the *Strong Mayors, Building Homes Act*, and the province's Housing Supply Action Plans.

All three opposition parties sharply criticized the Bill as undermining fundamental democratic principles.

AMO has called for more consultation with municipal governments before expanding strong mayor powers. It is expected that the provincial facilitators will work with municipalities in the designated regions to gather feedback and input on these powers.

*Disclaimer: The Association of Municipalities of Ontario (AMO) is unable to provide any warranty regarding the accuracy or completeness of third-party submissions. Distribution of these items does not imply an endorsement of the views, information or services mentioned.



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November 16, 2022

Laurie Scott, MPP, Haliburton—Kawartha Lakes—Brock
Chair, Standing Committee on Heritage, Infrastructure and Cultural Policy
c/o Isaiah Thorning, Committee Clerk
Whitney Block, Room 1405
99 Wellesley Street W
Toronto, ON
M7A 1A2

Re: AMO Submission on Bill 23, *More Homes Built Faster Act*, 2022

Dear Committee Chair Scott and Members of the Committee,

Attached is AMO's submission to the Committee on Bill 23.

The submission reiterates the municipal commitment to working with the Government to increase the supply of housing and to improve housing affordability in Ontario. It acknowledges positive aspects of the Bill and plan. It also outlines serious concerns about the Bill, which will have the effect of undermining the financial capacity of municipalities to support growth and diminishing essential environmental protections.

Preliminary analysis of the Bill indicates the transfer of up to \$1 billion a year in costs from private sector developers to property taxpayers without any likelihood of improved housing affordability. Similarly, the bill's provisions designed to reduce environmental protection will benefit developers in the short term, with costs to the public and homeowners that cannot be calculated.

Members of the Committee and all Members of the Provincial Parliament will need to consider in whose interest they govern. Bill 23, as drafted, benefits private interests at the expense of public interests – at the expense of property taxpayers and Ontario's natural environment.

The submission recommends that certain provisions be removed or deferred pending focused consultation.

AMO's submission concludes with an appeal to the Government, noting that solutions to the housing crisis can be found in collaboration, cooperation, and innovation. It is time for Ontario to work with all of its housing partners toward advances in land use planning and an integrated approach to environmental, social and economic policy that allows Ontario to take its place ahead of competing jurisdictions.

Yours truly,



Colin Best
AMO President
Halton Regional Councillor

- c. Ontario MPPs
AMO Board of Directors



Bill 23, More Homes Built Faster Act, 2022 and plan

AMO Submission to the Standing Committee on Heritage,
Infrastructure and Cultural Policy

November 16, 2022

Summary

The Association of Municipalities of Ontario (AMO) commends the government for recognizing it has a role to play in addressing the national housing crisis.

AMO and its member municipal governments have been sounding the alarm on housing affordability for years. That's why AMO released the "Blueprint for Action: An Integrated Approach to Address the Ontario Housing Crisis" in February 2022. It contains 55 recommendations for provincial action to address housing supply and housing affordability along with many other recommendations for the federal and municipal governments, and the development industry.

Municipalities are eager to increase the supply of housing, especially housing options that have been historically ignored by the development industry.

Bill 23 includes several important provisions that will advance provincial and municipal housing supply goals including gentle density and increased capacity at the Ontario Land Tribunal. AMO supports those elements of the Bill as they reflect current municipal planning practice innovations and ideas advanced by the municipal sector and others committed to improving housing supply and affordability.

AMO also supports elements of the Plan that address much needed provincial action to address the gaps in provincial services that limit growth, such as access to schools.

AMO looks forward to working with the government's new Housing Supply Action Plan Implementation Team on measures intended to improve housing supply and affordability.

Provisions of the bill that advance and modernize Ontario's land use planning framework are supported. Those that turn back the clock on planning, access to affordable housing, environmental protection, green building practices, and sustainable infrastructure financing are not supported and should be removed from the Bill or deferred pending focused consultation.

Current residents and businesses, the next generation of homeowners and renters, and the hundreds of thousands of newcomers who will make Ontario home will demand livable and safe communities with adequate amenities and a healthy and sustainable environment in which to thrive and prosper. That is not the future that Bill 23 will provide.

The province has offered no evidence that the radical elements of the bill will improve housing affordability. It is more likely that the bill will enhance the profitability of the development industry at the expense of taxpayers and the natural environment.

This submission outlines key areas of concern and recommends that a number of provisions should be removed, including those that shift the costs of growth to property taxpayers; those that undermine good planning practices and community livability; and those that increase risks to human and environmental health.

Key Areas of Concern

Many of the proposed changes under Bill 23 create more problems than they solve, and will negatively impact housing affordability across Ontario for three reasons:

1. The bill proposes changes to infrastructure financing that would shift costs from developers to municipalities based on a faulty assumption that savings will be passed on to new homeowners and renters, (i.e., that house prices are determined by the cost of inputs rather than market forces). Unless fully offset with a new source of municipal infrastructure funding, this departure from the principle that growth pays for growth will result in property tax increases and service reductions. Preliminary analysis indicates that Bill 23, if enacted, would reduce the municipal resources available to service new developments by more than \$5.1 billion over the next 9 years. This estimate includes a reduction of over \$400 million for community housing during the same period.
2. By making changes to municipal governance and municipal planning approvals, the legislative proposals strip municipalities of the tools required to manage growth deliberately and responsibly, with potentially negative impacts for the liveability of Ontario's communities.
3. The legislation will create serious risks to the environment and human health at a time when the impacts of climate change are evident and urgent. The proposed changes to how municipalities approve development and manage where and how growth occurs signal a move away from environmental protection when it is needed most.

1. Shifting the Cost Burden of Growth

DEVELOPMENT CHARGES

Development charges are designed to help municipalities pay for a portion of the capital infrastructure required to support new growth. Premised on the widely accepted principle that growth should pay for growth, development charges help to ensure that existing taxpayers are not required to subsidize costs of the infrastructure or services needed to support new residents and businesses.

Bill 23 proposes a suite of changes to the *Development Charges Act*, that will shift the cost of growth onto municipalities and property taxpayers including, but not limited to:

- Removing housing services from the list of eligible development charge services
- Excluding the cost of studies and cost to acquire land for specific services from eligible costs that can be recouped by development charges
- Reducing development charges on rental housing, based on the number of bedrooms
- Requiring a mandatory 5-year phase in of development charge rates for by-laws approved after June 1, 2022
- Exempting development charges for affordable housing, attainable residential units, non-profit housing developments and inclusionary zoning residential units
- Increasing the historic service level standard period from 10 to 15 years.

The Housing Supply Action Plan sets the ambitious target of building 1.5 million homes by 2031, with 1.23 million in Ontario's 29 largest communities. If Bill 23 passes, AMO estimates that development charges in these communities will drop by at least \$5.1 billion – or \$569 million per year in today's dollars. This includes revenue losses from the following sources:

- Ineligibility of the cost of studies: \$117 million
- Ineligibility of the cost of housing services: \$426 million
- Discounts for rental units: \$1,189 million
- Exemptions for affordable units: \$3,385 million

This preliminary estimate only partially accounts for the impact of Bill 23, as tight timelines have meant AMO is unable to estimate revenue losses resulting from significant elements such as the mandatory phase-in of development charges, the ineligibility of the value of land, or the extension of the service level standard period from 10 to 15 years. When taken together, these factors could put the cost of Bill 23 for municipal taxpayers at closer to \$1 billion annually.

While AMO supports the province's stated housing objectives, changes that shift the burden of cost from developers to taxpayers, including low-income taxpayers, cannot be supported. The proposed changes will significantly impact how municipal governments fund growth, resulting either in significant increases to property taxes or cuts to existing services and a loss of frontline workers.

Without evidence that the province will fully offset the cost of Bill 23 provisions that shift costs from the development industry to municipalities, these radical changes should be deleted from the Bill including the entirety of Schedule 3.

AMO has called upon the province to provide major infrastructure funding to support the government's housing supply goals as set out in Bill 23. If the government wants to increase the supply of housing in Ontario, it will need to make a major investment in municipal infrastructure and it has the means to do so.

PARKLAND DEDICATION

Parkland dedication levies exist to ensure that municipal park systems grow alongside other community developments. Increasing the supply and mix of housing is an important goal that we all share, however, sufficient access to parks and greenspace cannot be overlooked as we try to create meaningful alternatives to single-family dwellings.

Bill 23 proposes changes that will reduce a municipality's ability to provide for local parks, negatively impacting the function and enjoyment of our communities with a number of changes, including but not limited to:

- Capping the amount of land or equivalent value at 10% or 15% for sites under or over 5 ha, respectively
- Reducing the maximum alternative dedication rate (high density development) to 1 ha/600 units for land and 1 ha/1000 units for cash in lieu
- Allowing encumbered land and privately owned publicly accessible spaces to be eligible for parkland credits.

Bill 23, as proposed, will reduce the amount of quality, safe, accessible parkland available to these growing communities and cost municipalities even more money. These provisions should be removed from the bill.

IMPACT ON HOUSING SERVICES

Changes in Bill 23 also limit the tools available to municipalities to support homeless and underhoused people and families, some of the most vulnerable people in our communities. Currently, municipal governments can include housing services in their development charge fees, which are then used to improve and increase the community housing facilities municipalities operate.

According to provincial Financial Information Return data, from 2015 to 2019, municipalities collected nearly \$150 million for housing services. Should this Bill pass unamended, that funding will no longer be available to support housing services for vulnerable populations. Unless fully offset with new provincial funding, these provisions contradict the government's goal of improving housing and addressing homelessness.

2. Undermining Planning and Community Livability

Provincial statutes and policies are implemented locally through municipal official plans and land use control instruments. Lower and upper-tier municipalities collaborate extensively on managing local planning policy matters, with upper-tier municipalities often responsible for coordinating and managing infrastructure servicing and planning.

Bill 23 fundamentally alters the municipal role and responsibilities in planning by proposing a suite of changes to the *Municipal Act*, *Planning Act*, *Heritage Act*, *Ontario Land Tribunal Act*, and *Conservation Authorities Act* that limit municipalities' ability to manage growth in a holistic and efficient way that reflects local realities. These include, but are not limited to:

- Reducing or eliminating the planning roles of some upper-tier municipalities
- Limiting local powers regarding the demolition and conversion of residential rental properties
- Proposing new rules around heritage properties
- Limiting third-party appeals to the OLT of official plans and amendments, zoning by-laws and amendments, consents, and minor variances
- Changing existing zoning by-laws to allow up to 3 residential units per lot "as of right," with no local ability to regulate minimum dwelling size or parking requirements beyond 1 space/unit
- Exempting developments under 10 units from the site plan control process
- Repealing certain provisions respecting public meetings for draft plan of subdivision.

REGIONAL/COUNTY PLANNING

The significant restrictions to the roles of some upper-tier municipalities breaks the logical link between planning for development and servicing development. These changes may lead to uncoordinated and inefficient growth with the potential for higher infrastructure costs. It also risks building housing without access to coordinated services, amenities and essential infrastructure.

Supporting rapid growth efficiently requires a high degree of coordination. This coordination ensures that investments made today can leverage future growth and that assets can be managed for maximum performance. Upper-tier municipalities do this currently by coordinating local plan alignment and managing servicing for maximum effect. Breaking this link is counterintuitive and will lead to inefficiency, confusion and potential gaps in the infrastructure required to support local growth.

Bill 23 should be amended to restore the growth management planning function for the seven named upper-tier municipalities. Consideration must be given to how lower-tier municipalities will be able to pay for the costs and build capacity associated with bringing upper-tier municipality and conservation authority expertise in-house.

DEVELOPMENT APPROVALS PROCESS

The elimination of public meetings for approval of a draft plan of a subdivision and the exemption of site plan control requirements for projects with fewer than 10 residential units will impact the ability for municipalities and the public to bring up substantial issues with planning proposals. Small, rural and remote communities will be particularly impacted by the restrictions on projects with fewer than 10 residential units given the typical scale of development in these communities.

When considered in isolation, these changes may seem to improve the process, but the cumulative impact of less public consultation, limiting third-party appeal rights, and the steep reduction of regional coordination and service planning will significantly and negatively impact how municipal governments conduct land use planning. The government should refer these provisions of the Bill to its Housing Supply Action Plan Implementation Team before they are passed into law.

3. Exacerbating Risks to the Environment and Human Health

Across the province, municipalities work closely with 36 Conservation Authorities (CAs). Those that are covered by CAs rely on their expertise to undertake watershed-based programs to protect people and property from flooding and other natural hazards, and to conserve and protect natural resources for their economic, social, and environmental benefits.

Healthy, well-connected ecosystems serve as valuable green infrastructure that provide essential services to residents (e.g., stormwater retention) and can be difficult and costly to replicate with traditional built infrastructure. Ontario's natural environment does not recognize municipal boundaries and municipalities are not well suited to monitor and evaluate ecological functions. Municipalities do not have a watershed-scale perspective that spans political boundaries and considers the impacts of changes in land use and climate change on the natural environment. As our communities grow, the demand for parkland and connected natural spaces will grow as well.

The proposed changes to the *Conservation Authorities Act* and the *Planning Act* under Bill 23 severely impact the ability of Conservation Authorities to work with municipalities to understand and mitigate environmental, human health and natural heritage risks by:

- Exempting some development from permits under the *Planning Act* where certain conditions are met
- Requiring CAs to issue permits for projects subject to a Community Infrastructure and Housing Accelerator and allowing the Minister to review/amend any conditions attached to those permits
- Prohibiting CAs and municipalities from entering Memorandums of Understanding for any program or service outside of matters relating to Mandatory Programs and Services
- Imposing limits on CA appeals of land use planning decisions to only matters with respect to natural hazard policies in provincial policy statements
- Enabling the Minister to direct a CA to maintain its fees charged for programs and services at current levels
- Eliminating the ability for municipalities to integrate their environmental green standards through site plan control.

AMO shares the concerns expressed by Conservation Ontario that the changes proposed in Bill 23 will not meet the goals for increasing housing supply and will instead increase the risks to life and property for Ontario residents. The diminished role of CAs could also lead to more development being located in natural hazards, higher costs as a result of property damage due to flooding or other climate change events, increased burden on municipal partners, and the decline of the ecosystem approach currently applied through the established integrated watershed management lens.

Municipalities have successfully relied on the benefits of a long-standing conservation authority partnership which has used local watershed science to guide decision-making. Bill 23 places new responsibilities on municipalities related to natural hazards and natural resources that they are unprepared for and under-resourced to take on.

As proposed, Bill 23 removes the ability for municipalities to shape the amount, location and type of green space in their communities through site plan control. Combined with the prohibition for municipalities to enter into a Memorandum of Understanding for CAs to deliver Category 2 and 3 municipal programs and services on behalf of the municipality will adversely impact municipal budgets and could increase the potential for delay and poorer environmental outcomes. If so, this will undo the significant recent progress to improve how CAs and municipalities work together.

AMO recommends that Schedule 2 of this bill be removed and that the productive Ministry-led Conservation Authority Working Group be re-established to consider appropriate changes to support the Housing Supply Action Plan without sacrificing the environment.

Conclusion

The assertion that the nationwide housing affordability crisis is the product of Ontario's land use planning and environmental protection framework, and municipalities slow to approve planning applications is objectively false.

For decades, Ontario's housing supply in high growth regions has been determined by developers and land speculators managing supply to optimize price, and those who view housing units as solely an investment. No one anticipated the massive shift in demand resulting from COVID-19.

Ontario's goal of an additional 1.5 million homes is laudable and probably achievable. Schemes designed to incentivize developers at the expense of property taxpayers and the natural environment will not get the job done. Previous governments have downloaded costs to municipalities and cut environmental protections to disastrous effect. At some point the bill will come due, and there will be a heavy price to pay.

Instead, the solutions can be found in collaboration, cooperation, and innovation. It is time for Ontario to work with all of its housing partners toward advances in land use planning and an integrated approach to environmental, social and economic policy that allows Ontario to take its place ahead of competing jurisdictions and to allow Ontario to maintain its status as a favoured destination for people and investment.

**Multi Municipal Wind Turbine Working Group
MINUTES**

**MMWTWG-04-2022
Thursday, September 8, 2022, 7:00 p.m.
Via Zoom**

Members Present: Mark Davis - Municipality of Arran-Elderslie
Doug Bell - Municipality of Arran-Elderslie
Bill Palmer - Citizen - Municipality of Arran-Elderslie
Steve Adams - Municipality of Brockton
Alex Westerhout - Municipality of Central Huron
Scott Mackey - Township of Chatsworth
Paul McQueen - Municipality of Grey Highlands
Tom Allwood - Municipality of Grey Highlands
Stewart Halliday - Citizen - Municipality of Grey Highlands
Randy Roppel - Municipality of Kincardine
Margaret Mercer - Township of Melancthon
Mike Hentz - Municipality of Dutton Dunwich
Bill Neilson - Township of Melancthon

Others Present: Julie Hamilton - Recording Secretary
Warren Howard
Vern Martin

1. Zoom Meeting Details

2. Call to Order

The Chair called the meeting to order at 7:00 pm. A quorum was present.

3. Adoption of Agenda

The Working Group passed the following resolution:

MMWTWG-2022-29

Moved by: Scott Mackey - Township of Chatsworth

Seconded by: Bill Neilson - Township of Melancthon

Be It Resolved that the Multi-Municipal Wind Turbine Working Group hereby adopts the agenda of the Thursday, September 8, 2022 as distributed by the Recording Secretary.

Carried

4. Disclosures of Pecuniary Interest and General Nature Thereof

None.

5. Minutes of Previous Meetings

5.1 June 9, 2022 MMWTWG Minutes

The Working Group passed the following resolution:

MMWTWG-2022-30

Moved by: Mike Hentz - Municipality
of Dutton Dunwich

Seconded by: Bill Palmer - Citizen -
Municipality of Arran-
Elderslie

Be It Resolved that the Multi-Municipal Wind Turbine Working Group hereby approves the minutes of the Thursday, June 9, 2022 meeting as presented by the Recording Secretary.

Carried

6. Business Arising from the Minutes

**6.1 MECP Response Letter to the MMWTWG February 25, 2022
Re: Ontario's Energy Plan and Wind Turbines**

The letter was in response to the Working Group's letter sent to the Ministry to address concerns around compliance and the acoustic audit requirements for wind facilities. The letter notes that the requirement to conduct an acoustic audit is included as a condition in most wind facility Renewable Energy Approvals (REAs) and conducted at wind facilities to indicate whether it meets the ministry's noise limits. The ministry requires acoustic audits to be conducted in accordance with the requirements outlined in the current Compliance Protocol for Wind Turbine Noise (Compliance Protocol).

The Chair opened the floor for comments on the response letter.

There are a number of projects that do not appear to be posting the audit reports to their website. The current compliance rate is 47% and 37% of projects are currently under review. There are a number of projects found to be incomplete and non-compliant but there has been no response from those projects back to the Ministry. The Working Group discussed what measures could be taken to become compliant.

The criteria used to measure noise does not cover some of the concerns the working group has raised, so when people are complaining about noise outside of the accepted criteria, it may not be acknowledged by the Ministry.

The Group noted that it was positive that a response was received but the letter indicates that the Ministry responds to all complaints received however, the Working Groups has had several letters go unanswered. A suggestion was made to request quarterly report outlining the complaints received and the response that could assist with better understanding residents concerns.

Subsequent to further discussion, the Working Group passed the following resolution:

MMWTWG-2022-31

Moved by: Steve Adams - Municipality of Brockton

Seconded by: Alex Westerhout - Municipality of Central Huron

Be It Resolved that the Multi-Municipal Wind Turbine Working Group hereby,

1. Receives agenda item, 5.1 MECP Response Letter to the MMWTWG February 25, 2022 Re: Ontario's Energy Plan and Wind Turbines, for information.
2. Directs that a response letter be provided to the Ministry requesting quarterly reports regarding complaints with respect to industrial wind turbine projects.

Carried

7. Delegations/Presentations

7.1 Verbal Update on Items of Interest to the the MMWTWG - Warren Howard

Mr. Howard provided an update on items of interest to the Working Group.

Independent Electrical System Operator (IESO)

The IESO is very active on a number of initiatives.

There are four winners of the medium-term contract. Four gas companies, Melancthon I and Convergent which is a battery storage facility in Sue Ste Marie.

The long-term RFP has announced qualified applicants and there are 15 wind companies included. The actual RFP will be in 2023.

Pumped storage projects appear to have active focus on projects in Meaford, Marmora and Schreiber.

Melancthon I – Five Year Contract Offered

Wind Concerns Ontario responded with letter to Minister of Energy noting a number of points on why the project should not proceed. It is the worst wind project in Ontario for resident complaints. Some of the points addressed in the letter include:

- Ministry field assessment – wind turbines are tonal and cyclic – 35 dBA standard applies
- Ministry directive to field – wind turbines cannot be tonal or cyclic
- Project remodeled – 2006 assessment underestimated wind shear
- 25% of wind turbines located too close to non-participating receptors
- Maximum power reductions implemented to reach 40 dBA standard
- Current noise protocol requires consideration of tonal quality – must be non-compliant
- No consultation with municipality or community

Saugeen Hydrogen Plant

A proposal to use surplus electricity to create hydrogen was presented to Ashfield Colborne Wawanosh for municipal support. Council supported the project. During the process, there was no

community engagement or location for plant proposed. The rumour is that it may be adjacent to existing transformer station which is located on top of sensitive ground water recharge area.

Brookfield Storage Facility – SS Marie

The company owns Price I & II wind projects is building a storage facility. The proposal presented to Councils for support and support received. The contracts deal with the purchase of power from the projects but no details on the storage of the power. The details are rather vague at this time and a letter will be drafted to the minister questioning the particulars of the project and contracts.

Discussions with Minister of Energy Todd Smith

Discussion on the following were with Todd Smith were initiated by an activist from Todd's Smith's riding of Bay of Quinte.

