



TOWNSHIP OF MELANCTHON ELECTRONIC MEETING THURSDAY, NOVEMBER 10, 2022 - 5:00 P.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/88533180412?pwd=VTJSUzJJSUx3aUNVYU5nUHI1a3VkUT09>

Meeting ID: 885 3318 0412

Passcode: 692691

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Meeting ID: 885 3318 0412

Passcode: 692691

AGENDA

- 1. Call to Order**
- 2. Land Acknowledgement Statement**

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.

- 3. Announcements**
- 4. Additions/Deletions/Approval of Agenda**
- 5. Declaration of Pecuniary Interest and the General Nature Thereof**

- 6. Approval of Draft Minutes – October 20, 2022**
- 7. Business Arising from Minutes**
- 8. Point of Privilege or Personal Privilege**
- 9. Public Question Period** (Please visit our website under Agendas and Minutes for information on Public Question Period)
- 10. Public Works**
 1. Accounts
 2. Report from Kaitlin Chessell, Secretary Roads Sub-Committee, Recommendation from the November 2, 2022, Meeting
 3. Road Counter Information for 4th Line NE Speed Comparison of Before and After Speed Limit Reduction
 4. Other
- 11. Planning**
 1. Applications to Permit
 2. Bill 23, More Homes Built Faster Act
 1. Report from Silva Yousif – Senior Planner – Bill 23 More Homes Build Faster Act, 2022 Overview
 2. Statement from Nottawasaga Valley Conservation Authority in Response to Bill 23
 3. AMO Policy Update – Unpacking Bill 23 – More Homes Built Faster Act, 2022
 4. Correspondence from Karren Wallace, Melancthon Resident Concerning Bill 23
 5. Letter to Clients – Andrew Grunda, Principal Watson & Associates - Regarding Bill 23
 6. Follow up to Clients – Andrew Grunda, Principal Watson & Associates - Regarding Bill 23
 7. Bill 23 Notice from Steve Clark, Minister – Ministry of Municipal Affairs and Housing
 8. Bill 23 Notice from Steve Clark, Minister – Ministry of Municipal Affairs and Housing November 4, 2022 Update
 3. Report from Silva Yousif – Senior Planner – Planning Application Review Process – More Homes for Everyone Act, 2022
 4. Other
- 12. Strategic Plan**
- 13. Climate Change Initiatives**
- 14. Police Services Board**
- 15. Committee/Board Reports & Recommendations**
- 16. Correspondence**

Board, Committee & Working Group Minutes

1. Centre Dufferin Recreation Complex - Board of Management – August 24, 2022
2. Heritage Advisory Committee – September 14, 2022
3. Grand River Conservation Authority General Meeting – October 28, 2022
4. Roads Sub-Committee – June 7, 2022
5. Special Roads