- SMR (Small Nuclear) capabilities is being moved forward to 2028
- Any procurement must have municipal support
- Minister Smith sees limited role for wind turbines
- Updating setback rules for wind turbines should be achievable

The Working Group discussed the contract award of the Melanthon I project. The contract has been offered and is to be accepted by the end of September. Members from Melanthon Township raised concerns that they have around the process of the contract award and the lack of consultation with the municipality and residents. It was noted that more details around the projects can be found on the IESO website.

Subsequent to further discussion, the Working Group passed the following resolution:

MMWTWG-2022-32

Moved by: Steve Adams - Municipality of Brockton

Seconded by: Mike Hentz - Municipality of Dutton Dunwich

Be It Resolved that the Multi Municipal Wind Turbine Working Group hereby receives the verbal updates made by Mr. Howard for information purposes.

Carried

8. Correspondence

8.1 Requiring Action

8.1.1 Approval of Recording Secretary Invoice

The Working Group passed the following resolution:

MMWTWG-2022-33

Moved by: Scott Mackey - Township of Chatsworth

Seconded by: Doug Bell - Municipality of Arran-Elderslie

Be It Resolved that the Multi Municipal Wind Turbine Working Group hereby approves the Recording Secretary invoice for June, July and August for payment.

Carried

8.2 For Information

8.2.1 Wind Concerns Ontario - RFP Feedback

The document provides the feedback from Wind Concerns Ontario (WCO) on the IESO's proposals for the Long-Term RFP to procure additional electrical generation capacity.

The Working Group passed the following resolution:

MMWTWG-2022-34

Moved by: Mark Davis - Municipality of Arran-Elderslie

Seconded by: Mike Hentz - Municipality of Dutton Dunwich

Be It resolved that the Multi Municipal Wind Turbine Working Group hereby accepts the correspondence 7.2.1 Wind Concerns Ontario RFP Feedback, for information purposes.

Carried

8.2.2 Statement of Financial Position as of August 31 2022

The Working Group passed the following resolution:

MMWTWG-2022-35

Moved by: Scott Mackey - Township of Chatsworth

Seconded by: Doug Bell - Municipality of Arran-Elderslie

Be It Resolved that the Multi Municipal Wind Turbine Working Group hereby receives the statement of financial position as of August 31, 2022 for information purposes.

Carried

9. Members Updates

There is a paper being developed that provides a measure that can be used to predict citizen annoyance. The study has included citizen annoyance cases related to wind turbines projects including the Enbridge project and K2 as well as areas outside of wind turbine areas to show that the measure is effective in determining whether citizen annoyance relating to wind turbines exists. The paper has not been yet been published.

A citizen has asked whether the MMWTWG would return to the in-person method of meeting. At this time the meetings will remain by Zoom and the meeting platform can be revisited in the future by the Members.

The government in Newfoundland has removed the moratorium recently and the province is erecting 180 offshore wind turbines and developing technology to produce green hydrogen. There could be increased pressure to get the negative side of wind turbines out to the public.

The Working Group discussed the varying role that AMO has played regarding the position of the MMWTWG over the years with respect to wind turbines. AMO has recently reached out to the group and in the past, has not necessarily wanted to be involved with the group. AMO has been provided with Chair Allwood's contact details and he has offered to meet with them to discuss the position that the MMWTWG

continues to hold. AMO has also connected the City of Ottawa with the Working Group. New interest has arisen from the City of Ottawa to potentially become Members of the Working Group. The Terms of Reference for the Working Group and meeting details have been provided.

10. New Business

10.1 Letter to Minister of Finance Re: Taxation on IWT Projects

Under Section 42.5 of Ontario Regulation 282/98, the current assessed value for each turbine for the years 2017 to 2023 is fixed at \$50,460 multiplied by the installed capacity in megawatts of the generator attached to the wind turbine tower. This value is well short of the replacement value of the structure. The letter requests a review of the tax assessment rate assigned to wind turbines by a regulation under the authority of the Minister of Finance. The current assessment value does not reflect the impact of the wind turbines on the municipal costs.

Also of note, the new MP for Bruce Grey Owen Sound is the Parliamentary Assistant to the Minister of Finance and this could be a good topic for him to bring forward.

The Working Group also discussed the building permit fees associated with wind turbines. There is the potential to write these into your fee bylaw. Inclusion would be subject to a public review process and there is a one-year period for complaints to be received. There is the potential that IWT companies may challenge the fee structure.

Subsequent to further discussion, the Working Group passed the following resolution:

MMWTWG-2022-36

Moved by: Randy Roppel -
Municipality of Kincardine

Seconded by: Paul McQueen -
Municipality of Grey
Highlands

Be It Resolved that the Multi Municipal Wind Turbine Working Group hereby approves the letter as presented for distribution once the table details for the member municipalities with wind turbines has been finalized.

10.2 Municipal Support Resolution Letter

The letter addresses concerns that the current proposals on the process to consider municipal support for energy projects does not reflect statements that were thought to reflect government policy. It was the understanding of the Working Group that the PC government was committed to providing municipalities with the power to prevent the siting of these projects in their communities without the consent of the municipality. However, in the IESO presentation on August 10th, it indicates that rating criteria will provide proposals with municipal support resolutions with additional points during the scoring process indicating that the municipal support is not a mandatory requirement.

The letter notes a project in Dutton Dunwich where a contract was awarded because of 50% participation from an Indigenous community in located in northwestern Ontario that had no relationship to the community, which increased the score despite municipal opposition. It also notes that the local Indigenous community was opposed to the project.

The Working Group believes that the IESO process should include:

- Restrictions and rules related to renewable energy projects adopted by municipalities as zoning bylaws must be respected and cannot be overridden in IESO decision making by other criteria.
- The Municipal Support Resolutions must be a mandatory requirement to be awarded by the IESO that cannot be overridden by other rated criteria.
- Indigenous community support will only apply to projects located within their traditional territories, not elsewhere in the province

Subsequent to further discussion, the Working Group passed the following resolution:

MMWTWG-2022-37

Moved by: Bill Palmer - Citizen -
Municipality of Arran-
Elderslie

Seconded by: Steve Adams - Municipality
of Brockton

Be It Resolved that the Multi Municipal Wind Turbine Working
Group hereby approves the letter for distribution as amended.

Carried

11. Closed Session (if required)

There was Closed Session during this meeting.

12. Resolution to Reconvene in Open Session

**13. Adoption of Recommendations Arising from Closed Session (If
Any)**

14. Adoption of Closed Session Minutes

15. Confirmation of Next Meeting

The next meeting will be held on November 10, 2022.

16. Adjournment

The Working Group passed the following resolution:

MMWTWG-2022-38

Moved by: Paul McQueen -
Municipality of Grey
Highlands

Seconded by: Mark Davis - Municipality
of Arran-Elderslie

Be it Resolved that the meeting of the Multi-Municipal Wind Turbine
Working Group is hereby adjourned at 8:43 p.m.

Carried

Tom Allwood, Chair

Julie Hamilton,
Recording Secretary

Denise Holmes

From: James McLean
Sent: Thursday, November 10, 2022 8:08 PM
To: Denise Holmes
Subject: Fwd: Recommendations from HM Park Board

For the next Council meeting please

- **The Horning's Mills Park Board requests that Melancthon Township cover the Board's costs to run the 2022 Melancthon Day event.**
- **The Horning's Mills Park Board request that Melancthon Township cover the full costs of the 2023 Melancthon Day event.**
- **The Horning's Mills Park Board requests that the Township make a \$500 donation to the Honeywood Fire Association for their hard work during the 2022 Melancthon Day event.**
- **The Horning's Mills Park Board requests that the Township pay for the gravel and limestone costs associated with a new path that will make the park more accessible.**

--

James McLean
(c): 519-217-2509
(e): jamesamclean23@gmail.com

DEC 1 2022
BD COMM REC #1



The Corporation of

THE TOWNSHIP OF MELANCTHON

157101 Highway 10, Melancthon, Ontario, L9V 2E6

Telephone - (519) 925-5525

Fax No. - (519) 925-1110

Website: www.melancthontownship.ca

Email: info@melancthontownship.ca

MELANCTHON COUNCIL MEETING SCHEDULE - 2023

January 12th - 9:00 a.m.

February 2nd and February 16th - 5:00 p.m.

March 2nd and March 16th - 5:00 p.m.

April 6th and April 20th - 5:00 p.m.

May 4th and May 18th - 5:00 p.m.

June 1st and June 15th - 5:00 p.m.

July 13th - 5:00 p.m.

August 10th - 5:00 p.m.

September 7th and September 21st - 5:00 p.m.

October 5th and October 19th - 5:00 p.m.

November 2nd and November 16th - 5:00 p.m.

December 14th - 9:00 a.m.

Denise Holmes

From: Michelle Hargrave <mhargrave@dufferincounty.ca>
Sent: Thursday, November 10, 2022 1:19 PM
Cc: Rebecca Whelan
Subject: Dufferin County Council Inaugural Meeting

Good Afternoon,

Please join us for the Inaugural Meeting of Dufferin County Council for the 2022-2026 term. The meeting will take place on Thursday, December 8, 2022 at 6:00 p.m. at Monora Park in the Banquet Room. The address is 500 Monora Park.

Please RSVP to info@dufferincounty.ca by December 2, 2022.



**INAUGURAL MEETING OF COUNCIL
& ELECTION OF THE WARDEN**

Members of the Public are invited to attend the Inaugural Meeting of Dufferin County Council for the 2022-2026 term and the Election of the Warden for 2023.

Thursday, December 8, 2022 - 6:00 pm
Monora Park, Banquet Room
500 Monora Park, Mono

Due to technical limitations, the meeting will not be live streamed or recorded.

County of Dufferin
30 Centre Street
Orangeville ON L9W 2X1
Phone: 519-941-2816 x2500
Email: info@dufferincounty.ca

Thank you,
Michelle

Michelle Hargrave | Administrative Support Specialist | Corporate Services
County of Dufferin | Phone: 519-941-2816 Ext. 2506 | mhargrave@dufferincounty.ca | 30 Centre Street,
Orangeville, ON L9W 2X1

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October 31, 2022

Via: Email

Sarah Culshaw
Treasurer/Deputy Clerk
Township of Melancthon
157101 Highway No. 10
Melancthon, ON L9V 2E6

Dear Sarah:

Re: Drainage Superintendent Services
File No.: D-ME-SUP
Project No.: MSO019743.2022

As we are into the last quarter of the business year, we would appreciate updating our account for Professional Services. The enclosed invoice covers the time period from July 1, 2022 through September 29, 2022.

The work undertaken during this period includes the following:

July 2022

- Received and forwarded Dufferin County Permission to Enter Private Property form signed by the Township Public Works Superintendent to Dufferin County Nuisance Beaver program administrator for trapping required east of the 5th Line in the W1/2 of Lot 4, Concession 4 OS.
- Telephone discussion with County trapper and met on-site to show him the location of the beaver dams impacting the road.
- Submission of utility locates request on the Henderson Drainage Works for both sides of the of the 7th Line SW and the west side of the 4th Line SW.
- Coordinated removal of silt and rocks from the concrete culvert on the Henderson Drainage Works at the 7th Line SW. Site meeting with Hydrovac Contractor and inspections during the work.
- On-site meeting with the Contractor (Jeff Demmans) to review the cleanout upstream of the 7th Line SW. Site inspections and discussions with the Contractor during the maintenance work.

August 2022

- On-site at the Henderson Drainage Works to provide the Contractor with information regarding tile outlet locations between the 7th Line SW and the 4th Line SW.
- Discussion with Dufferin County Nuisance Beaver program administrator regarding the status of trapping on the Broster Drainage Works.
- Received, reviewed, and forwarded invoices from Demmans Excavating Inc. for the removal of beaver dams on the Day Drain and the McCue Drain.

September 2022

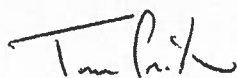
- Received, reviewed, and forwarded invoice from B. Edwards Transfer LTD for the removal of silt and rocks from the concrete box culvert on the Henderson Drainage Works.
- Telephone discussion with Martin Drainage Ltd. representative regarding connection of proposed tile drainage to the Bradley Drainage Works in Lot 30, Concession 5 NE. Email exchange with accompanying plans to the property manager at Bel-Three Property Management regarding crossing their property to outlet into the drain.
- Discussion with Dufferin County Nuisance Beaver program administrator regarding a trapping inquiry she received on the W1/2 of Lot 12, Concession 4 OS. Informed administrator that this does not fall under the County program and trapping will need to be done privately.
- Review of the Henderson Drainage Works watershed in Lots 18, 19 and 20, Concession 5 and 6 SW. Requested current ownership information for the affected properties. Drafted a letter and developed a supporting plan showing the additional area that should be assessed to the drain.

As you are aware, the cost of employing a Drainage Superintendent is eligible for a 50% grant. The Ministry has requested that the grant application be submitted yearly. As such, the application will be completed for you at year's end.

Should you have any questions or if we can be of any further assistance in the meantime, please call.

Yours truly,

R.J. Burnside & Associates Limited
Drainage Superintendent



T.M. Pridham, P.Eng.
Drainage Engineer
TMP:ao

Enclosure(s) Invoice No. MSO019743.2022-3

Other than by the addressee, copying or distribution of this document, in whole or in part, is not permitted without the express written consent of R.J. Burnside & Associates Limited.



R.J. Burnside & Associates Limited
 15 Townline
 Orangeville, ON L9W 3R4
 Phone: (519) 941-5331 Fax: (519) 941-7721
 www.rjburnside.com

Township of Melancthon
 157101 Highway 10
 Melancthon, ON L9V 2E6

12 October 2022
 Invoice No: MSO019743.2022 - 3

Project MSO019743.2022 RJB File: D-ME-SUP-2022
Professional Services through September 29, 2022

	Hours	Amount	
Senior Engineer II			
Pridham, Thomas	12.00		
Vander Veen, Sidney	4.00		
Tech IV			
Douglas, Myles	12.90		
Project Support I			
Pridham, Hayley	5.50		
Project Support II			
Olmstead, Amanda	.20		
Totals	34.60		
Total Labour			5,028.00
Travel - Mileage		78.81	
Misc Reimbursable Expense		96.83	
Total Reimbursables		175.64	175.64
HST #885871228	13.00 % of 5,203.64	676.47	
Total Tax		676.47	676.47
		Total Amount Due in CDN Funds	<u><u>\$5,880.11</u></u>

Billings to Date

	Current	Previously	Billed to Date
Labor	5,028.00	15,391.00	20,419.00
Expense	175.64	502.83	678.47
Tax	676.47	2,066.20	2,742.67
Totals	5,880.11	17,960.03	23,840.14

Project	MSO019743.2022	RJB File: D-ME-SUP-2022	Invoice	3
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Project Manager: Thomas Pridham

Client Number: 1008

Please reference your billing client number when making payments via direct deposit or electronic transfer.

To pay via e-Transfer please use etransfers@rjburnside.com as payee.



Municipality of Huron Shores
7 Bridge Street, PO Box 460
Iron Bridge, ON P0R 1H0
Tel: (705) 843-2033 Fax: (705) 843-2035

November 2, 2022

Attn: Honourable Doug Ford
Premier of Ontario
Legislative Building, Queen's Park
Toronto, Ontario
M7A 1A1

Dear Premier,

Re: Res. #22-24-16 – Opposition to Bill 3

The Council of the Corporation of the Municipality of Huron Shores passed Resolution #22-24-16 at the Regular Meeting held Wednesday, October 26th, 2022, as follows:

“WHEREAS the Government of Ontario, through the Minister of Municipal Affairs and Housing, has introduced Bill 3 which is described as “An Act to amend various statutes with respect to special powers and duties of heads of council;

AND WHEREAS this Bill, if enacted, will initially apply to the City of Toronto and the City of Ottawa, but will later be expanded to include other municipalities according to a statement made by the Premier at the 2022 AMO annual conference;

AND WHEREAS this Bill, if enacted, will give Mayors additional authority and powers, and correspondingly take away authority and powers from Councils and professional staff, and will include giving the Mayor the authority to propose and adopt the Municipal budget and to veto some decisions of Council;

AND WHEREAS this Bill, if enacted, will give authority over professional staff to the Mayor, including that of the Chief Administrative Officer;

AND WHEREAS these changes will result in a reduction of independence for professional staff including the CAO, who currently provide objective information to the Council and public and will now take direction from the Mayor alone when the Mayor so directs;

AND WHEREAS these surprising and unnecessary changes to the historical balance of power between a Mayor and Council, and which historically gave the final say in all matters to the will of the majority of the elected Council;

NOW THEREFORE BE IT RESOLVED THAT Council of the Corporation of the Municipality of Huron Shores passes this resolution to petition the Government of Ontario:

1. THAT these changes to the *Municipal Act*, 2001, are unnecessary and will negatively affect the Municipality of Huron Shores;
2. THAT if the Ontario Government deems these changes necessary in large single-tier municipalities such as Toronto and Ottawa, that such changes should not be implemented in smaller municipalities;
3. THAT the Ontario Government should enact legislation clarifying the role of Mayor, Council and Chief Administrative Officer, similar to those recommended by the Ontario Municipality Administrator's Association and those recommended by Justice Marrocco in the Collingwood judicial inquiry of 2022;
and
4. THAT if the stated goal of this legislation is to construct more housing in Ontario that this can be accomplished through other means including amendment of the *Planning Act* and funding of more affordable housing;

AND BE IT FURTHER RESOLVED THAT a copy of this resolution be provided to the Premier of Ontario, the Minister of Municipal Affairs and Housing, the "Standing Committee on Heritage, Infrastructure and Cultural Policy", MP Carol Hughes, the Association of Municipalities of Ontario and all municipalities in Ontario."

Should you require anything further in order to address the above-noted resolution, please contact the undersigned.

Yours truly,



Natashia Roberts

Chief Administrative Officer (CAO)/Clerk
NR/KN

Denise Holmes

From: Jennifer Simms <jennifer.simms@intelivote.com>
Sent: Monday, November 7, 2022 3:41 PM
To: Denise Holmes
Subject: Election Statistics - Melancthon
Attachments: Intelivote Election Statistics - Melancthon 2022.pdf

Hi Denise,

Please find attached the Election Statistic document that we have compiled for you. These statistics include:

- Election Statistics - general stats for your election.
- Participation Statistics – a breakdown of participation percentages for each race.
- Voting Time Breakdown - a breakdown of voting activity by date and time.
- Internet Voting Sessions – a breakdown of what devices electors used to connect to the voting system via internet. Keep in mind that a ‘session’ is when an elector successfully inputs their PIN in the system. The elector doesn’t have to successfully vote in order to create a session. For example, one elector could create 2 voting sessions.
- Age - breakdown of electors by age and age participation rates.

I hope this information gives you some insight into your election and eVoting as a whole.

It was great working with you! Please let me know if you have any questions.

Jenn Simms | Senior eVoting Consultant
Intelivote Systems Inc.
40 Thornhill Dr., Suite 12
Dartmouth, NS, B3B 1S1
Office (902) 702-0215
Mobile (587) 227-5011
www.intelivote.com

DISCLAIMER: This email (and any attachments) is confidential, may be privileged, and is only for the use of the intended recipient. Other use is prohibited. If you have received this email in error, please notify us and delete this message. Thank you.



intelivote systems inc

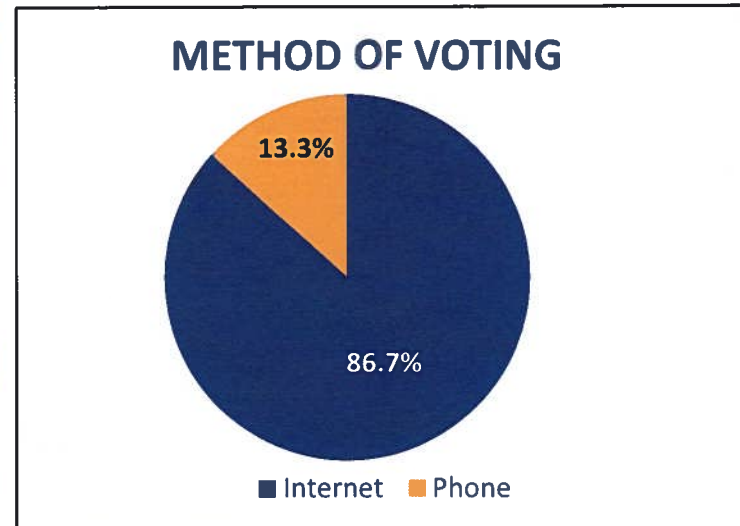
Township of Melancthon
2022 MUNICIPAL & SCHOOL BOARD ELECTIONS

ELECTION STATISTICS

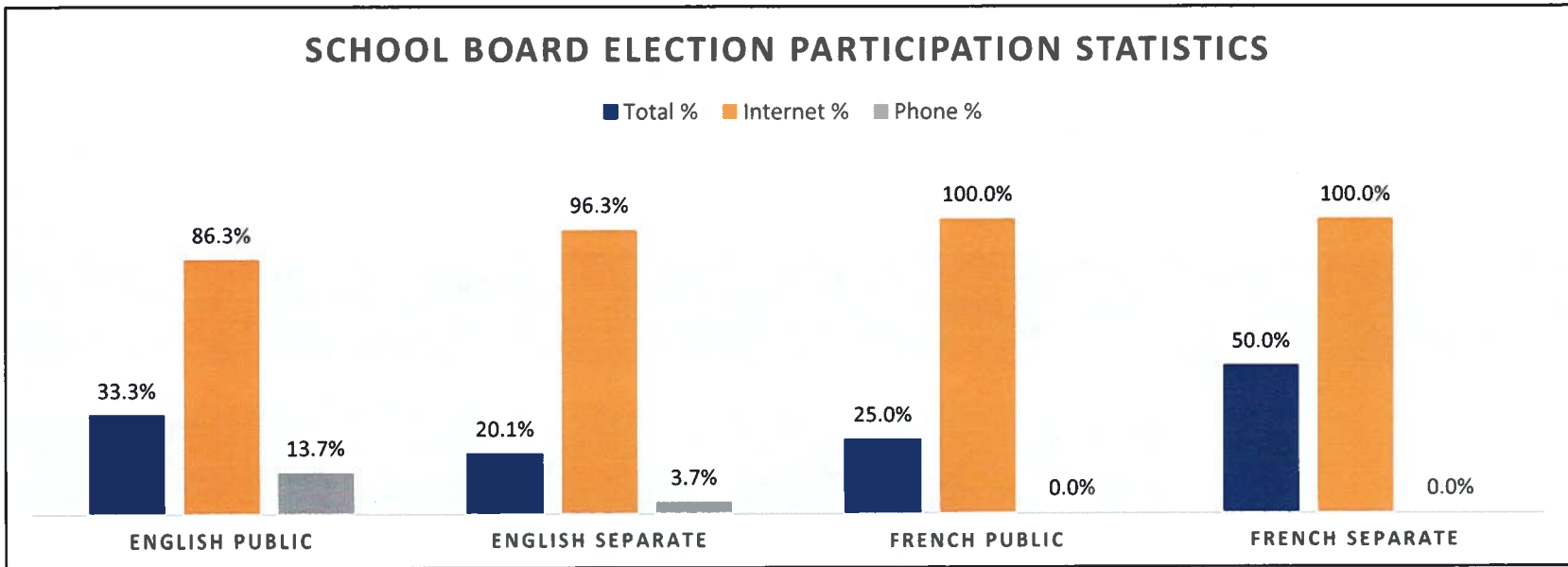
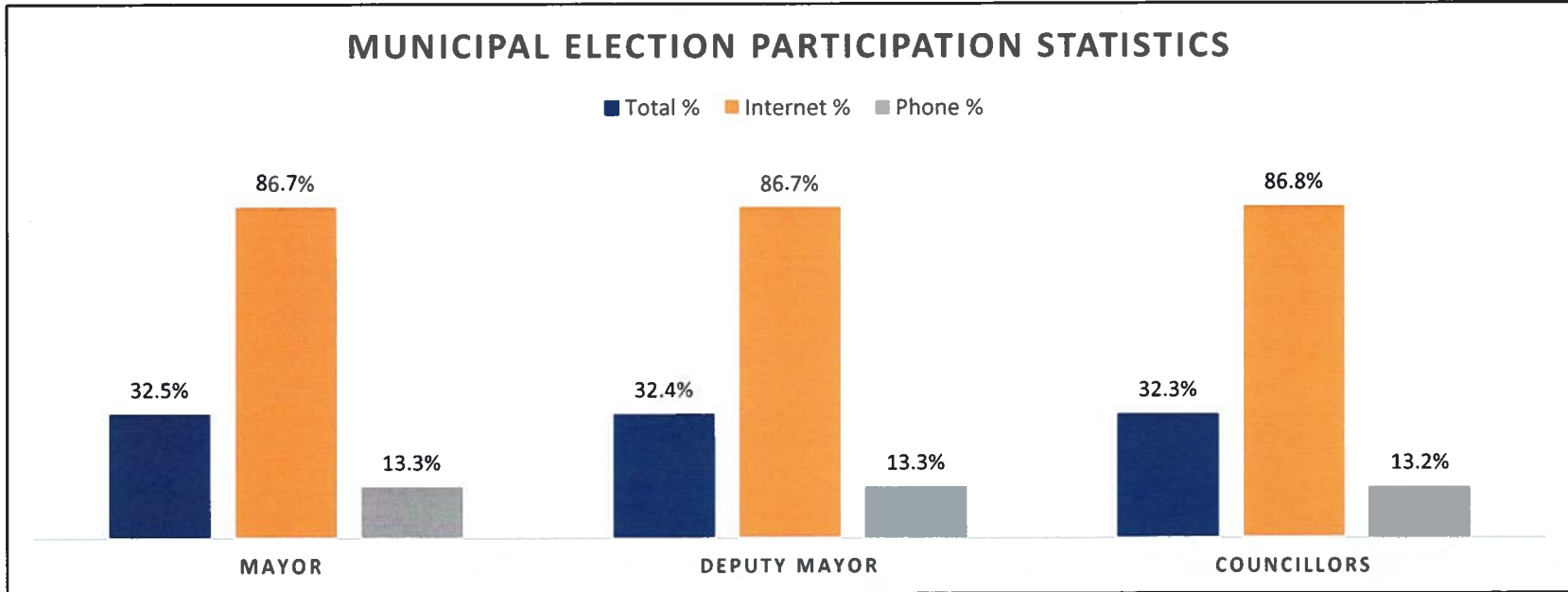
Prepared by: Intelivote Systems Inc.

Date: November 7, 2022

Information Base		Number	%
1	Number of eligible electors in system.	2,545	
2	Number of electors who cast at least one ballot.	827	
3	Participation rate.	32.5%	
4	Voters who used the internet to vote.	717	86.7%
5	Voters who used the phone to vote.	110	13.3%
6	Internet votes cast at a kiosk computer	51	7.1%
7	Average amount of time a voter spent voting using the Internet.	1min 53sec	
8	Average amount of time a voter spent voting using the telephone.	3min 11sec	
Residency Status		Number	%
9	Total eligible electors with "Resident" status.	1,958	76.9%
10	Voters casting ballots with "Resident" status.	729	88.1%
11	Total eligible electors with "Non-Resident" status.	583	22.9%
12	Voters casting ballots with "Non-Resident" status.	95	11.5%
13	Total eligible electors with N/A status.	4	0.2%
14	Voters casting ballots with N/A status.	3	0.4%
Occupancy Status		Number	%
15	Total eligible electors with "Owner" status.	1,866	73.3%
16	Voters casting ballots with "Owner" status.	642	77.6%
17	Total eligible electors with "Spouse" status.	69	2.7%
18	Voters casting ballots with "Spouse" status.	31	3.7%
19	Total eligible electors with "Tenant" status.	211	8.3%
20	Voters casting ballots with "Tenant" status.	70	8.5%
21	Total eligible electors with "Boarder/Other" status.	399	15.7%
22	Voters casting ballots with "Boarder/Other" status.	84	10.2%



2022 Melancthon Municipal School Board Elections Participation Statistics



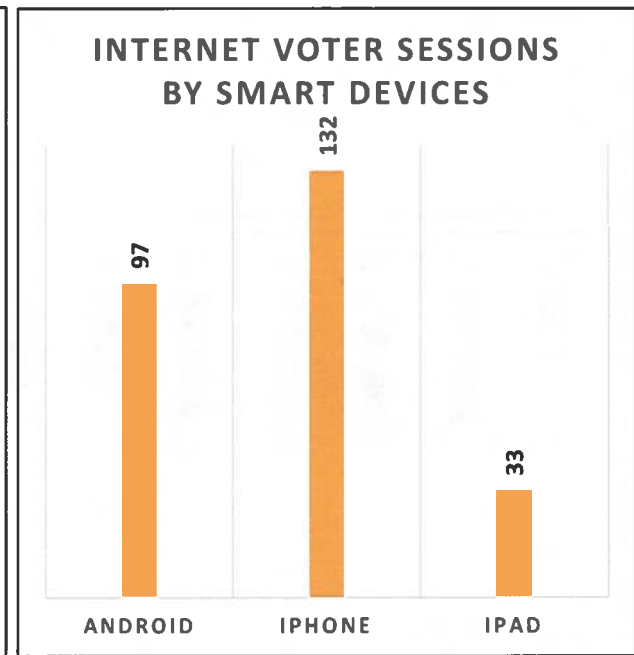
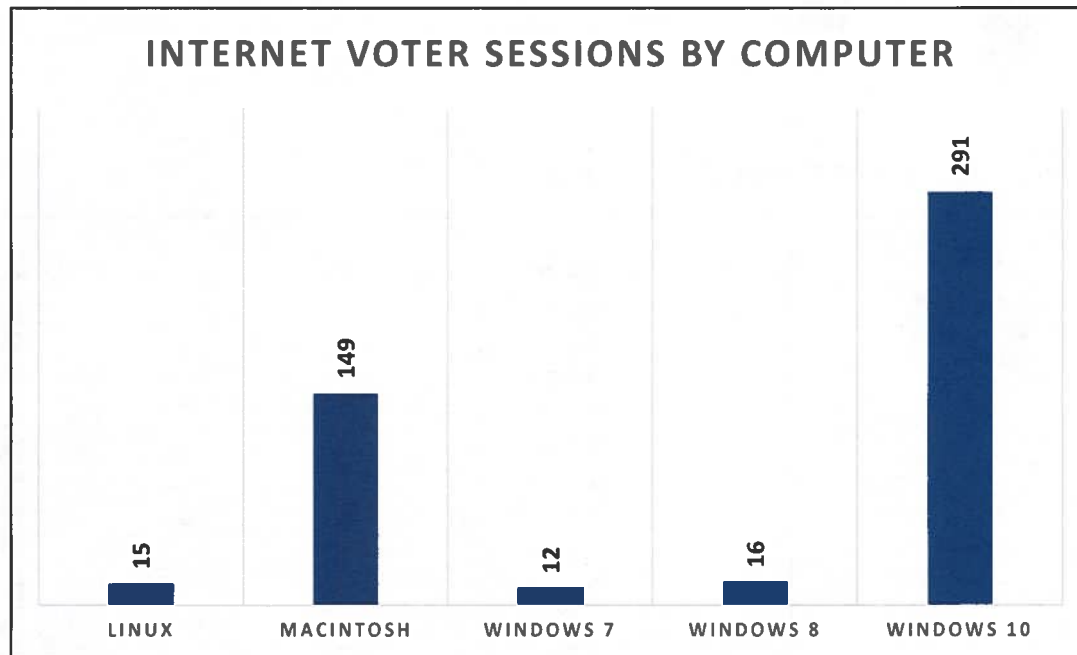
2022 Melancthon Municipal School Board Elections

Voting Time Breakdown

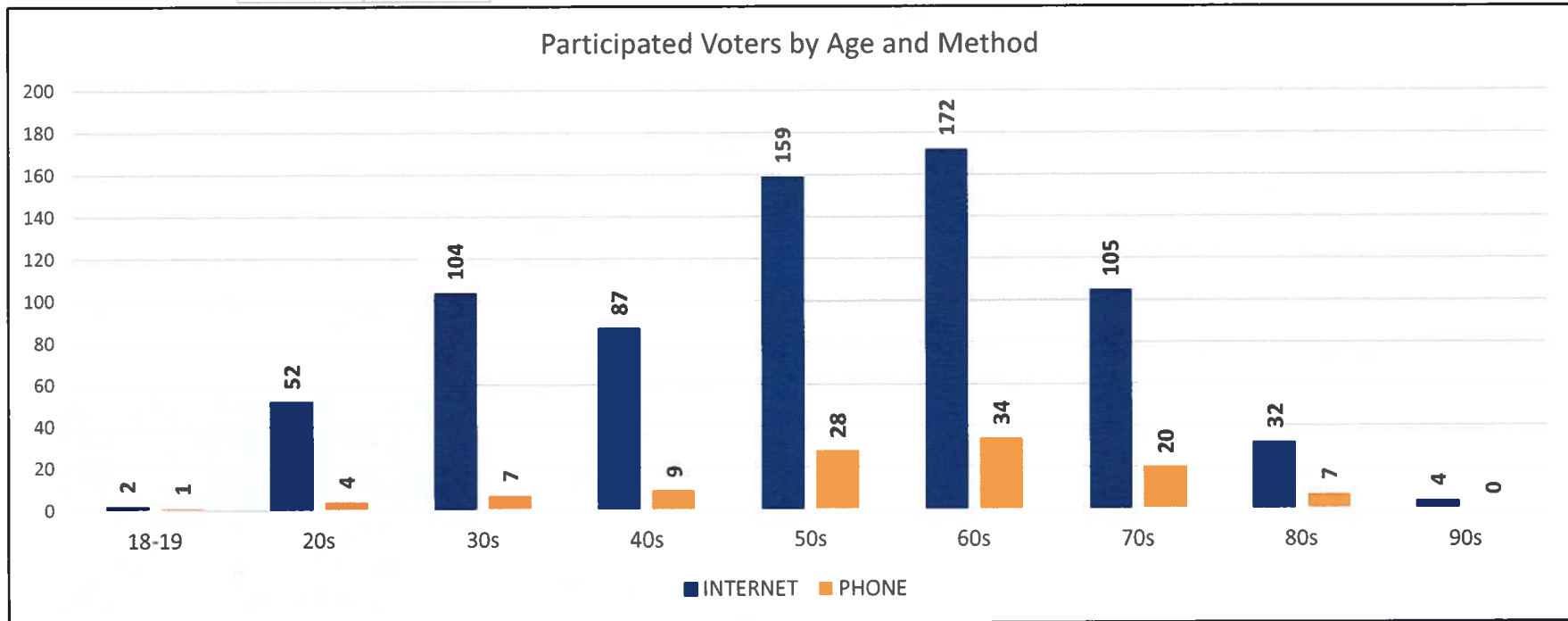
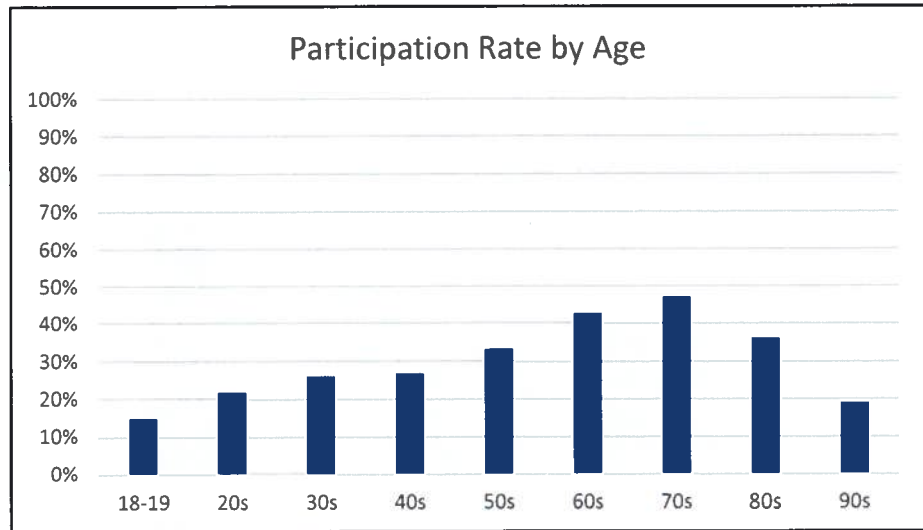
Date & Time	14-Oct	15-Oct	16-Oct	17-Oct	18-Oct	19-Oct	20-Oct	21-Oct	22-Oct	23-Oct	24-Oct	Grand Total	%/Hr.
12:00 AM											3	3	0.4%
1:00 AM											2	2	0.2%
2:00 AM					1							1	0.1%
3:00 AM												0	0.0%
4:00 AM												0	0.0%
5:00 AM											1	1	0.1%
6:00 AM									2			2	0.2%
7:00 AM		2			1	2	2		2	3	3	15	1.8%
8:00 AM		7	2	1	7	1		2	1		12	33	4.0%
9:00 AM		6		2	3	8	1	5	6	4	15	50	6.0%
10:00 AM	39	2	2	8	3	4	6	3	5	6	12	90	10.9%
11:00 AM	8	10	2	1	1	6	4	4	3	6	9	54	6.5%
12:00 PM	8	3	6	7	5		3	2	1	3	17	55	6.7%
1:00 PM	4	7	5	2	6	3	3	3	1	3	18	55	6.7%
2:00 PM	9	3	3	14	5	7	3		4	5	15	68	8.2%
3:00 PM	5		1	6	3	2	2	1	1	2	10	33	4.0%
4:00 PM	4			3	2	2	1		3	8	9	32	3.9%
5:00 PM	4	2	3	3	1	2	6	2	1	5	27	56	6.8%
6:00 PM	7		5	7	3	3	5	4	1	6	45	86	10.4%
7:00 PM	1	1	1	13	6	3	9	4	4	14	52	108	13.1%
8:00 PM	3	2		2	3	3		9	6	20		48	5.8%
9:00 PM				3	1	1	1	4		9		19	2.3%
10:00 PM	1			1	1			2		4		9	1.1%
11:00 PM				1				1		5		7	0.8%
Grand Total	93	45	30	74	52	47	46	46	41	103	250	827	
%/Day	11.2%	5.4%	3.6%	8.9%	6.3%	5.7%	5.6%	5.6%	5.0%	12.5%	30.2%		

**2022 Melancthon Municipal School Board Elections
Internet Voter Sessions**

Device	Operating System	Voter Sessions	%
Computer	Linux	15	64.8%
	Macintosh	149	
	Windows 7	12	
	Windows 8	16	
	Windows 10	291	
Smart Phone	Android	97	35.2%
	iPhone	132	
Tablet	iPad	33	
Total		745	



Age Breakdown of Who Voted					
Age	ELIG.	VOTED	INTERNET	PHONE	% Part.
18-19	20	3	2	1	15.0%
20s	256	56	52	4	21.9%
30s	425	111	104	7	26.1%
40s	356	96	87	9	27.0%
50s	560	187	159	28	33.4%
60s	482	206	172	34	42.7%
70s	265	125	105	20	47.2%
80s	108	39	32	7	36.1%
90s	21	4	4	0	19.0%
99+	1	0	0	0	0.0%
UK*	51	0	0	0	0.0%
Total	2,545	827	717	110	32.5%



Denise Holmes

From: Sarah Culshaw
Sent: Thursday, November 10, 2022 9:45 AM
To: Denise Holmes
Subject: FW: 2023 Ontario Municipal Partnership Fund (OMPF) Release Documents - Melancthon Tp
Attachments: 2023 OMPF - Letter to Heads of Council.pdf; 2023 OMPF - Letter to Treasurers and Clerk-Treasurers.pdf; 2023 OMPF Allocation Notice - Melancthon Tp - 2219.pdf; 2023 OMPF Cash Flow Notice - Melancthon Tp - 2219.pdf; 2023 OMPF Technical Guide.pdf

From: OMPF, Document (MOF) <Document.OMPF@ontario.ca>
Sent: Wednesday, November 9, 2022 3:18 PM
To: Sarah Culshaw <sculshaw@melancthontownship.ca>
Cc: Brutto, Tony (MMAH) <Tony.Brutto@ontario.ca>; Voltchenkova, Anna (MMAH) <Anna.Voltchenkova@ontario.ca>; Babins, Shira (MMAH) <Shira.Babins@ontario.ca>
Subject: 2023 Ontario Municipal Partnership Fund (OMPF) Release Documents - Melancthon Tp

Note: This email has been sent from an unmonitored email address. Please do not respond to this message. For inquiries related to the Ontario Municipal Partnership Fund (OMPF), please contact info.ompf@ontario.ca.

Dear Treasurer/Clerk-Treasurer:

I am writing to provide you with details related to your municipality's allocation under the 2023 Ontario Municipal Partnership Fund (OMPF).

The government is maintaining both the structure of the OMPF and the \$500 million program envelope for 2023.

The following 2023 OMPF supporting documents are attached to this email:

- 1) Letter to Heads of Council from the Minister of Finance;
- 2) Correspondence from the Ministry's Provincial-Local Finance Division, which provides details regarding the 2023 OMPF;
- 3) Your municipality's 2023 OMPF Allocation Notice, and applicable insert(s);
- 4) Your municipality's 2023 OMPF Cash Flow Notice; and
- 5) The 2023 OMPF Technical Guide.

This information and other supporting materials are also available at <https://www.ontario.ca/document/2023-ontario-municipal-partnership-fund>.

Sincerely,

Mary Iannaci
Assistant Deputy Minister (A)
Provincial-Local Finance Division
Ontario Ministry of Finance

Ministry of Finance
Office of the Minister
Frost Building S, 7th Floor
7 Queen's Park Crescent
Toronto ON M7A 1Y7
Tel.: 416-325-0400



Ministère des Finances
Bureau du ministre
Édifice Frost Sud 7^e étage
7 Queen's Park Crescent
Toronto (Ontario) M7A 1Y7
Tél.: 416-325-0400

Minister of Finance | Ministre des Finances
PETER BETHLENFALVY

November 9, 2022

Dear Head of Council:

I am writing to provide details on 2023 funding allocations under the Ontario Municipal Partnership Fund (OMPF). We are announcing allocations now as we know that municipalities need this information to support municipal budget planning.

Our government recognizes the importance of the OMPF for many of Ontario's communities. We are committed to working in partnership with municipalities to build and strengthen our province. That is why our government has been increasing ongoing support to municipalities for example through the doubling of the Ontario Community Infrastructure Fund (OCIF) and the introduction of the Northern Ontario Resource Development Support (NORDS) program.

Within the context of this increasing provincial support to municipalities, the government is maintaining both the overall structure of the OMPF and the program envelope at \$500 million for 2023. The program will also continue to be responsive to changing municipal circumstances through annual data updates and related adjustments.

As in prior years, transitional assistance will ensure that the 2023 funding guarantee for municipalities in northern Ontario will be at least 90 per cent of their 2022 OMPF allocation. Municipalities in southern Ontario will receive at least 85 per cent of their 2022 OMPF allocation.

The Ministry of Finance's Provincial-Local Finance Division will be providing your municipal treasurers and clerk-treasurers with further details on the 2023 OMPF. This information and other supporting materials are also available online at ontario.ca/document/2023-ontario-municipal-partnership-fund.

.../cont'd

Maintaining a close relationship with our municipal partners remains critical as we continue to build Ontario's economy during this time of economic uncertainty. I look forward to our continued collaboration in supporting strong, thriving communities across the province.

Sincerely,

Original signed by

The Honourable Peter Bethlenfalvy
Minister of Finance

c.c. The Honourable Steve Clark, Minister of Municipal Affairs and Housing

Ministry of Finance
Provincial-Local Finance
Division
Frost Building North
95 Grosvenor Street
Toronto, ON M7A 1Y7

Ministère des Finances
Division des relations provinciales
municipales en matière de finances
Édifice Frost Nord
95 rue Grosvenor
Toronto, ON M7A 1Y7



November 9, 2022

Dear Treasurer/Clerk-Treasurer:

In the November 9 letter to Heads of Council, the Minister of Finance announced the 2023 Ontario Municipal Partnership Fund (OMPF) municipal allocations. I am writing to provide you with additional information regarding your 2023 municipal OMPF allocation.

The details specific to your municipality's 2023 allocation are also outlined in the attached *2023 OMPF Allocation Notice and Inserts*.

2023 OMPF

For 2023, the government is maintaining the overall structure and \$500 million program envelope of the OMPF, while ensuring that the program continues to be responsive to municipal circumstances. This means the core grant components of the program and Transitional Assistance will provide support as outlined below:

- The **Assessment Equalization Grant** component will provide \$149 million to support municipalities with limited property assessment.
- The **Rural Communities Grant** component will provide \$154 million in recognition of the challenges of rural municipalities, including rural farming communities.
- The **Northern Communities Grant** component will provide \$89 million in recognition of the challenges of northern municipalities.
- The **Northern and Rural Fiscal Circumstances Grant** component will provide \$93 million to support northern and rural municipalities with the more challenging fiscal circumstances.
- Consistent with prior years, **Transitional Assistance** will ensure that municipalities in southern Ontario receive at least 85 per cent of their 2022 OMPF allocation.

Additional information on the 2023 OMPF can be found in the accompanying supporting materials.

2023 OMPF – SUPPORTING MATERIAL

To assist municipalities in understanding the OMPF and their individual 2023 allocations, the Ministry of Finance has prepared detailed and customized supporting documentation:

- A. 2023 OMPF Allocation Notice and Inserts
- B. 2023 OMPF Technical Guide
- C. Municipal Workbooks

A. 2023 OMPF Allocation Notice and Inserts

The *OMPF Allocation Notice and Insert* outline individual municipal OMPF allocations by grant component, and also provide a summary of key data inputs for 2023. Your municipality's 2023 funding allocation is noted on line A.

As your municipality's funding through the 2023 OMPF exceeds the guaranteed minimum level of support, your municipality does not require Transitional Assistance for 2023. Supporting details are provided in the enclosed *2023 Transitional Assistance Calculation Insert*.

B. 2023 OMPF Technical Guide

The *2023 OMPF Technical Guide* provides information with respect to individual grant thresholds, parameters and data sources.

C. 2023 Municipal Workbooks

The *2023 OMPF Workbook and the 2023 Northern and Rural Municipal Fiscal Circumstances Index (MFCI) Workbook* (if applicable) provide detailed calculations of the 2023 OMPF grant components, and the determination of the Northern and Rural MFCI, as well as outline all underlying data elements.

These workbooks will be provided electronically to municipal treasurers and clerk-treasurers in the coming weeks.

The *2023 OMPF Technical Guide*, as well as individual municipal *OMPF Allocation Notices*, are also available electronically on the Ministry's website:

<https://www.ontario.ca/document/2023-ontario-municipal-partnership-fund/treasurerclerk-treasurer-letter>

2023 PAYMENT SCHEDULE

The *2023 Cash Flow Notice* identifies your municipality's quarterly payment schedule. Payments will be processed at the end of January, April, July, and October 2023. Payments are subject to holdback pending the submission of OMPF reporting requirements.

2023 REPORTING OBLIGATIONS

Municipalities are required to submit their 2022 Financial Information Return (FIR) to the Ministry of Municipal Affairs and Housing (MMAH) by **May 31, 2023**.

The Ministry understands that providing details related to your OMPF allocation in a timely manner helps to support your budget planning process. In order to continue to support timely communication of OMPF allocations, the Ministry is requesting that municipalities submit their 2023 tax rates through the Online Property Tax Analysis (OPTA) system or to MMAH by **August 31, 2023**.

Payments for municipalities that do not meet these reporting obligations may be subject to holdback, beginning with the 2023 fourth quarterly payment, until these documents have been filed.

If you require additional information regarding the OMPF, you may e-mail your inquiries and contact information to: info.ompf@ontario.ca.

In closing, we would like to thank you for your ongoing partnership. We look forward to continuing to work with you on the OMPF.

Sincerely,

Original signed by

Mary Iannaci
Assistant Deputy Minister (A)
Provincial-Local Finance Division

c. Caspar Hall
Assistant Deputy Minister
Local Government Division
Ministry of Municipal Affairs and Housing

**Hannah Evans
Assistant Deputy Minister
Municipal Services Division
Ministry of Municipal Affairs and Housing**

2023 Allocation Notice**Township of Melancthon**

2219

County of Dufferin

In 2023, the Province is providing the Township of Melancthon with \$175,300 in funding through the OMPF, which is the equivalent of \$149 per household.

A Total 2023 OMPF	\$175,300
--------------------------	------------------

1. Assessment Equalization Grant Component	-
2. Northern Communities Grant Component	-
3. Rural Communities Grant Component	\$159,900
4. Northern and Rural Fiscal Circumstances Grant Component	\$15,400
5. Transitional Assistance	-

B Key OMPF Data Inputs

1. Households	1,179
2. Total Weighted Assessment per Household	\$499,428
3. Rural and Small Community Measure (RSCM)	100.0%
4. Farm Area Measure (FAM)	70.6%
5. Northern and Rural Municipal Fiscal Circumstances Index (MFCI)	1.3
6. 2023 Guaranteed Level of Support	85.0%
7. 2022 OMPF	\$176,500

Note: See line item descriptions on the following page.

2023 Allocation Notice**Township of Melancthon**

2219

County of Dufferin

2023 OMPF Allocation Notice - Line Item Descriptions

A	Sum of 2023 OMPF grant components and Transitional Assistance, which are described in the 2023 OMPF Technical Guide. This document can be accessed at: https://www.ontario.ca/document/2023-ontario-municipal-partnership-fund/technical-guide
A5	If applicable, reflects the amount of transitional support provided to assist the municipality in adjusting to year-over-year funding changes. See the enclosed Transitional Assistance Calculation Insert for further details.
B1	Based on the 2022 returned roll from the Municipal Property Assessment Corporation (MPAC).
B2	Refers to the total assessment for a municipality weighted by the tax ratio for each class of property (including payments in lieu of property taxes retained by the municipality) divided by the total number of households.
B3	Represents the proportion of a municipality's population residing in rural areas and/or small communities. For additional information, see the 2023 OMPF Technical Guide, Appendix A.
B4	Represents the percentage of a municipality's land area comprised of farm land. Additional details regarding the calculation of the Farm Area Measure are provided in the enclosed Farm Area Measure Insert, and the 2023 OMPF Technical Guide, Appendix B.
B5	Measures a municipality's fiscal circumstances relative to other northern and rural municipalities in the province, and ranges from 0 to 10. A lower MFCI corresponds to relatively positive fiscal circumstances, whereas a higher MFCI corresponds to more challenging fiscal circumstances. For additional information, see the enclosed MFCI Insert, and the 2023 OMPF Technical Guide, Appendix D.
B6	Represents the guaranteed level of support the municipality will receive through the 2023 OMPF. For additional information, see the 2023 OMPF Technical Guide.
B7	Line A of 2022 OMPF Allocation Notice.

Note: Grant components and Transitional Assistance are rounded up to multiples of \$100.

2023 Transitional Assistance Calculation Insert

Township of Melancthon

2219

County of Dufferin

A 2023 OMPF Transitional Assistance (Line B2 - Line B1, if positive)	n/a
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As the municipality's 2023 OMPF identified on line B1 exceeds the guaranteed support identified on line B2, Transitional Assistance is not required.

B Supporting Details

1. Sum of 2023 OMPF Grant Components (excluding Transitional Assistance)	\$175,300
2. 2023 Guaranteed Support (Line B2a x Line B2b)	\$150,100
a. 2022 OMPF	\$176,500
b. 2023 Guaranteed Level of Support	85.0%

Note: See line item descriptions on the following page.

2023 Transitional Assistance Calculation Insert

Township of Melancthon

2219

County of Dufferin

2023 Transitional Assistance Calculation Insert - Line Item Descriptions

A	Transitional Assistance ensures that in 2023, southern municipalities will receive a minimum of 85 per cent of the support they received through the OMPF in 2022. The Township of Melancthon's 2023 OMPF exceeds their guaranteed level. As a result, Transitional Assistance is not required.
B1	Sum of the following 2023 OMPF grant components: Assessment Equalization, Northern Communities, Rural Communities, and Northern and Rural Fiscal Circumstances Grant Components.
B2	Guaranteed amount of funding through the 2023 OMPF.
B2a	Line A of 2022 OMPF Allocation Notice.
B2b	Represents the guaranteed level of support the municipality will receive through the 2023 OMPF. For additional information, see the 2023 OMPF Technical Guide.

Note: Grant components and Transitional Assistance are rounded up to multiples of \$100.

2023 Northern and Rural Municipal Fiscal Circumstances Index**Township of Melancthon**

2219

County of Dufferin

A Northern and Rural Municipal Fiscal Circumstances Index (MFCI)**1.3**

The Northern and Rural Municipal Fiscal Circumstances Index (MFCI) measures a municipality's fiscal circumstances relative to other northern and rural municipalities in the province on a scale of 0 to 10. A lower MFCI corresponds to relatively positive fiscal circumstances, whereas a higher MFCI corresponds to more challenging fiscal circumstances.

The Northern and Rural MFCI is determined based on six indicators that are classified as either primary or secondary, to reflect their relative importance in determining a municipality's fiscal circumstances.

The table below provides a comparison of the indicator values for the Township to the median for northern and rural municipalities.

B Northern and Rural MFCI - Indicators

Primary Indicators	Township of Melancthon	Median
1. Weighted Assessment per Household	\$499,428	\$289,000
2. Median Household Income	\$100,000	\$82,000
Secondary Indicators		
3. Average Annual Change in Assessment (New Construction)	1.3%	1.1%
4. Employment Rate	64.0%	56.0%
5. Ratio of Working Age to Dependent Population	193.4%	152.0%
6. Per cent of Population Above Low-Income Threshold	89.5%	88.0%

Note: An indicator value that is higher than the median corresponds to relatively positive fiscal circumstances, while a value below the median corresponds to more challenging fiscal circumstances.

Additional details regarding the calculation of the Northern and Rural MFCI are provided in the 2023 OMPF Technical Guide, as well as in the customized 2023 Northern and Rural MFCI Workbook.

Note: See line item descriptions on the following page.

2023 Northern and Rural Municipal Fiscal Circumstances Index**Township of Melancthon**

2219

County of Dufferin

2023 Northern and Rural Municipal Fiscal Circumstances Index - Line Item Descriptions

A	The municipality's 2023 Northern and Rural MFCI. Additional details are provided in the municipality's customized 2023 Northern and Rural MFCI Workbook.
B1	Refers to the total assessment for a municipality weighted by the tax ratio for each class of property (including payments in lieu of property taxes retained by the municipality) divided by the total number of households.
B2	Statistics Canada's measure of median income for all private households in 2020.
B3	Measures the five-year (2017 - 2022) average annual change in a municipality's assessment, for example, as a result of new construction or business property closures, excluding the impact of reassessment.
B4	Statistics Canada's measure of number of employed persons, divided by persons aged 15 and over.
B5	Statistics Canada's measure of working age population (aged 15 to 64), divided by youth (aged 14 and under) and senior population (aged 65 and over).
B6	Statistics Canada's measure of the population in private households above the low-income threshold for Ontario compared to the total population in private households.

2023 Farm Area Measure Insert

Township of Melancthon

2219

County of Dufferin

A Farm Area Measure (Line B1 / Line B2)	70.6%
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The Farm Area Measure (FAM) represents the percentage of a municipality's land area comprised of farm land.

$$\frac{\text{Farm Land Area}}{\text{Municipal Land Area}} = \text{Farm Area Measure}$$

B Supporting Details

1. Farm Land Area	54,135 acres
2. Municipal Land Area	76,699 acres

The Rural Communities Grant includes a funding enhancement for municipalities with a Farm Area Measure of more than 70 per cent, based on a sliding scale. Eligible municipalities receive this funding as part of their Rural Communities Grant allocation. Additional details regarding the calculation of the Farm Area Measure are provided in the 2023 OMPF Technical Guide, as well as in the municipality's customized 2023 OMPF Workbook.

Note: See line item descriptions on the following page.

2023 Farm Area Measure Insert

Township of Melancthon

2219

County of Dufferin

2023 Farm Area Measure Insert - Line Item Descriptions

A	Represents the percentage of a municipality's land area comprised of farm land. Additional details regarding the calculation of the Farm Area Measure are provided in the 2023 OMPF Technical Guide, Appendix B.
B1	The number of acres of land for properties in the farm property tax class.
B2	The total number of acres of land in the municipality.

Ontario Municipal Partnership Fund (OMPF)
2023 Cash Flow Notice



Township of Melancthon
County of Dufferin

2219

A	Total 2023 OMPF (2023 Allocation Notice, Line A)	<i>See Note below</i>	\$175,300
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B	2023 OMPF Quarterly Payments Schedule		\$175,300
1.	2023 OMPF First Quarter Payment	<i>Scheduled for January 2023</i>	\$43,825
2.	2023 OMPF Second Quarter Payment	<i>Scheduled for April 2023</i>	\$43,825
3.	2023 OMPF Third Quarter Payment	<i>Scheduled for July 2023</i>	\$43,825
4.	2023 OMPF Fourth Quarter Payment	<i>Scheduled for October 2023</i>	\$43,825

Note: Your municipality's 2023 OMPF allocation is identified on Line A of your 2023 OMPF Allocation Notice. Please refer to the enclosed correspondence for further details.

Ontario Municipal Partnership Fund (OMPF)
2023 Cash Flow Notice



Township of Melancthon
County of Dufferin

2219

2023 Cash Flow Notice - Line Item Descriptions

A	Total 2023 OMPF allocation. See 2023 OMPF Allocation Notice, Line A.
B1 - B4	Scheduled quarterly payments in respect of the 2023 OMPF allocation. Fourth quarter payment may be subject to holdback pending submission of all 2023 and any outstanding OMPF reporting requirements. Please refer to the Reporting Obligations section of the 2023 OMPF Technical Guide.

Denise Holmes

From: Minister (MMAH) <minister.mah@ontario.ca>
Sent: Tuesday, November 15, 2022 1:18 PM
To: Denise Holmes
Subject: Letter from Minister Steve Clark (4885)

**Ministry of
Municipal Affairs
and Housing**

Office of the Minister

777 Bay Street, 17th Floor
Toronto ON M7A 2J3
Tel.: 416 585-
7000

**Ministère des
Affaires municipales
et du Logement**

Bureau du ministre

777, rue Bay, 17^e étage
Toronto (Ontario) M7A 2J3
Tél. : 416 585-7000



Ontario

234-2022-4885

November 15, 2022

Your Worship
Mayor Darren White
Township of Melancthon
dholmes@melancthontownship.ca

Dear Mayor White and Council:

Please accept my congratulations on your success in the recent municipal elections. I want to thank you for your decision to serve the public, and I look forward to working with you throughout the upcoming term.

As a former mayor, I know firsthand just how important municipal government is to Ontarians. I also know your constituents expect local government to be effective and responsive as you deliver critical local services, and that you expect the same in our relationship.

Throughout my time as Minister of Municipal Affairs and Housing, I have been proud to work with mayors and councils across Ontario to deliver on our shared priorities. I value the expertise and advice I have received from local governments, which has helped shape our decision-making to date.

There is much work ahead of us. Our government is working hard to make living in Ontario more affordable. Bill 23, the More Homes Built Faster Act, takes bold action to advance our plan to address the housing crisis by building 1.5 million homes across Ontario over the next 10 years. We will continue to work with all our municipal partners to get shovels in the ground and build more homes faster.

As we work together to serve the people of our great province, I want to hear about the challenges you face. I know that local representatives understand their communities and that you can help us ensure that local government is working harder, smarter and more efficiently. Best wishes to you and to council for success over the next four years.

Sincerely,

A handwritten signature in black ink that reads "Steve Clark".

Steve Clark
Minister



THE MUNICIPALITY OF

LAMBTON SHORES

Administration

7883 Amtelecom Parkway

Forest, ON N0N 1J0

T: 519-243-1400 / 1-866-943-1400

www.lambtonshores.ca

November 22, 2022

by email: schicp@ola.org

Standing Committee on Heritage, Infrastructure and Cultural Policy

To Whom It May Concern

Re: Proposed Legislation
Bill 23 – More Homes Built Faster Act, 2022

Thank-you for the opportunity to comment on the above-noted proposed legislation.

Please be advised that the Council of the Municipality of Lambton Shores passed Resolution 22-1108-11 at its November 8, 2022 regular Council meeting:

THAT staff draft a letter to the province outlining Lambton Shores' concerns with Bill 23 and circulate to AMO and all Ontario municipalities.

Lambton Shores is a thriving, growing community on the shores of Lake Huron. It includes several communities experiencing appreciable growth in residential and commercial developments. Lambton Shores' beaches, lakeshore communities, places like Grand Bend and Pinery Provincial Park, and its provincially and internationally significant natural heritage areas make Lambton Shores a well-known tourist destination and desirable place to live and work. Like much of rural Ontario and perhaps more so, it has experienced housing shortages, increased development activity, and a sharp rise in housing costs in the last several years.

In general, Bill 23 seems to be intended to address approval process problems that exist in larger centers more so than portions of rural Ontario like Lambton Shores. Lambton Shores, on the whole, works well with the development community and issues timely planning and other development approvals. In Lambton Shores' case, Bill 23 will "fix" many things that are not really broken and will have the unintended effect of substituting relatively efficient processes with additional processes, time, and costs to development.

The Province conducted a very narrow, developer and real estate-focused, consultation in developing its strategy to address the housing crisis. It is misleading to lay so much blame on the easy target of municipalities. Delays are often due to a development proponent's reluctance to provide information, meet requirements, and follow processes that are overseen by municipalities, but provincially-established. If the Province wishes to speed up Municipal approvals, it should look at its own approval processes, legislation, and responsiveness with respect to matters related to the *Endangered Species Act*, Records of Site Conditions, archaeological assessments, Environmental Compliance Approvals, and the like.

DEC 1 2022

INFO #8

The limiting factor in addressing the housing crisis is labour and material shortages, caused by government policy and the demographics of aging baby-boomers. The Province would better address the housing crisis by finding ways to increase the capacity of the building industry and direct that capacity towards forms of housing that produce more units (e.g. medium and high rather than low density), rather than placing expectations on municipalities that increase staffing needs and put more pressure to draw labour away from construction and manufacturing.

Conservation Authorities

With respect to Conservation Authorities, the Municipality of Lambton Shores has an excellent working relationship with our two Conservation Authorities (Ausable Bayfield and St Clair Region). They are responsive given the level of resources they have and provide valuable expertise, resources, and services to the Municipality. These would not be practical for a Municipality of our size to provide internally. The Municipality wishes to retain the ability to obtain these services through memorandums of understanding.

- If the CAs are prohibited from commenting on natural heritage matters, the Municipality will need to instead refer development proposals to third party consultants, which will add time and cost to development proponents, contrary to the intent of Bill 23.
- Municipalities will be reluctant to grant planning approvals that would exempt development from Conservation Authority approvals. The Municipality lacks the expertise to assess natural hazards and does not wish to assume the liability. Just as planning approval processes were not designed to address Ontario Building Code matters, planning approval processes and Municipalities lack the unique tools and mechanisms of CAs and the *Conservation Authorities Act* to ensure development can proceed while appropriately addressing hazards.
- Repeal of the Regulations specific to each CA, in favour of a province-wide Regulation, will eliminate the local flavor of each CA and its ability to provide for the needs of its constituent municipalities, which are different in rural Ontario than in larger centers.

Additional Dwelling Units

With respect to allowing three units as-of-right on residentially zoned lands:

- This permission potentially creates additional dwelling units in areas where existing municipal services are at full capacity.
- For a second or third unit to be permitted in a particular form of dwelling, it should be clarified that the applicable zone must permit that form of housing in the first place. The current wording of the legislation would seem to permit, for example, a single detached dwelling with a basement apartment on lands zoned and intended for medium and high density, contrary to the intent to Bill 23 to create more units.
- How will the province ensure that these additional dwelling units are used as primary residences, as intended by Bill 23? In significant tourist areas like the Municipality of Lambton Shores, these provisions will promote additional

conversions of existing primary residences into two or three short term rental accommodations, contrary to the intent of Bill 23.

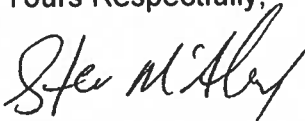
Waiving Fees

With respect to waiving development charges, parkland dedication and other requirements for additional dwelling units, not-for-profit housing, inclusionary housing, etc., the Municipality questions whether these savings to developers will be passed on in lower unit purchase prices. (Consumer demand and willingness to pay remains higher than the building industry's capacity to supply.) Development will however increase municipal service and infrastructure needs, the costs of which will be a burden passed on to the existing tax base, if not collected through development charges.

Site Plan Approval

Waiving site plan approval for residential developments of ten or fewer dwelling units will create adverse impacts to public and municipal interests and developments. The site plan approval process currently provides a single mechanism to address relevant items such as parking, site grading, stormwater management, site servicing, servicing capacity, entrances, work on municipal lands, and sidewalk and road closures. These are important considerations even for smaller developments. In the absence of site plan approval, municipalities will be forced to rely on (or create) a variety of other mechanisms and by-laws to address these interests, which will be less efficient than site plan approval and contrary to the intent of Bill 23 to reduce process.

Yours Respectfully,



Stephen McAuley,
Chief Administrative Officer

- cc. Honourable Doug Ford, Premier of Ontario, premier@ontario.ca
Honourable Steve Clark, Minister of Municipal Affairs and Housing,
minister.mah@ontario.ca
Honourable Graydon Smith, Minister of Natural Resources and Forestry,
minister.mnrf@ontario.ca
Honourable David Piccini, Minister of Environmental Conservation and Parks.
Minister.mecp@ontario.ca
Honourable Monte McNaughton, MPP Lambton – Kent – Middlesex,
Monte.McNaughtonco@pc.ola.org
PlanningConsultations@ontario.ca
Association of Municipalities of Ontario
Ontario municipalities

Denise Holmes

From: James McLean
Sent: Monday, November 28, 2022 9:47 AM
To: Denise Holmes
Subject: Water issues at Primrose Elementary
Attachments: Primrose School Water Update November 25, 2022.pdf

Hi Denise,

Please see attached.

Can you include this in the agenda package?

Since we last met, there is now a Water Committee that has been set up at Primrose. It includes members of the public and some water specialists. I understand that, in addition to the issue around the lack of water, there are also concerns about the sodium levels and the septic system.

Council may want to invite members of the Committee and the Superintendent in to provide a briefing.

Please include this email blurb in the package for discussion at Council.

Thank you!

James

Get [Outlook for Android](#)

Friday, November 25, 2022

Dear Parents/Guardians,

On Monday, November 20th, we had shared that we experienced water pressure issues that lasted for approximately 10 minutes. Water continued to flow but was inconsistent. The plumber that was sent on site investigated and shared that inconsistent flow was due to air in the pipes. The cause was determined to be a failed pressure tank. The pressure tank will be replaced during the construction of the new well. This has not recurred since Monday and we continue to monitor.

We are excited to share that we have met with the drilling contractor and we will begin drilling test holes next week. School administration were present at the meeting and will work to ensure minimal disruption to instruction as work begins. The test hole is expected to be approximately 150 feet. After the test hole is completed we will be able to test the water flow and quality.

The current test site will be located near the location of the current tanker. Fencing will be put up around the work site to ensure safety of students.

This is great news and we hope to have an operational well by the time we return from Winter Break in January.

If you have any questions specific to the water situation, please forward to primroseschoolcouncil@gmail.com. Please include 'Water Committee' in the subject line.

Have a great weekend!

Sincerely,



Belal Taha
Superintendent of Education

...2

Upper Grand District School Board

• Ralf Mesenbrink; Chair
• Laurie Whyte

• Irene Hanenberg
• Luke Weiler

• Jen Edwards
• Lynn Topping

• Katherine Hauser
• Martha MacNeil

• Kenn Manzerolle
• Robin Ross

Denise Holmes

From: Fred Simpson <fred.simpson@townofmono.com>
Sent: Thursday, November 24, 2022 11:24 AM
To: minister.mah@ontario.ca
Cc: Premier of Ontario Premier ministre de l'Ontario; sylvia.jones@pc.ola.org; tabunsp-q@ndp.on.ca; JBell-QP@ndp.on.ca; JBurch-QP@ndp.on.ca; jfraser.mpp.co@liberal.ola.org; sblais.mpp.co@liberal.ola.org; mschreiner@ola.org; resolutions@amo.on.ca; Carolina Khan; Denise Holmes; jwilloughby@shelburne.ca; Jessica Kennedy; Meghan Townsend; Nicole Martin; Roseann Knechtel; Nicole Martin; mdunne@dufferincounty.ca
Subject: Bill 23 More Homes Built Faster Act, 2022
Attachments: MMAH, Bill 23 More Homes Built Faster Act, 2022.pdf; Bill 23, More Homes Built Faster Act, 2022, Town of Mono submission to Standing Committee on Heritage, Infrastructure and Cultural Policy.pdf; Bill 23, More Homes Built Faster Act, 2022, Town of Mono submission to Environmental Registry of Ontario (ERO).pdf

Honourable Minister Clark,

Attached is a letter, a hard copy of which was mailed to your office on November 11th, 2022, from the Mayor of the Town of Mono regarding Bill 23 - More Homes Built Faster Act, 2022. Additionally, I have attached the Town's submission through the ERO and to the standing committee.

Respectfully,

Fred Simpson
Clerk
Town of Mono
519.941.3599, 234



This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify fred.simpson@townofmono.com.



To: Province of Ontario - Bill 23 - ERO Posting Number 019-6196
From: David Trotman - Director of Planning
Date: November 23rd, 2022
Deadline: November 24th, 2022
Subject: **Bill 23 - More Homes Built Faster Act (2022) - Changes to Planning Act + Development Charges Act + Conservation Authorities Act**

This memorandum provides staff level comments, from the Town of Mono to the Province of Ontario, regarding request for comments, per ERO Posting Number 019-6196, (Bill 23).

Mono is a unique local rural municipality situated in Dufferin County. It is only one of two municipalities, Caledon being the other, that has lands lying within all three Provincial Greenbelt Plans: ORMCP, NEP and Greenbelt Plan.

These comments are focused primarily on changes to the Planning Act (Schedule 9) to Bill 23, but in context to associated changes to other Acts targeted by Bill 23: (i.e., City of Toronto Act, Conservation Authorities Act, Development Charges Act, Municipal Act, New Home Construction Licensing Act, Ontario Heritage Act, Ontario Land Tribunal Act, Ontario Underground Infrastructure Notification Systems Act, Supporting Growth & Housing in York & Durham Regions Act). Staff understand that several regulations are also proposed to be amended through Bill 23.

The approach taken in this memorandum gives regard to the letter submitted by Mayor John Creelman, dated November 08th, to Minister Clark and another separate letter dated November 17th as sent to Mr. Isiah Thorning - Clerk - Standing Committee on Heritage, Infrastructure & Cultural Policy, from the Town Clerk, per directions of Town Council, which are attached.

At the outset, the pace at which Bill 23 is being driven towards legislation is alarming. Its implementation in its present format will undoubtedly result in adverse consequences to the existing taxpaying residents of Ontario and the municipalities of Ontario, all because of unwarranted fast change without better examination and scrutiny for what it is wanting to achieve.

General Observations:

Bill 23 introduces numerous amendments to various Provincial Acts, as cited above with the intent of trying to expedite residential development approvals.

A key problem with Bill 23 is that it doesn't seem to recognize or provide separate measures for short term solutions, if in the spirit of its name, it is meant to provide "a lot more housing, faster."

In fairness, some measures in Bill 23 may help (e.g., 3 units per lot, non-profit and inclusionary zoning DCA exemption, DCA discount for purpose built rental units, 10-year DC bylaw extension period, parkland fees discount on non-profit housing, removal of upper-tier planning approvals).

Bill 23 can only hope to have some degree of positive affect, but only across the medium to long term. For a piece of legislation to be of real a benefit, premised on sound land use planning, to achieve complete community objectives, requires much more examination and thought.

The pattern of reviews, from a variety of stakeholder interests, shows that Bill 23 has entirely missed many adverse impacts that will arise from it, in its present form. Problems identified by just two expert financial consultants: [Watson Economists](#) and Hemson ought to cause sufficient circumspection by the Province to pause Bill 23 and re-think its hurried approach in trying to build more housing across Ontario, particularly the broader GTA.

This begs the question as to why the Province first off, did not focus on existing targeted land supplies, whether vacant and/or newly added to existing settlements through MCR exercises, or under-utilized lands, or those that ought to be re-purposed, and then directly and more concertedly engage those landowners to incentivize developments and re-developments over a set timeframe. This would have been a more productive and focused short-term approach for augmenting housing supply, more immediately.

Proposed Consolidation of Provincial Growth Plan & Provincial Policy Statement (PPS)

The Ministry of Municipal Affairs & Housing is undertaking a housing-focused policy review of: Places to Grow: Growth Plan for the Greater Golden Horseshoe (GGH), 2019, as amended. The Province is reviewing the potential integration of the PPS and Growth Plan into a new Province-wide planning policy framework that is purported to:

- Leverage housing-supportive policies of both policy documents, while removing or streamlining policies that result in duplication, delays or burden the development of housing.
- Ensure key growth management and planning tools are available to increase housing supply and support a range and mix of housing options.
- Continue to protect the environment, cultural heritage, and public health and safety.
- Ensure that growth is supported with the appropriate amount and type of community infrastructure.

Rural Areas

One measure in the proposed Growth Plan / PPS consolidation, is to provide policy direction to enable more residential development in Rural Areas. Rural Settlement Areas include existing hamlets or similar existing small settlement areas, as identified in local Official Plans. These settlements are usually serviced by private, on-site water and wastewater systems. Rural Settlement Areas provide clusters of business operations that are essential to future economic growth. Infilling and minor rounding out of existing residential and non-residential development within Rural Settlement Areas is important to ensure that these areas remain vibrant, sustainable and complete communities.

Under a consolidated Growth Plan and PPS, enabling more residential development in Rural Settlement Areas, and Rural Areas more broadly, must be considered within the context of the

existing Provincial and local policy frameworks, the land use hierarchy identified in Official Plans, provision of servicing, as well as the protection of natural heritage and agricultural lands.

Bill 23 - Schedule 9 - Planning Act Amendments - Comments

Third Party Appeals:

The prospect of Bill 23 limiting third party appeals of municipal decisions runs counter to the principle by right, of being able to seek examination of a decision under Ontario legislation. The Planning Act already places tests in front of potential appellants to ensure those that get tribunal review are not frivolous or vexatious, or without merit. This was applied through Bill 26. Bill 23 will remove this right. Although Mono Staff support the principle that the tests for any appeal need to be high, outright removal is troubling.

Removal of Upper Tier Approvals:

This Bill 23 provision does not affect Dufferin County, but it is noted that this could change if a separate resolution is passed. The Town of Mono has for some time reliably acted as its own (local municipal) approval authority, prior to the Province imposing this increased bureaucracy in Dufferin.

Bill 23 will allow the Minister to broaden this power to include other upper tier municipalities, should the Minister decide to do so. Doing this would require another regulation because the current one applies only to five regions and one county (Halton / Niagara / Durham / Peel / York and Simcoe County).

As for the impact of this Bill 23 initiative on affected regional and county municipalities, Mono Staff note that the original intent of the Growth Plan was to align development with regionally provided services. Yet, there were circumstances, including Growth Plan Amendment No. 1 that bore evidence that upper-tier decision making was not always being aligned with Growth Plan policy. Given the present significant shortage of housing, this Bill 23 initiative may help alleviate the supply problem.

Removal of Mandatory Public Meeting for Plans of Subdivisions

This Bill 23 measure may not be problematic providing given that associated zoning (implementing) bylaw amendments continue to require a public meeting to deal with the zoning related provisions associate with a given draft plan of subdivision. This measure under Bill 23 doesn't affect complete applications submitted prior to Bill 23 Royal Assent.

Removal of Specified Zoning Restrictions

Bill 23 would allow as of right zoning to permit a maximum of three (3) residential units on a serviced municipal (urban) lot.

Fundamentally, this measure ought to expedite creation of more urban residential dwellings. It is expected that it will provide useful intensification for many situations. What is not clear is how zoning performance standards (e.g., setback, height, lot coverage) would apply in context to existing standards as prescribed for a single dwelling.

This Bill 23 measure does not impact Town of Mono at present. However, once a planned wastewater treatment system is assumed by the Town, this provision is likely applicable; that is to say, any one lot could be used for up to three dwelling units. For Town of Mono, this could be problematic regarding the design capacity of planned and designed wastewater systems having limited capacity. This oversight must be addressed by the Province so planned residential subdivisions do not become embroiled with sewage functionality versus Bill 23 legislative rights.

Site Plan Control

Bill 23 intends to make significant changes to Section 41 of the Planning Act. The exemption from site plan control for residential developments of up to ten (10) units will override review of such matters as: stormwater management, servicing design and capacity, grading, infrastructure, fire attenuation, landscaping and urban design. The result is that engineering matters will now encumber an already overburdened Ontario Building Code permit review process. It is likely that OBC permits will be delayed as a result, so the “red tape” savings will not materialize.

All of these elements are singularly and aggregately important for achieving enhanced community design and character. The engineering related elements are cumulatively very important. All together they help elevate human health which has been demonstrated through recent studies, such as: “Impact of Community Design & Land Use Choices on Public Health: A Scientific Research Agenda” authored by: Andrew L. Dannenberg, MD MPH, Richard J. Jackson, MD, MPH, Howard Frumkin, MD, Dr.PH, et al.

Therefore, the removal of site design oversight is unfortunate and short-sighted. Relinquishing the benefits of good community design will have greater implicit and direct human health and well-being costs from the short term into the long term. Housing Ontario citizens in ill-conceived residential developments may, in some measure, solve the housing supply problem through numbers alone, but given this measure in Bill 23, it won't facilitate better healthy living. So with several of these Bill 23 measures, supply by numbers may rise, but so too will the costs of this ill-considered piece of legislation.

Parkland Dedication & Financial Charges

There are many provisions in the Planning Act that currently provide for charges or rates that will now be capped or frozen. For instance, a community benefit charge will be based only on four (4%) percent of the value of land proposed for new development. The maximum amount of parkland that can be conveyed or paid instead of a conveyance will be capped at ten (10%) percent of the land value. Landowners will also have the option of identifying whether they wish to dedicate parkland or pay cash. The Planning Act currently leaves that decision to the discretion of a municipality. Disputes over whether a municipality wishes to receive parkland or cash, will now be subject to appeal and decided by the OLT. This will have significant implications for the Town as it limits options in future planning for parkland.

Development Charges Act

In addition, Bill 23 proposes to fully exempt certain types of development from DCA charges that meet criteria of affordability which will now be defined by amendment to the Development Charges

Act. These new definitions will not take effect until Bill 23 comes into force (proclamation). Reductions in development charges will also be imposed for by-law passed after June 1, 2022, in what is referred to as a “Special Rule.” Several assessment [letters](#) regarding impacts of Bill 23, including its proposed financial changes and impacts was prepared by C.N. Watson and sent to all of their municipal clients and also made a [Presentation](#) to the Standing Committee.

This memorandum recognizes that comments submitted to the ERO Posting will not facilitate a wiser outcome if they focus solely on the problems afflicting Bill 23. Therefore, the following outlines at least some measures that the Province can act upon to better realize its own goal of getting more housing built faster.

Available Short-Term Solutions

1. Province needs to support and encourage, including through the National Housing Strategy, more aggressive mixed use land developments and re-developments. This includes commercial plaza, urban malls, office towers, on-grade parking lots, school sites.
2. Re-design and expand Federal Lands Initiative to provide surplus and under-used Crown lands to local municipalities to construct medium density housing inventory.
3. Province should fully exempt charitable non-profit organizations from HST for new affordable (controlled rent) new housing projects + purpose built rental projects.

Medium Term to Long Term Solutions

4. Federal government needs to entice at a more aggressive pace, training and immigration of skilled tradesmen and other under-serviced professional classes, to more quickly fill chronic worker shortages in key sectors, not just the construction industry.
5. Province needs to think about more creative ways to better resolve and support systemic issues, such as: housing affordability, accessibility, homelessness, etcetera, across the long term.
6. Province should re-examine the feasibility of Lake Ontario waterfront land reclamation. The shoreline of Lake Ontario pre-20th Century was at the foot of Front Street. It is now well south of there. Since land supply is a key affordability factor in the equation, creating more urban land at the shoreline would help resolve two problems: keep excess soils from Toronto travelling outside of Toronto and putting them at focused areas of waterfront shoreline to create more urban lands. This would require broad coordination with the Federal government and other stakeholder agencies, but reclamation has been done in the past with far less oversight.
7. New commercial and low-density residential buildings need to be examined for their design flexibility for adaptive uses and re-uses, so that valuable indoor space does not remain vacant. Had the Province, over the past twenty years or more, required a minimum number of new single-family dwellings, to include a loft space above their typical two-car garage with a separate man-door entry, the Province could have made available an ongoing inventory of thousands more small apartment units across the entire GTA, all the way north to Barrie.

8. New residential growth allocations need to be assigned to existing urban communities (villages + towns + cities) that not only have municipal capacity but demonstrate long term municipal infrastructure sustainability and non-flood prone susceptibility, particularly now in view of the global climate crisis.
9. Province needs to examine and more aggressively support prefabricated forms of housing where they can be reasonably sited and supported.
10. Larger cities, particularly Toronto, need to better capitalize on available legislation (e.g., City of Toronto Act) to apply additional revenue generating measures, such as road tolls to capture additional revenues for re-investment into city infrastructure + subsidized housing + hospitals + schools etcetera and which will also offset carbon pollution.
11. Larger cities need to provide pre-allocated areas for some forms of transitory housing during warmer months to better accommodate homeless citizens who, for whatever reasons, can't find more stable short term shelter housing.
12. Existing ratepayers should not be encumbered with subsidizing new development proposals through refunds to application fees / deposits under the Planning Act; these intended to cover municipal costs of processing and reviewing such applications. This includes alignment of Provincial infrastructure funding with growth planning to remove servicing gaps.



Standing Committee on Heritage, Infrastructure and Cultural Policy

Bill 23, More Homes Built Faster Act, 2022

Submitted by:

Town of Mono

Town Hall
347209 Mono Centre Road
Mono, ON L9W 6S3

Attention: Fred Simpson, Clerk
ClerksOffice@townofmono.com
519.941.3599, 234

November 17th, 2022



November 17, 2022

Isaiah Thorning, Committee Clerk
Standing Committee on Heritage, Infrastructure and Cultural Policy
Procedural Services Branch
99 Wellesley Street West
Room 1405, Whitney Block
Toronto, ON M7A 1A2

Dear Mr. Thorning:

Re: Bill 23, More Homes Built Faster Act, 2022

The Town of Mono makes the following submission to the Standing Committee on Heritage, Infrastructure and Cultural Policy for its consideration as part of the committee's deliberations on Bill 23, More Homes Built Faster Act, 2022.

Summary

The Town has concerns regarding Schedule 2 - Conservation Authorities Act; Schedule 3 - Development Charges Act, 1997; and Schedule 7 - Ontario Land Tribunal Act, 2021. With respect to the Conservation Authorities Act, the Town of Mono is concerned that the effect of the proposed changes would reduce the ability of conservation authorities to protect natural heritage features. Given the increasing impact of climate change, a decay of our ability as a municipality to assess development from a watershed wide perspective is likely to put people and critical infrastructure at risk. It runs contrary to continuing efforts by the Town to ensure climate adaptation measures that factor both upstream and downstream risks. The Town is of

the opinion that it is essential that we maintain the ability to manage natural heritage systems at a watershed wide level.

Hand-in-hand with managing development on a watershed level, the Town is adamant that the cost of new development must not place a burden on existing ratepayers. The proposed changes to the Development Charges Act run contrary to the long standing principle that new development should shoulder the capital cost of the services required for such development. Transferring those costs, estimated by Mono at between 10-15% of the DC costs as determined by the Town's background study, to existing ratepayers would drive up the cost of home ownership and runs contrary to the objectives of Bill 23. The Town of Mono is opposed to the transfer of DC charges from the developer to existing ratepayers.

The Bill proposes to give the Ontario Land Tribunal the power to order an unsuccessful party to pay a successful party's costs. This is likely to place a significant burden on anyone considering filing an appeal unless conditions are specified on when a tribunal could invoke this power. The Town of Mono recommends that the Bill prescribe the conditions under which a tribunal may consider awarding costs.

Schedule 2 - Conservation Authorities Act

Subsections 3(2) and 4(2) of the schedule amend the Act by adding:

An authority shall not provide under subsection (1), within its area of jurisdiction, a program or service related to reviewing and commenting on a proposal, application or other matter made under a prescribed Act.

This change would limit an authority's role in plan review and commenting on applications made under a prescribed Act to only the risks related to natural hazards. The full extent of the effect

of this change would depend on what Acts are prescribed. It is the Town's understanding that the following Acts would be considered:

- The Aggregate Resources Act
- The Condominium Act
- The Drainage Act
- The Endangered Species Act
- The Environmental Assessment Act
- The Environmental Protection Act
- The Niagara Escarpment Planning and Development Act
- The Ontario Heritage Act
- The Ontario Water Resources Act
- The Planning Act

Authorities would no longer be able to review applications with respect to the impact on natural heritage. Removing this function from authorities is likely to result in a loss of development planning that recognizes the essential role that natural heritage plays in maintaining a sustainable community. This would place the burden of undertaking such a review on the Town of Mono. The Town would have to seek this expertise through other external sources with the associated costs falling to the Town.

The Bill proposes to give the Minister of Natural Resources and Forestry the ability to prevent an authority from increasing its fees and charges. The cost of any services provided by an authority that is not recouped from the applicant is likely to be downloaded to the Town. Or, more worrisome, leading to authorities not being able to provide a comprehensive review of

development applications due to lack of resources. The end result of these changes would be to limit a conservation authority's involvement in the development approvals process. This would impact the speed and efficiency of the approval process and be detrimental to the goal of building more houses faster.

The Town of Mono recommends:

1. *That conservation authorities retain their current responsibility to review and comment on development applications made under the Planning Act;*
2. *That conservation authorities retain the ability to charge fees to undertake a development review that are sufficient to offset the cost of the review.*

Schedule 3 - Development Charges Act, 1997

Subsections 5(7) and 5(8) of the schedule creates a phase in of development charges during the initial 5 years of a DC bylaw being passed.

(7) Subsection (8) applies to a development charge imposed by a development charge by-law passed on or after June 1, 2022 and before the day subsection 5 (7) of Schedule 3 to the More Homes Built Faster Act, 2022 comes into force, unless the development charge was payable before the day subsection 5 (7) of Schedule 3 to the More Homes Built Faster Act, 2022 comes into force.

(8) The amount of a development charge described in subsection (7) shall be reduced in accordance with the following rules:

1. *A development charge imposed during the first year that the by-law is in force shall be reduced to 80 per cent of the development charge that would otherwise be imposed by the by-law.*
2. *A development charge imposed during the second year that the by-law is in force shall be reduced to 85 per cent of the development charge that would otherwise be imposed by the by-law.*
3. *A development charge imposed during the third year that the by-law is in force shall be reduced to 90 per cent of the development charge that would otherwise be imposed by the by-law.*
4. *A development charge imposed during the fourth year that the by-law is in force shall be reduced to 95 per cent of the development charge that would otherwise be imposed by the by-law.*

The Town of Mono estimates that this phase-in of DCs over 5 years would result in the loss of approximately 10% to 15% of DC revenues over the phase-in period. Without an alternate source of funding to compensate for these losses, the burden to pay for these services would fall onto the existing property tax base. This runs contrary to the principle that growth needs to pay for itself.

The Town of Mono recommends:

1. *THAT Subsections 5(7) and 5(8) of Schedule 3 be struck from the Bill.*

Schedule 7 - Ontario Land Tribunal Act, 2021

Section 3 of the schedule amends the Act by adding the following clause to Section 20 of the Act:

Subsection (1) includes the power to order an unsuccessful party to pay a successful party's costs.

The Town of Mono is concerned that the possibility of having to pay the opposing party's costs would place an undue burden on parties that may have just cause to appeal to the OLT yet lack the resources to pay those costs in addition to their own. Mono feels that the OLT should only exercise this power in exceptional circumstances. All parties should have a clear, unambiguous understanding of the criteria used by the tribunal when determining if costs are to be awarded prior to an appeal being launched.

The Town of Mono recommends:

- 1. THAT the tribunal's power to award costs be limited and specific;*
- 2. THAT the conditions and criteria for determining the awarding of costs be prescribed in Schedule 7;*



November 7, 2022

Hon. Steve Clark
Minister of Municipal Affairs and Housing
College Park 17th Floor
777 Bay Street
Toronto, ON M7A 2J3

Dear Minister,

Bill 23 currently before the Legislature gives us concerns on a number of levels. This legislation significantly affects 10 Acts yet is proceeding with undue haste through the legislative process to become law.

Introduced for First Reading on October 25 at 3:00 p.m. in the afternoon it proceeded to Second Reading less than 24 hours later on October 26 at 9:00 a.m. On October 27 closure (cloture) was invoked by the Government to cut off debate with a vote on this deferred to the morning of Monday October 31. The motion of closure (cloture) passed Monday as did the vote on Second Reading. We are; however, happy to see a referral to Committee for further consideration before Third and final reading.

It is clear little or no consultation took place with municipalities or AMO before this Bill was introduced. We trust; however, Committee consideration will be judicious and that you will take into consideration all suggested changes.

In reading the transcription of the Legislative debate on Bill 23 it is apparent the government has good intentions to see more housing constructed but questionable approaches to making it happen. Here are just a few examples:

Impact on public participation in planning matters

In the words of Parliamentary Assistant to the Ministry of Municipal Affairs and Housing Kevin Holland:

"We would also place a limit on appeals from individuals and community groups, for instance, that would further hinder the progress of official plan amendments and zoning bylaw amendments. This would help reduce the tribunal's backlog and speed up approvals." Hansard

These comments of the Parliamentary Assistant speak volumes. More convenient for developers and the Tribunal but no help to municipalities and citizens seeking to legitimately challenge applications.

Of particular concern to us is the expansion the Ontario Land Tribunal's powers to dismiss a proceeding without a hearing. They are also given the power to dismiss a proceeding entirely and to order an unsuccessful party to pay a successful party's costs. All this can be done at the whim of the Ontario Land Tribunal using very subjective grounds. There is only one purpose for this and it is to create a chilling effect on appeals and public participation in the planning process.

Further discounting or eliminating Development Charges to encourage desired housing

Laudable except when one considers Development Charges already fail to offset the cost of development to municipalities. Further discounting or elimination of these charges simply lands at the feet of municipal taxpayers to somehow make up. Here is what AMO said about this:

"The proposed changes to municipal development charges, parkland dedication levies, and community benefits charges may contradict the goal of building more housing in the long-term. Unless fully offset by funding to support growth-related projects, reductions in these fees will shift the financial burden of growth-related infrastructure onto existing municipal taxpayers."

Undermining Conservation Authorities

Bill 23 takes aim at the traditional core responsibility of Conservation Authorities to determine where housing can be safely located proximate to water courses. The comments of the Minister of Finance, Mr. Bethlenfalvy, during the debate are most telling. While at first acknowledging the core role of Conservation Authorities, the Minister went on to state "the status quo is not an option in this province. Some 200,000 more people come to this province every year to call home. Where are they going to live?"

Floodplain housing should not be an option! What your government should do is encourage and financially support updated mapping by Conservation Authorities that clearly identifies vulnerable areas in light of current climate change circumstances.

There are many other problems with this legislation, too many to raise here. Many more will emerge in the weeks and years to come. It is troubling that in our efforts to create more housing we are creating shortcuts, sacrificing due process and municipal autonomy.

Your truly,

Original signed by:

John Creelman, Mayor

John Creelman
Mayor

P: 519.941.3599
F: 519.941.9490

E: info@townofmono.com
W: townofmono.com

347209 Mono Centre Road
Mono, ON L9W 6S3

cc: Hon. Doug Ford, Premier of Ontario
Hon. Sylvia Jones, MPP Dufferin-Caledon
Peter Tabuns, Leader, Official Opposition
Jessica Bell, Critic, Housing
Jeff Burch, Critic, Municipal Affairs
John Fraser, Interim Leader of the Ontario Liberal Party
Stephen Blais, Critic for Municipal Affairs and Housing
Mike Schreiner, Leader, Green Party of Ontario
All County of Dufferin Municipalities
AMO

P: 519.941.3599
F: 519.941.9490

E: info@townofmono.com
W: townofmono.com

347209 Mono Centre Road
Mono, ON L9W 6S3

Denise Holmes

From: Ilona Feldmann <ifeldmann@grandriver.ca>
Sent: Thursday, November 10, 2022 1:02 PM
To: Denise Holmes
Cc: Ryan Post; Shari Dahmer
Subject: Melancthon: Notice of Pre-Consultation for the Grand River Source Protection Plan Update
Attachments: 2022_11_10_Pre-consultation_Endorsement_public con letter.pdf

Hello Denise,

Please find attached a notice of pre-consultation regarding proposed changes to the Grand River and South Georgian Bay Lake Simcoe Source Protection Plans, under s.34 of the Clean Water Act, 2006.

Regards,

Ilona Feldmann

Source Protection Program Assistant
Grand River Conservation Authority

400 Clyde Road, PO Box 729

Cambridge, ON N1R 5W6

Office: 519-621-2763 ext. 2318

Email: ifeldmann@grandriver.ca

www.sourcewater.ca | [Connect with us on social media](#)

November 10, 2022

Notice of Pre-Consultation – Draft Updated Grand River and South Georgian Bay Lake Simcoe Source Protection Plans

You are being provided this notice and information because your ministry or municipality may be affected by the proposed update of water quality Wellhead Protection Areas (WHPAs) and/or are responsible for the implementation of source protection plan (plan) policies.

A technical study has been completed in the Town of Shelburne, Dufferin County, that has resulted in an update of WHPAs for the Town's water supply, as well as updated vulnerability and threats assessment. The updated WHPAs are located in the Town of Shelburne, Township of Melancthon and Township of Amaranth, extending across two Source Protection Regions: Lake Erie Region and South Georgian Bay Lake Simcoe Region (SGBLS). The technical work is proposed to be incorporated into the respective plans of both regions.

Lake Erie Region, Grand River plan

The Grand River Source Protection Authority (SPA) is the lead authority in the Lake Erie Source Protection Region and as such along with the Lake Erie Region Source Protection Committee, initiated an update to the Grand River plan under s.34 of the *Clean Water Act, 2006*.

The Ministry of the Environment, Conservation and Parks approved the first iteration of the Grand River plan on November 26, 2015. This proposed update is one of several since the first approval of the plan. The draft updated policy applicability map for the Town of Shelburne municipal drinking water supply is included in **Appendix A**. The map only show areas where Grand River plan policies may apply within the boundaries of Lake Erie Region.

Additionally, new draft water quality policies have been developed (**Appendix B**) addressing the prescribed drinking water threat: the establishment and operation of liquid hydrocarbon pipelines.

The draft updated sections of the Grand River plan are available on the Grand River Conservation Authority's [file sharing site](#).

South Georgian Bay Lake Simcoe plan

The Nottawasaga Valley SPA is proposing amendments to the SGBLS plan under s. 34 of the *Clean Water Act, 2006*. These amendments will incorporate new technical work completed for the updated WHPAs, including the delineation of the WHPA-E for well PW3, for the Town of Shelburne municipal drinking water system. The Nottawasaga Valley SPA has been working with the Town of Shelburne and Lake Erie Region staff to finalize these amendments over the past several months.

The Ministry of the Environment, Conservation and Parks approved the first iteration of the SGBLS plan on January 26, 2015. This proposed update is one of several since the first approval of the plan. The draft updated vulnerability scoring maps for the Town of Shelburne drinking water supply is included in **Appendix C**. The maps only shows the area where SGBLS plan policies may be applicable.



The draft updated sections of the SGBLS plan are available on [a file sharing site](#).

Commenting on the Source Protection Plan updates

Please review the plan updates as they relate to your requirements for implementation and provide any comments by **December 11, 2022** to:

Ilona Feldmann
Source Protection Program Assistant
Lake Erie Source Protection Region
519-621-2763 ext. 2318
ifeldmann@grandriver.ca

If you would like to discuss any of the material provided in this notice, please contact Ilona Feldmann at the phone number or email listed above.

Municipal Endorsement and Public Consultation

As required by s.34 (3) of the *Clean Water Act, 2006*, the Grand River Source Protection Authority and Nottawasaga Valley SPA must obtain municipal council resolutions endorsing the plan amendments, from affected municipalities, prior to formal public consultation.

The Grand River and Nottawasaga Valley SPAs are requesting resolutions from the councils of Dufferin County, Township of Melancthon and Township of Amaranth. These municipalities are requested to each provide resolutions to support amendments made to both the Grand River plan and the SGBLS plan. The Nottawasaga Valley SPA is also requesting a resolution from the Town of Shelburne. All resolutions can be sent to Ilona Feldmann at the address above by **January 12, 2023**.

Public consultation on the draft updated Grand River and SGBLS plans will follow this pre-consultation period. Public consultation is scheduled to start on Wednesday, January 25 and close on Tuesday, February 28, 2023.

Following the public consultation period, any received public comments will be considered by the Lake Erie Region Source Protection Committee at their March 30, 2023 meeting and by SGBLS staff, respectively. The draft updated plans will be revised as necessary. The respective revised draft updated plans will then be released to the Grand River SPA and Nottawasaga Valley SPA for submission to the Ministry of the Environment, Conservation and Parks for their review and approval.

Sincerely,

Ilona Feldmann

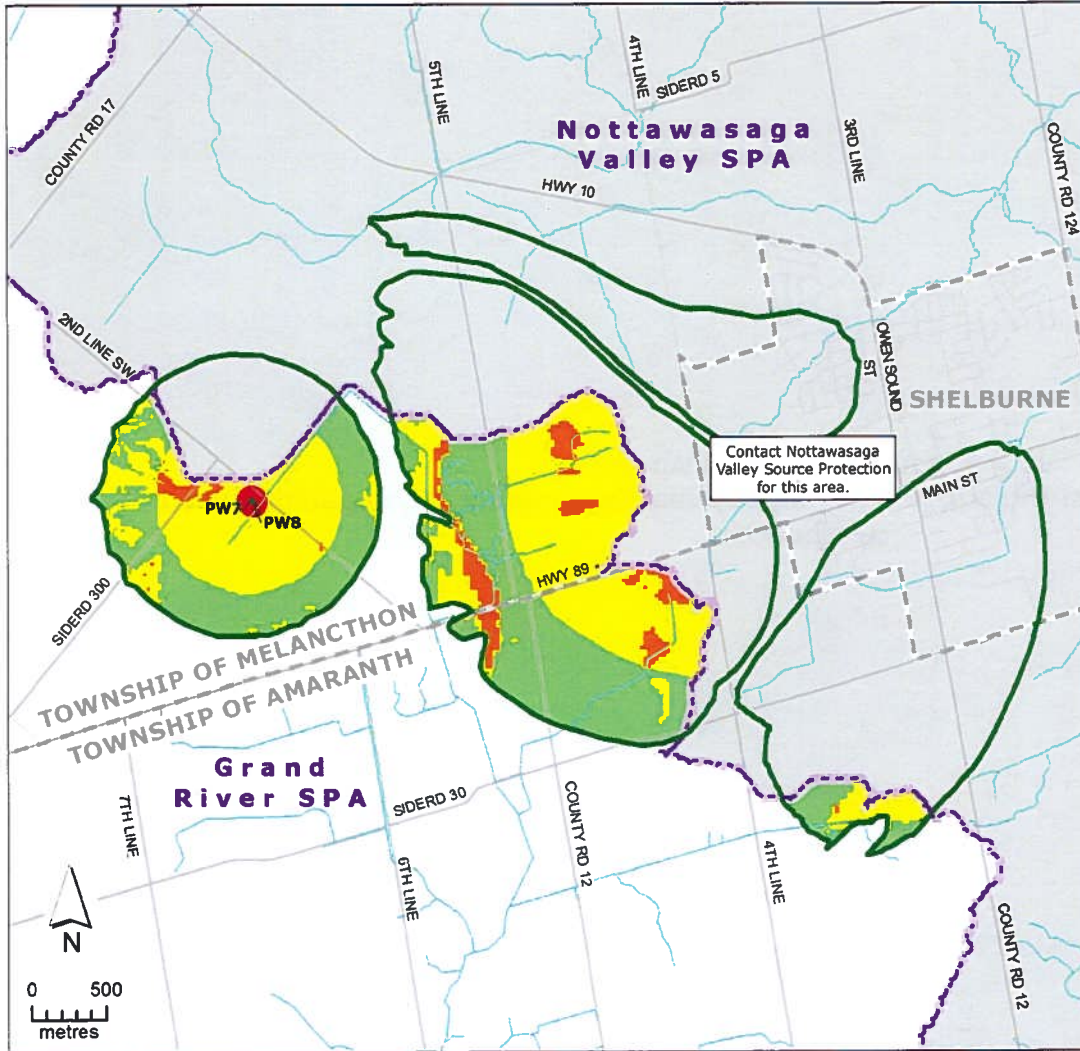
Source Protection Program Assistant
Lake Erie Source Protection Region

Ryan Post

Manager, Watershed Science
Nottawasaga Valley Conservation Authority

**Appendix A:
Draft updated policy applicability map for the Town of Shelburne municipal water supply,
Grand River Source Protection Plan**

DRAFT UPDATED: Dufferin County, Townships of Melancthon and Amaranth, Shelburne Water Supply



Drinking Water Threat Policy Applicability

Drinking Water Threat Policy Categories	Vulnerability Scores on Map				
	9	8	6	2 & 4	
Policies for Significant Threats Only:					
1. Waste Disposal	[Red bar]				
2. Sewage Systems	[Red bar]				
3, 4. Agricultural Source Material*	[Red bar]				
6, 7. Non-Agricultural Source Material*	[Red bar]				
8, 9. Commercial Fertilizer**	[Red bar]				
10, 11. Pesticide	[Red bar]				
12, 13. Road Salt*	[Red bar]				
14. Storage of Snow	[Red bar]				
15. Fuel	[Red bar]				
16. DNAPLs	Anywhere in WHPA-A, B, C**				
17. Organic Solvents	[Red bar]				
18. Aircraft De-icing	[Red bar]				
21. Livestock Area	[Red bar]				
Policies for Low, Moderate & Significant Threats:					
22. Oil Pipelines	[Yellow bar]				

Note: This table provides a summary of the activities listed in the Clean Water Act (2006) that apply as Prescribed Drinking Water Threats (PDWTT) within Non-GUDI Wellhead Protection Zones on this map. For details, refer to the Drinking Water Threats Tables from the Ministry of the Environment, Conservation and Parks, and the text of this Plan.
*Application of Commercial Fertilizer, Agricultural Source Material, Non-Agricultural Source Material, and Road Salt may not be significant drinking water threats in some areas due to the % managed land, livestock density, and/or % impervious surface calculations for these areas. See the text of this plan for further details.
**DNAPLs can be significant drinking water threats anywhere in a WHPA-A, -B, or -C, regardless of the vulnerability score.

Well
 Road
 Lower Tier Municipal Boundary
 Minor River
 Source Protection Area Boundary
 Wellhead Protection Zones:
 WHPA-A, -B, -C



1. Updated October 14, 2022
 2. Larger scale mapping of some map layers, including roads and vulnerability scores, is available at www.sourcewater.ca.
 3. This map is for illustrative purposes only. Information contained herein is not a substitute for professional review or a site survey and is subject to change without notice. The Grand River Conservation Authority takes no responsibility for, nor guarantees, the accuracy of the information contained on this map. Any interpretations or conclusions drawn from this map are the sole responsibility of the user.



**Appendix B:
Draft updated water quality policies, Grand River Source Protection Plan**

DRAFT UPDATED: Townships of Amaranth / East Garafraxa and Melancthon liquid hydrocarbon pipeline policies

Townships of Amaranth / East Garafraxa

22. The Establishment and Operation of a Liquid Hydrocarbon Pipeline	
<p>DC-AEG-NB-14.1</p> <p style="text-align: right;"><i>Future</i></p> <p style="text-align: right;"><i>Specify Action</i></p> <p>Significant WHPA-A/B v. 10;</p> <p>Moderate/Low WHPA-B/C/D v. 6-8;</p> <p>Low IPZ-3 v. 4.5-5</p>	<p>To ensure the establishment and operation of a liquid hydrocarbon pipeline within the meaning of O. Reg. 210/01 under the Technical Safety and Standards Act or that is subject to the Canadian Energy Regulator Act never becomes a significant, moderate or low drinking water threat, where the activity would be a significant, moderate or low drinking water threat, the Canada Energy Regulator, Ontario Energy Board, Technical Standards and Safety Authority (TSSA), and Impact Assessment Agency should ensure that drinking water source protection is considered as a risk factor in their decision making framework.</p>
<p>DC-AEG-NB-14.2</p> <p style="text-align: right;"><i>Future</i></p> <p style="text-align: right;"><i>Specify Action</i></p> <p>Significant WHPA-A/B v. 10;</p> <p>Moderate/Low WHPA-B/C/D v. 6-8;</p> <p>Low IPZ-3 v. 4.5-5</p>	<p>To ensure the establishment and operation of a liquid hydrocarbon pipeline within the meaning of O. Reg. 210/01 under the Technical Safety and Standards Act or that is subject to the Canadian Energy Regulator Act never becomes a significant, moderate or low drinking water threat, where the activity would be a significant, moderate or low drinking water threat, pipeline owners should ensure that best available source protection information is used such as up to date vulnerable areas in assessment reports when developing, operating and maintaining liquid hydrocarbon pipelines, including developing and updating emergency planning zones (EPZs).</p>
<p>DC-AEG-NB-14.3</p> <p style="text-align: right;"><i>Future</i></p> <p style="text-align: right;"><i>Specify Action</i></p>	<p>To ensure the establishment and operation of a liquid hydrocarbon pipeline within the meaning of O. Reg. 210/01 under the Technical Safety and Standards Act or that is subject to the Canadian Energy Regulator Act never becomes a significant, moderate or low drinking water threat, where the activity would be a significant, moderate or low drinking water threat, the Canada Energy Regulator or the Ontario Energy Board, should ensure that the Source Protection Authority and the County are provided the location of any new proposed pipeline.</p>

<p>Significant WHPA-A/B v. 10; Moderate/Low WHPA-B/C/D v. 6-8; Low IPZ-3 v.4.5-5</p>	
<p>DC-AEG-NB-14.4 Future Specify Action Significant WHPA-A/B v. 10; Moderate/Low WHPA-B/C/D v. 6-8; Low IPZ-3 v.4.5-5</p>	<p>To ensure any Future Establishment and Operation of a Liquid Hydrocarbon Pipeline within the meaning of O. Reg. 210/01 under the Technical Safety and Standards Act or that is subject to the Canadian Energy Regulator Act never becomes a significant, moderate or low drinking water threat, where the activity would be a significant, moderate or low drinking water threat, pipeline owners should, upon request by the municipality, reimburse costs borne by the municipality where work in relation to this activity is required by a regulator with regards to protecting drinking water sources or where the work identified by the drinking water system owner is supported based on due diligence and best practices as it relates to source protection and the protection of public health. Examples may include spill clean-up and rehabilitation activities, events-based modelling or other technical work required to support current vulnerability scoring.</p>

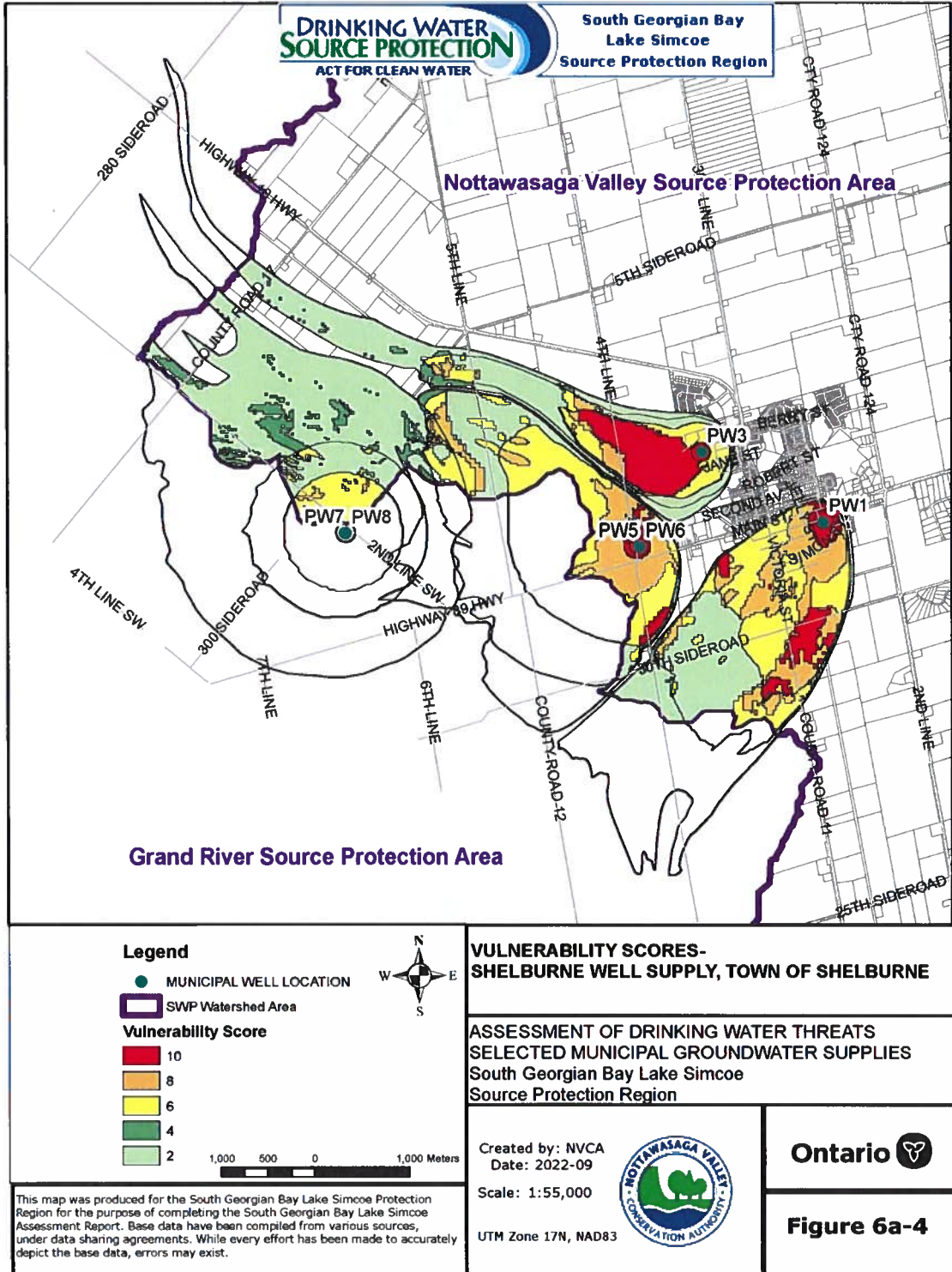
Township of Melancthon

<p>22. The Establishment and Operation of a Liquid Hydrocarbon Pipeline</p>	
<p>DC-M-NB-17.1 Future Specify Action Significant WHPA-A/B-v.10 Moderate/Low WHPA-B/C/D-v.6-8</p>	<p>To ensure the establishment and operation of a liquid hydrocarbon pipeline within the meaning of O. Reg. 210/01 under the Technical Safety and Standards Act or that is subject to the Canadian Energy Regulator Act never becomes a significant, moderate or low drinking water threat, where the activity would be a significant, moderate or low drinking water threat, the Canada Energy Regulator, Ontario Energy Board, Technical Standards and Safety Authority (TSSA), and Impact Assessment Agency should ensure that drinking water source protection is considered as a risk factor in their decision making framework.</p>
<p>DC-M-NB-17.2</p>	<p>To ensure the establishment and operation of a liquid hydrocarbon pipeline within the meaning of O. Reg. 210/01 under the Technical Safety and Standards Act or that is subject to the Canadian Energy Regulator Act never becomes a significant,</p>

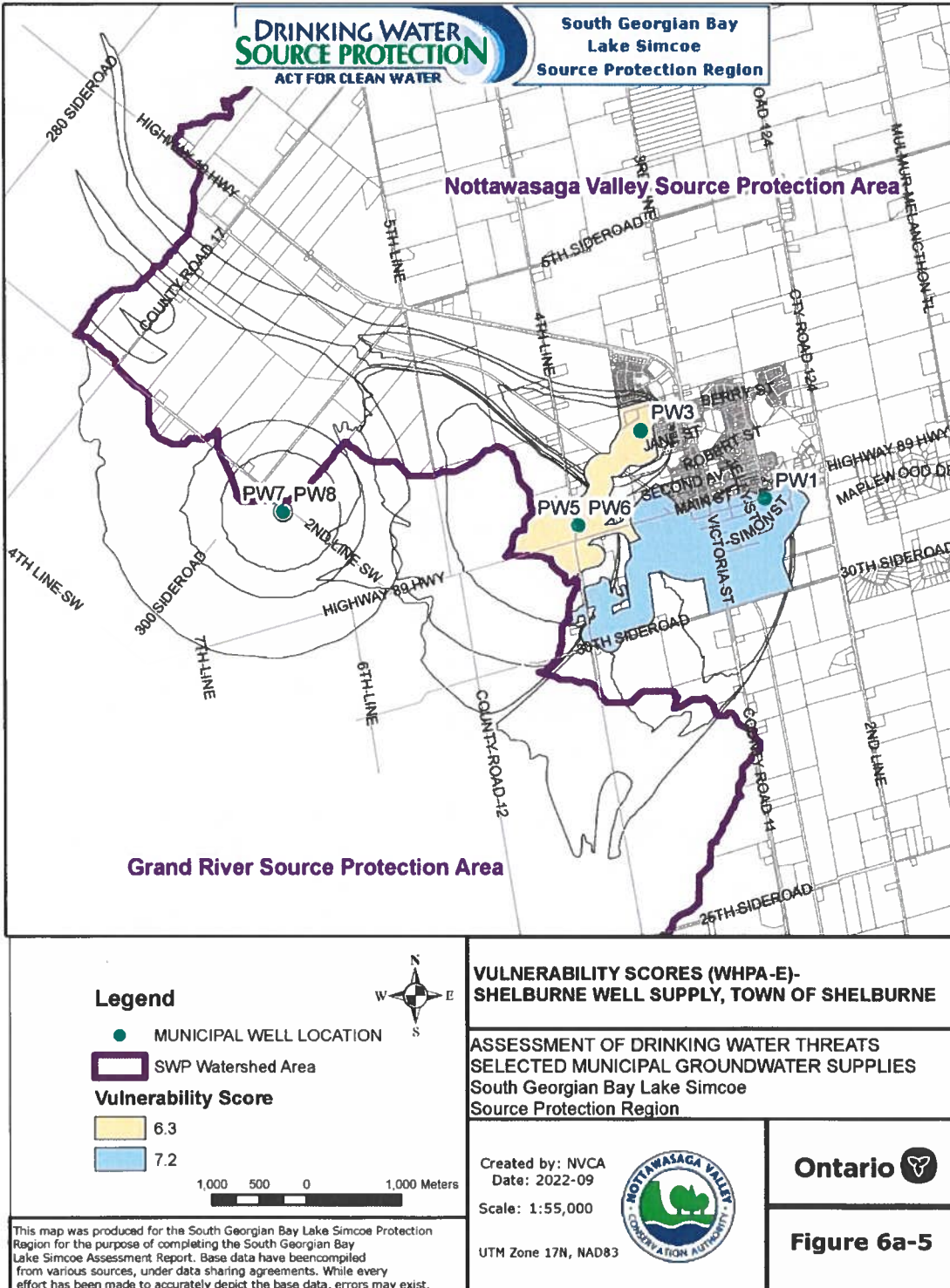
<p><i>Future</i></p> <p><i>Specify Action</i></p> <p><i>Significant WHPA- A/B-v. 10</i></p> <p><i>Moderate/Low WHPA- B/C/D-v. 6-8</i></p>	<p>moderate or low drinking water threat, where the activity would be a significant, moderate or low drinking water threat, pipeline owners should ensure that best available source protection information is used such as up to date vulnerable areas in assessment reports when developing, operating and maintaining liquid hydrocarbon pipelines, including developing and updating emergency planning zones (EPZs).</p>
<p>DC-M-NB-17.3</p> <p><i>Future</i></p> <p><i>Specify Action</i></p> <p><i>Significant WHPA- A/B-v. 10</i></p> <p><i>Moderate/Low WHPA- B/C/D-v. 6-8</i></p>	<p>To ensure the establishment and operation of a liquid hydrocarbon pipeline within the meaning of O. Reg. 210/01 under the Technical Safety and Standards Act or that is subject to the Canadian Energy Regulator Act never becomes a significant, moderate or low drinking water threat, where the activity would be a significant, moderate or low drinking water threat, the Canada Energy Regulator or the Ontario Energy Board, should ensure that the Source Protection Authority and the County are provided the location of any new proposed pipeline.</p>
<p>DC-M-NB-17.4</p> <p><i>Future</i></p> <p><i>Specify Action</i></p> <p><i>Significant WHPA- A/B-v. 10</i></p> <p><i>Moderate/Low WHPA- B/C/D-v. 6-8</i></p>	<p>To ensure the establishment and operation of a liquid hydrocarbon pipeline within the meaning of O. Reg. 210/01 under the Technical Safety and Standards Act or that is subject to the Canadian Energy Regulator Act never becomes a significant, moderate or low drinking water threat, where the activity would be a significant, moderate or low drinking water threat, pipeline owners should, upon request by the County, reimburse costs borne by the County where work in relation to this activity is required by a regulator with regards to protecting drinking water sources or where the work identified by the drinking water system owner is supported based on due diligence and best practices as it relates to source protection and the protection of public health. Examples may include spill clean-up and rehabilitation activities, events-based modelling or other technical work required to support current vulnerability scoring.</p>

Appendix C:
Draft updated vulnerability scoring maps for the Town of Shelburne municipal water supply,
South Georgian Bay Lake Simcoe Source Protection Plan

DRAFT UPDATED: Wellhead Protection Area Vulnerability Scoring, Town of Shelburne Municipal Drinking Water System



DRAFT UPDATED: Wellhead Protection Area E Vulnerability Scoring, Town of Shelburne Municipal Drinking Water System



Denise Holmes

From: Ruth [REDACTED]
Sent: Friday, November 25, 2022 12:21 PM
To: Denise Holmes
Subject: New position

Hi Denise

On behalf of the Horning's Mills Community Hall Board, I am formally requesting Melancthon Council to increase the number of seats on the Board by one seat. This seat would be made available to a member of the public and would carry the title "Treasurer"

Thank you

Ruth Plowright

[REDACTED]



The Corporation of

THE TOWNSHIP OF MELANCTHON

157101 Highway 10, Melancthon, Ontario, L9V 2E6

REPORT TO COUNCIL

TO: MAYOR WHITE AND MEMBERS OF COUNCIL

FROM: DENISE B. HOLMES, AMCT, CAO/CLERK

SUBJECT: COUNCIL MEMBER APPOINTMENTS TO BOARDS AND COMMITTEES

MEETING DATE: DECEMBER 1, 2022

Recommendation

That the Report of Denise Holmes, CAO/Clerk, regarding Council Member Appointments to Boards and Committees be received and that Council Member Appointments to the Boards and Committees be made at either the December 1st and/or December 15th meetings of Council or deferred to a date agreed upon by Council.

Background

There are several Township Local and Outside Board and Committees that Council members are appointed to as Representatives for the Township. There are also some Boards Appointments that are jointly shared with other municipalities and the Representative may be appointed from another municipality – i.e., Grand River Conservation Authority.

The Township Citizen appointments will be made at the December 15th, 2022 Council meeting.

Below is a listing of the current Boards and Committees:

1. Committee of Adjustment

The Committee of Adjustment is comprised of Council and the appointment is made annually. The Committee of Adjustment meets the third Thursday of the month. The appointment will be made at the December 1st Council meeting.

2. Committee of the Whole

The Committee of the Whole is comprised of Council and coincides with the Term of Council – 2022-2026. The Committee meets at the call of the Chair. The Chair is appointed by motion of Council. The appointment of Chair will be made at the December 1st Council meeting.

3. Centre Dufferin Recreation Complex Board of Management (Shelburne Arena)

The Board is comprised of representatives from the Town of Shelburne, Town of Mono, Township of Amaranth and Township of Melancthon – two Council members to be appointed at the December 1st Council meeting. The meetings are typically held the 4th Wednesday of the month.

4. North Dufferin Community Centre Board of Management (Honeywood Arena)

The Board is comprised of Council members from the Township of Melancthon and the Township of Mulmur and public members from Melancthon and Mulmur. At the meeting of Council held on April 21, 2022, the following motion was passed: Moved by White, Seconded by Mercer: *“The Council of the Corporation of the Township of Melancthon defer any decision on its participation in the North Dufferin Community Centre until such time as the 2022 Election is complete”*. **Carried.** With regards to the motion, this included any decisions regarding the full-scale review of the NDCC Agreement, the NDCC renovation project and the Joint Recreation Sub-Committee. Therefore, this matter will be included on the December 15th Council Agenda for further discussion and there will be no appointments until that time.

5. Nottawasaga Valley Conservation Authority Board

The Board is administered by the NVCA and is comprised of representatives from Township of Adjala-Tosorontio, Township of Amaranth, City of Barrie, Town of the Blue Mountains, Town of Bradford West Gwillimbury, Township of Clearview, Town of Collingwood, Township of Essa, Municipality of Grey Highlands, Town of Innisfil, Township of Melancthon, Town of Mono, Township of Mulmur, Township of New Tecumseth, Township of Oro-Medonte, Town of Shelburne, Township of Springwater, Town of Wasaga Beach – one Council member to be appointed annually. This appointment will be made at the December 1st Council meeting. The NVCA meets once per month – the 4th Friday.

6. Shelburne and District Fire Board

The Board is comprised of representatives from the Town of Shelburne, Town of Mono, Township of Amaranth, Township of Melancthon and Township of Mulmur – two Council members to be appointed annually. This appointment will be made at the December 1st Council meeting. The meetings are typically held the 1st Tuesday of the month.

7. Mulmur-Melancthon Fire Board

The Board is comprised of Council members from the Township of Mulmur and the Township of Melancthon – two Council members to be appointed annually. This appointment will be made at the December 1st Council meeting. The Board meets the 3rd Tuesday of every second month or monthly if needed.

8. Shelburne Public Library Board

The Board is comprised of members from the Town of Shelburne, Town of Mono, Township of Amaranth, Township of Melancthon and Township of Mulmur – one

Council member appointed annually. This appointment will be made at the December 1st Council meeting. The meetings are typically held the 3rd Tuesday of the month.

9. Township of Melancthon Police Services Board

The Board is comprised of one Council member, one public member and one provincial appointee – one Council member to be appointed annually. This appointment will be made at the December 1st Council meeting and one public member to be appointed for the term of Council at the December 15th Council meeting. The Board meets four times a year as required under the *Police Services Act* and the meetings for 2023 will be set at the first meeting (usually held in February).

10. Horning's Mills Community Hall Board

The Board is comprised of two Council members, one member from the Horning's Mills Women's Institute and four public members. The appointments are made annually. The appointments for this Board will be made at the December 15th Council meeting.

11. Horning's Mills Community Park Board

The Board is comprised of two Council members and three members of the public. The term of the Board coincides with the Council term. The appointments for this Board will be made at the December 15th Council meeting.

12. Corbetton Park Board

The Board is comprised of one Council member and four members of the public. The term of the Board coincides with the Council term. The appointments for this Board will be made at the December 15th Council meeting.

13. Human Resources Sub-Committee

This Sub-Committee is comprised of two members of Council, typically Mayor and Deputy Mayor, and deal with the Human Resources of the Township in conjunction with the CAO – two members of Council to be appointed at the December 1st Council meeting. The Sub-Committee term coincides with the term of Council.

14. Upper Grand Watershed Committee

This Committee is administered by the Town of Grand Valley – one Council member to be appointed annually and the appointment will be made at the December 1st Council meeting. Meetings called as required.

15. Township of Southgate Recreation Advisory Committee

This Board administered by the Township of Southgate – one Council member to be appointed annually and the appointment will be made at the December 1st Council meeting. Meetings are typically held four times per year and are held on Thursdays at 2:00 p.m.

16. Heritage Advisory Sub-Committee

The Board is comprised of two Council members and three members of the Public.

The Board meets at the call of the Chair. The term of the Sub-committee coincides with the term of Council. The appointments for this Board will be made at the December 15th Council meeting.

17. Environmental Sustainability Sub-Committee

The Board is comprised of three Council members and meets at the call of the Chair. The term of the Sub-Committee coincides with the term of Council. The appointments for this Board will be made at the December 1st Council meeting.

18. Roads Sub-Committee

The Board is comprised of three Council members and meets at the call of the Chair. The term of the Sub-Committee coincides with the Term of Council. The appointments for this Board will be made at the December 1st Council meeting.

19. Road Safety Task Force

The Task Force is comprised of three members of Council and the appointments for this Task Force will be made at the December 1st Council meeting. The term of the Task Force coincides with the term of Council.

20. Property Standards Appeal Committee

The Property Standards Appeal Committee is comprised of Council and coincides with the Term of Council – 2022-2026. The Committee meets at the call of the Chair and when there is a Property Standards Appeal. The Chair is appointed by motion of Council. The appointment of Chair will be made at the December 1st Council meeting.

21. Joint Mulmur Melancthon Recreation Sub-Committee

The Sub-Committee is comprised of the Mayors, Deputy Mayors and CAO's of both Mulmur and Melancthon Township. This matter will be placed on the December 15th Council Agenda for further discussion and the Township's participation in the North Dufferin Community Centre (see item # 4 above).

22. Joint Mulmur Melancthon Fire Sub-Committee

The Sub-Committee is comprised of Board Chairs from the Mulmur-Melancthon, Rosemont and Shelburne Fire Departments and the Fire Chiefs. If there is no representation from either Mulmur or Melancthon (as they do not sit as a Chair), one or possibly two additional Council members would be added to this Committee, so that each of Mulmur and Melancthon Council has a representative on this Board. This Board appointment will be made when the Chairs have been selected for the above noted Fire Departments.

23. Inter-Municipal Working Group for the Dissolution of the Centre Dufferin Recreation Complex and Shelburne and District Fire Boards of Management

At this time, the Inter—Municipal Working Group is comprised of one Council member from the Township of Amaranth and one Council member from the Township of Melancthon, as the Towns of Mono and Township of Mulmur did not wish to participate

at the time the Working Group was established. Further discussion on this Working Group at the December 15th Council meeting.

24. Horning's Mills Cemetery Board and St. Paul's Cemetery Board

The administration of both of these Boards has been taken over by Township Staff as the Township did not receive any applications in 2018 for either Board. Staff recommends that Council continue with the status quo for these Boards.

25. Recreation Task Force

The Task Force is comprised of three public members. There are no appointments at this time.

26. Grand River Conservation Authority

The Joint Board is administered by the GRCA – one joint representative for the Town of Grand Valley, Township of Amaranth, Township of East Garafraxa, Township of Melancthon and Township of Southgate. Appointment is coordinated with the participating municipalities. At the meeting held on November 10, 2022, Melancthon Council extended the appointment of current member Guy Gardhouse, Mayor of East Garafraxa until January 31, 2023 or until a new appointment is made, whichever comes first. Mayor Gardhouse has expressed an interest in continuing on this Board for the next term. If there is an interest from a member of Council, there will have to be an election for this position among the participating municipalities.

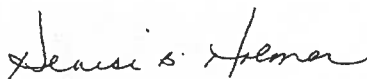
Review of Boards and Committees for Streamlining for Efficiencies

At the February 3, 2022 Council meeting, the following motion was introduced and passed: Moved by Hannon, Seconded by Besley: *"that the Corporation of the Township of Melancthon review all Municipal Boards and Committees to streamline and look for any efficiencies."* **Carried.** This task was deferred to the new term of Council to review; therefore, Council may wish to hold off appointing any Boards/Committees until this review is done.

Financial Impact

There is no financial impact as a result of this Report.

Respectfully submitted,



Denise B. Holmes, CAO/Clerk
Township of Melancthon

THE CORPORATION OF THE TOWNSHIP OF MELANCTHON
By-law No. _____

A By-law to appoint officials from December 1, 2022 to December 31, 2023.

WHEREAS it is deemed expedient and necessary to pass a By-law to appoint Municipal Officials from December 1, 2022 to December 31, 2023.

THEREFORE this Municipal Council of the Corporation of the Township of Melancthon, here assembled, hereby enacts that the following persons shall be appointed to the office set opposite their respective names with the salary affixed as follows:

Livestock Investigator _____ \$75.00 per call plus \$0.50/km
Fence viewers _____ \$75.00 per viewing plus \$0.50/km
_____ \$75.00 per viewing plus \$0.50/km
_____ \$75.00 per viewing plus \$0.50/km
_____ \$75.00 per viewing plus \$0.50/km
_____ \$75.00 per viewing plus \$0.50/km
Tile Drain Inspector _____ \$200.00 per inspection plus \$0.50/km
Representatives to Centre Dufferin Recreation Complex Board of Management
_____ \$75.00 per meeting plus \$0.50/km
_____ \$75.00 per meeting plus \$0.50/km
Representative to Southgate Recreation Advisory Committee
_____ \$75.00 per meeting plus \$0.50/km
Representative to North Dufferin Community Centre Board of Management
_____ \$75.00 per meeting plus \$0.50/km
Representatives to Shelburne & District Fire Department Board of Management
_____ \$75.00 per meeting plus \$0.50/km
_____ \$75.00 per meeting plus \$0.50/km
Representatives to Mulmur-Melancthon Fire Department Board of Management
_____ \$75.00 per meeting plus \$0.50/km
_____ \$75.00 per meeting plus \$0.50/km
Representative to Shelburne Public Library Board
_____ \$75.00 per meeting plus \$0.50/km
Representative to the Township of Melancthon Police Services Board
_____ \$75.00 per meeting plus \$0.50/km
Representative to the Upper Grand Watershed Committee
_____ \$75.00 per meeting plus \$0.50/km

Community Emergency Management Coordinator _____
Solicitors _____
Auditors _____
By-law Enforcement Officer _____
Dog Control Officer/Pound _____

Any By-law inconsistent with this By-law is hereby repealed.

By-law read a first and second time this 1st day of December, 2022.

By-law read a third time and passed this 1st day of December, 2022.

MAYOR

CLERK

DEC 1 2022

GB #15.3.1

THE CORPORATION OF THE TOWNSHIP OF MELANCTHON

BY-LAW No. _____ - 2022

BEING A BY-LAW TO CONSTITUTE AND APPOINT A COMMITTEE OF ADJUSTMENT

WHEREAS, Subsection 44 (3) of the Planning Act, R.S.O. 1990, c. P. 13 as amended provides that Council may by By-law constitute and appoint a Committee of Adjustment composed of such persons, not fewer than three, as Council consider desirable.

AND WHEREAS, the Council of the Corporation of the Township of Melancthon considers it desirable to establish a Committee of Adjustment;

NOW THEREFORE, the Council of the Corporation of the Township of Melancthon enacts as follows:

1. A Committee of Adjustment is constituted consisting of the following persons:

Mayor: Darren White

Deputy Mayor: James McLean

Councillor: Ralph Moore

Councillor: Bill Neilson

Councillor: Ruth Plowright

who shall hold office until December 31, 2023.

2. That provisions of this By-law shall come into force and take effect on the passing thereof.
3. By-law 24-2022 is hereby repealed.

By-law read a first, and a second time this 1st day of December, 2022.

By-law read a third time and finally passed this 1st day of December, 2022.

MAYOR

CLERK

THE CORPORATION OF THE TOWNSHIP OF MELANCTHON

BY-LAW NUMBER _____ - 2022

**BEING A BY-LAW TO AUTHORIZE THE SIGNING OF A
MEMORANDUM OF UNDERSTANDING BETWEEN THE
CORPORATION OF THE COUNTY OF DUFFERIN AND THE
CORPORATION OF THE TOWNSHIP OF MELANCTHON FOR
SHARED LAND USE PLANNING SERVICES**

**NOW THEREFORE THE CORPORATION OF THE TOWNSHIP OF MELANCTHON BY
THE MUNICIPAL COUNCIL THEREOF ENACTS AS FOLLOWS:**

1. **THAT** the Mayor and Clerk are hereby authorized and directed to sign the Memorandum of Understanding, in substantially the same form as the Memorandum of Understanding, attached hereto as Schedule "A", between the Corporation of the County of Dufferin and the Corporation of the Township of Melancthon for the purposes of shared Land Use Planning Services.

BY-LAW READ A FIRST AND SECOND TIME THIS 1ST DAY OF DECEMBER, 2022.

BY-LAW READ A THIRD TIME AND PASSED THIS 1ST DAY OF DECEMBER, 2022.

MAYOR

CLERK

SHARED LAND USE PLANNING SERVICES

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is made the _____ day of _____ 2022

BETWEEN: **Corporation of the County of Dufferin (“County of Dufferin”)** of
W. & M. Edelbrock Centre, 30 Centre Street, Orangeville, L9W 2X1;

AND **The Corporation of the Township of Melancthon (“Melancthon”)**
of 157101 Highway 10, Melancthon, L9V 2E6;

collectively known as the (“**Municipal Partners**”)

BACKGROUND

- A. Each of the Municipal Partners are local government authorities, with the Corporation of the County of Dufferin continuing under *An Act respecting the County of Dufferin, 1994* and the Corporation of the Township of Melancthon continuing under the *Municipal Act, 2001*.
- B. Each of the Municipal Partners is responsible for land use planning matters as established by the Province of Ontario.
- C. The Municipal Partners have taken actions to share land use planning staff.
- D. **AND THE MUNICIPAL PARTNERS AGREE:**
 1. **Definitions & Interpretation**
 - 1.1 **Definitions**
 - 1.1.1 “**Rate**” means the hourly rate paid by the Recipient Municipality to Host Municipality, for providing land use planning services based on a cost recovery model;
 - 1.1.2 “**Billing Period**” means the quarterly periods of each financial year;
 - 1.1.3 “**Host Municipality**” means **County of Dufferin**;
 - 1.1.4 “**Recipient Municipality**” means **Township of Melancthon**;
 - 1.1.5 “**Memorandum**” means this Memorandum of Understanding;

1.2 Interpretation

- 1.2.1 The Background set out above forms part of this Memorandum and the Municipal Partners agree that the Background is true and accurate.
- 1.2.2 Unless the contrary intention appears:
 - 1.2.2.1 Words noting the singular shall include the plural and vice versa.
 - 1.2.2.2 Reference to any Act, statute or regulation shall include any amendment currently in force at the relevant time and any Act of the Legislature, statute or regulation enacted or passed in substitution therefore.
 - 1.2.2.3 Headings are for convenience of reference only and do not affect the interpretation or construction of this Memorandum.
 - 1.2.2.4 A requirement in this Memorandum for liaison and consultation is a requirement for full and frank discussion and includes a requirement where necessary and appropriate, for full disclosure of relevant information and material.

2. Term

- 2.1 This Memorandum shall commence on **June 13, 2022** and continue in perpetuity until either Municipal Partner withdraws with 6 months' written notice to the other.
- 2.2 There will be a mandatory review of this Memorandum conducted on the 3rd year of each term of the Host Municipality's Council.

3. Negotiate In Good Faith

The Municipal Partners agree that they will cooperate with each other and at all times act in good faith and with the joint objective of successfully and expeditiously concluding and carrying out all of the arrangements and agreements contemplated in this Memorandum.

4. The Municipal Partners Obligations

The Municipal Partners agree that each of them shall have the following obligations in respect of **Shared Land Use Planning Services**;

4.1 Host Municipality

On behalf of the Municipal Partners, the Host Municipality agrees to;

4.1.1 Land Use Planning Services

- 4.1.1.1 Provide planning services through in-house Professional Planner(s) and Planning Coordinator(s) to the Recipient Municipality for 1 day per week (totalling 7 hours), except when conflicting with, but not limited to: personal leave, professional development, emergency matters, and organizational obligations (e.g. department-wide retreat, staff committee, etc);
- 4.1.1.2 Additional hours (greater than 7hrs per week) can be provided at the request of the Recipient Municipality, if there is capacity at the discretion of the Host Municipality, and written agreement of both parties;
- 4.1.1.3 Be responsible for all aspects of County staff management;

4.1.2 **Finances**

- 4.1.2.1 Invoice the Recipient Municipality each billing period for actual services provided, based on hourly rates as outlined in Schedule A;
- 4.1.2.2 Maintain insurance related to the provision of services as outlined in this Memorandum, including such professional planning insurance as required by law and including general liability insurance for any services being provided remotely and to indemnify the Recipient Municipality;

4.1.3 **Administration**

- 4.1.3.1 Maintain a log of dates and times and summary of when services were provided to the Recipient Municipality;

4.2 **Recipient Municipality**

The Recipient Municipality agrees to:

4.2.1 **Assign Work**

- 4.2.1.1 Assign relevant work on a weekly basis to the Host Municipality's Planning Staff, specific to the Recipient Municipality, and within the scope of services offered as outlined in Schedule B, at a quantity that is reasonable to accomplish within 2 days per week;
- 4.2.1.2 Provide to the Host Municipality in writing the contact information for the appointed staff person that will be responsible to assign work to the Professional Planner and Planning Coordinator;
- 4.2.1.3 Provide guidance, direction, and clarification to the Professional Planner and Planning Coordinator on work that has been assigned to them;

4.2.2 **Finances**

- 4.2.2.1 Pay invoices provided by the Host Municipality with 30 days of their issuance;
- 4.2.2.2 Maintain insurance related to the provision of services as outlined in this Memorandum and to indemnify the Host Municipality;
- 4.2.2.3 Reimburse the County for expenses incurred by staff, including mileage, at rates as outlined in Schedule A.

4.2.3 **Administration**

- 4.2.3.1 Provide Professional Planner and Planning Coordinator access to files, email systems, and other tools required to perform their duties;
- 4.2.3.2 Maintain records and communications as it relates to services provided by the Professional Planner and Planning Coordinator (e.g. records of inquiries, official correspondence, draft planning documents) including all records and communications provided by the Professional Planner and Planning Coordinator. It is understood that all such records and communications are deemed to be under the control and ownership of the Recipient Municipality;

4.3 **Withdrawal**

- 4.3.1 If a Member Municipality of this Memorandum wishes to no longer participate, that Council, through their Clerk or Chief Administrative Officer, may upon giving six (6) months written notice (the "Notice Period") to the other Municipal Partners withdraw from this Memorandum, thereby dissolving it;
- 4.3.2 Notwithstanding withdrawing from Shared Land Use Planning Services, that Municipal Partner shall still be liable for services provided and responsibilities surviving the Memorandum as outlined in Schedule B;

5. **No Partnership**

This Memorandum does not create or evidence of a partnership or joint venture between the Municipal Partners nor does it fetter the legislative discretion of the Councils of the Municipal Partners in its consideration of any planning proposal that may be subject to planning services resulting from this Memorandum.

6. **Acknowledgement**

The Municipal Partners acknowledge and agree that each of the Municipal Partners may in its own right (a) provide services or (b) engage others for their services, however any costs incurred shall be borne solely by the respective Municipal Partner.

7. Disputes Between Municipal Partners

- 7.1 The Municipal Partners agree to work together in good faith to resolve any matter requiring their direction or resolution.
- 7.2 Where the Municipal Partners are unable to resolve a matter within twenty-one (21) days of the matter being presented to them, the matter will be referred to arbitration.
- 7.3 Notwithstanding Clause 8.2 the Municipal Partners agree to be bound by the decision of the appointed arbitrator (except in relation to any decision relating to the acquisition or disposal of any real property) and will endeavour to work together in good faith in the implementation of that decision.
- 7.4 The costs (if any) of arbitration shall be borne equally by the Municipal Partners involved in the arbitration.

EXECUTED as a Memorandum of Understanding

**THE COMMON SEAL of THE)
CORPORATION OF THE)
COUNTY OF DUFFERIN was)
hereunto affixed in accordance with its)
Constitution and by the authority of its)
directors:**

.....
Warden

.....
Clerk

**THE COMMON SEAL of the)
CORPORATION OF THE)
TOWNSHIP OF MELANCTHON)
was hereunto affixed in accordance)
with its Constitution and by the)
authority of its directors:**

.....
Mayor

.....
Clerk

Schedule A – Rates

The rate for mileage will be the same as the County approved rate employees are reimbursed for the period the claim is in.

The rate for a Professional Planner is \$72.49 per hour (excluding HST) for 2022.

The rate for a Planning Coordinator is \$63.91 per hour (excluding HST) for 2022.

Rates for subsequent years will be calculated in November, and will be based on the average cost per hour included in draft budget for the year commencing in the following January.

Schedule B – Responsibilities Surviving this Memorandum

The following are responsibilities that will survive this Memorandum:

- Municipal Partners must maintain insurance, records, and other appropriate measures to mitigate financial and legal liability arising from providing or receiving land use planning services through this Memorandum.
- The Recipient Municipality will compensate the Host Municipality for expenses incurred, including but not limited to staff time, as a result of being required to participate in Ontario Land Tribunal, legal proceedings, or arbitration arising from work performed by Host Municipal staff on behalf of the Recipient Municipality through this Memorandum.

Schedule C – List of Shared Land Use Planning Services

The following is a RASCI chart which outlines which staff position and what their agreed upon role is within the planning services within the Recipient Municipality. The planning services the Host Municipality provides include all the roles as outlined under the Planning Coordinator (“Plan Coord.”) and Planner columns. In this chart “ML” denotes the Recipient Municipality’s staff.

Melancthon	Task Description	Plan Coord.	Planner	ML CAO	ML AA
Initiate Application	Serve as the key point of contact on all planning matters email inquiries + phone calls	S	I	A	R
	Receive pre-consultation application, review to confirm completion (documentation and fees)	C	S, C	C	R, A
	Pre-consultation application circulate, Schedule meetings, and chair as required	R	S, C	C, I	A, C
	Consolidate application comments + required studies list for consideration by applicant	R	A	S	
	Receive planning application, review to confirm completion (documentation and fees)			A	R
	Notice of complete application and public notice the letter (issuing)	R		S	A
	Notice of complete application and public notice the letter processing (publication and distribution)	S		A	R
Process Application	Circulate planning applications to the review team in the municipality as well as the County's for comments	C	C	S, C, I	R
	Maintain records associated with circulation of applications and comments	S		A, I	R
	Review and provide planning comments = ZBL, MV, Permit Letters (municipal approvals), severance plans.	R	C	S	A
	Consolidate application comments for consideration by applicant	R	A	S	
	Staff recommendation council report + meeting presentation	R	A	S, C	
	Review and provide planning comments - local OPA SPA& draft plans-	S	R	C	A
	Staff Report to council		S	I	R
Close Application	Public (local council) meeting presentation	S	R	C, I	A
	for local OPA - prepare full package and send to county for adopting	R	A	C	S
	Notice of passing	S	C	A	R
	Bylaw Full Force and Effect			A	R

For clarity: R stands for Responsible; A stands for Accountable; S stands for Support; C stands for Consulted; and I stands for Informed.



Nottawasaga Valley
Conservation Authority

October 5, 2022

Township of Melancthon
157101 Highway 10
Melancthon, ON
L9V 2E6

Attention: Denise Holmes, Clerk

Dear Ms. Holmes:

Re: Appointment of Nottawasaga Valley Conservation Authority Directors

Under the *Conservation Authorities Act*, (4.1) the members of the Nottawasaga Valley Conservation Authority (NVCA) Board of Directors are appointed by the councils of the participating municipalities to a four-year term. Additionally, as per section (3), every member of the Authority shall be a resident in the participating municipality.

Your municipality may appoint one (1) member to the Board of Directors for the 2023-2026 term once your new Council has started. Your appointee must be member of Council, or from the public if the Minister has granted permission to the municipality. If Council chooses to appoint a member of the public and after permission is granted, they may wish to consider a public call for interested parties.

Board meetings are generally the fourth Friday morning of each month starting at 9:00am, beginning January 27, 2023; however, the December meetings are held on the 2nd Friday of the month and is the morning of December 8th in 2023.

Please let us know by December 31st, 2022 who your municipality has appointed along with their email address so we can contact them. That information can be sent to Kerry Jenkins, Administrative Assistant at kjenkins@nvca.on.ca.

We look forward to working with your municipality in the years to come.

Yours truly,

A handwritten signature in black ink, appearing to be "Doug Hevenor".

Doug Hevenor,
Chief Administrative Officer

Denise Holmes

From: Julie Hamilton <deputyclerk@arran-elderslie.ca>
Sent: Thursday, November 17, 2022 10:52 AM
To: Brockton Clerk; Central Huron - Acting Clerk; Christine Fraser-McDonald; Denise Holmes; Grey Highlands Clerk; Huron Kinloss Clerk; Kincardine Clerk; Patty Sinnamon; Sabrina VanGerven; Tara Kretschmer; West Lincoln Deputy Clerk
Subject: MMWTWG Minutes & New Council Letter
Attachments: MMWTWG September 8 2022.pdf; New Council Letter.pdf

Good Morning,

Please see attached the approved minutes from the September 8, 2022 meeting.

There is also a letter from the Working Group to new council's to provide some context to what the MMWTWG advocates for.

Please include both in your next Council agenda.

Also, once your new appointments have been made, please forward the resolution. As a reminder, each Member Municipality may appoint two members of Council to sit on the Working Group, one alternate member of Council and one citizen member who brings additional expertise to the discussion.

Warm Regards,

Julie Hamilton

Deputy Clerk

Municipality of Arran-Elderslie
1925 Bruce Road, PO Box 70
Chesley, ON N0G 1L0
Office 519-363-3039 ext 105
Cell 226-668-8323

MULTI-MUNICIPAL WIND TURBINE WORKING GROUP
TOM ALLWOOD, COUNCILLOR, GREY HIGHLANDS, CHAIR
STEVE ADAMS, COUNCILLOR, BROCKTON, VICE-CHAIR
1925 BRUCE ROAD 10, BOX 70, CHESLEY, ON NOG 1L0
519-363-3039 FAX: 519-363-2203 deputyclerk@arran-elderslie.ca

November 16, 2022

Greetings Members of Council,

Congratulations on your election to Municipal Council. Your commitment and leadership are invaluable to your community and residents.

As Municipal Leaders, we are mandated by the *Municipal Act, 2001, as amended*, to provide measures necessary for the health, safety and well-being of citizens within our jurisdiction. The Multi-Municipal Wind Turbine Working Group (MMWTWG) collectively addresses concerns that are raised in relation to the various wind turbine projects across the province.

The list of concerns and implications is continually growing and many citizens are completely unaware of the effects, both short and long term that wind turbines pose. To provide some context to the complex matters that the MMWTWG continues to work to resolve, some principal issues are provided.

1. Public Safety

- Setbacks for tower collapse are insufficient. The current blade length plus 10 metres requirement is not a strong enough protective measure. Ontario has seen collapses of GE Turbine at Raleigh and Vestas Turbine at Bow Lake. Public database details at least 95 collapses worldwide, including Enercon, Siemens, Nordex, and others. Bow Lake turbines were also permitted to restart by regulator without any public release of information of recent failure.
- Setbacks for blade failures are insufficient. The current blade length plus 10 metres requirement is not a strong enough protective measure. Ontario has seen debris at 560 metres with 51-metre setback, with failures from GE, Vestas, Suzlon/Repower. Regulator did inadequate safety review of post commissioning installation of "power cone" at Skyway 8 and is permitting turbine restart without public investigation into impact of failure on tower integrity.
- Setbacks for ice throw are also insufficient, as the blade length plus 10 metre setback is less than the ice throw distance witnessed in Ontario.
- Fire hazard – Ontario has witnessed turbine fire and flaming debris on the ground at 200 metres, while setback was 50 metres. Ministry review failed to recommend industry standard protective barriers for fire suppression in spite of examples of fires in similar turbines.
- Landholder leases give no setback protection for vulnerable citizens (children and other family members of lease holder, employees, couriers, etc.)

2. **Health Impacts**

- Sleep deprivation – most common identified irritant.
- Stress – identified link from irritants to cardio vascular events.
- Unexplained cardiac events, diabetic events
- Cyclical noise (major irritant) not assessed by Ontario Compliance Protocol.
- Tonality (irritant at some projects) not adequately assessed by standards.
- Dominant, irritating, turbine noise signature dwarfs rural noise environment.
- Loss of enjoyment of property, contrary to Environmental Protection Act.

3. **Municipal Finances**

- Tax base – Assessment of multi-million-dollar turbines capped at under \$50k per MW, adversely impacts tax base. Similar to unpermitted “bonusing” by permitting low taxation. Impacts ability to build on adjoining properties.
- Community impact grants – associated “gag-clauses” deny transparency.
- Impact on roadways – large component delivery cause damages to roads.
- Upcoming impact on landfill – Component End of Life – blades not recyclable.
- Decommissioning costs – no guarantee of cost coverage at many sites.

4. **Community Cohesiveness**

- Rural neighbourhood – acrimony prevents neighbours working together, those profiting often not those who suffer impacts

5. **Energy Supply Stability**

- Mismatch to consumer demand, turbine output falls as consumer load increases in morning, but rises as consumer load falls in the evening
- Seasonal mismatch a big concern as turbine output poorest when consumer demand is highest in summer air conditioning season, and in winter heating season, yet turbine output is highest when consumer demand is lowest in spring and fall
- Requires construction of backup generation, that must price output highly as only operated intermittently.

6. **Consumer Energy Cost**

- First access to grid costs – force less costly generation off the grid. Ontario energy transitioned from least costly to most expensive in North America.
- Costs of required storage options will increase costs even further.
- Lowered electrical system reliability due to uncontrollable factors (weather).

7. **Lack of response from responsible Ministry to complaints and professional input**

- Inconsistent Ministry response to complaints from impacted citizens
- Lack of Ministry response to professional input – no disposition of items, just neglect.

8. **Lack of Respect of Impacted Citizens**

- Ministry failed to investigate the majority of complaints, took no action to correct, contrary to Renewable Energy Approvals regulations.

This Working Group shares municipal advice on by-laws, road use agreements, fire suppression requirements and other considerations that need to be considered before dealing with wind developers. We are striving to support municipalities and citizens and to become aware of issues and possible remedies regarding industrial wind turbines before it is too late to take proactive actions.

Not only do Municipality's that have wind turbine projects within its boundaries need to ensure they are aware of the negative impacts associated with these projects but Municipality's without projects also need to be aware of the same to be informed when developers come knocking on the door. Continued membership on the Multi-Municipal Wind Turbine Working Group will ensure that this knowledge base is maintained and updated as changes within the industry emerge.

The meetings are held bi-monthly, virtually via Teams which has assisted in increasing our member municipalities. Currently there are 11 Member Municipalities on the MMWTWG which includes:

- Municipality of Arran-Elderslie
- Municipality of Kincardine
- Township of Chatsworth
- Township of Melanthon
- Municipality of Central Huron
- Town of Grand Valley
- Municipality of Grey Highlands
- Township of Huron-Kinloss
- Municipality of Brockton
- Township of West Lincoln
- Municipality of Dutton-Dunwich

The MMWTWG annual membership fee is set at the beginning of each year and is currently set at \$400.00. This fee is used to cover the cost of a Recording Secretary, miscellaneous costs for preparation and circulation of materials as well as any fees related to space rentals for meetings. A small surplus is maintained for donation to a defense fund in case any municipal bylaw might be challenged by a developer. The yearly fee is paid to the "Municipality of Arran-Elderslie"; and sent directly to the Municipal Office c/o the Deputy Clerk, who is the current Recording Secretary for the Working Group.

Each Member Municipality may appoint two members of Council to sit on the Working Group, one alternate member of Council and one citizen member who brings additional expertise to the discussion.

We look forward to your continued membership on this important Working Group and hope to see some new faces at our next meeting scheduled for January 12, 2023 at 7:00pm.

Warm Regards,
On behalf of the Chair, Tom Allwood



Julie Hamilton, Recording Secretary
Deputy Clerk
Municipality of Arran-Elderslie,
1925 Bruce Road 10, PO Box 70
Chesley, ON N0G 1L0
519-363-3039 ext. 105
deputyclerk@arran-elderslie.ca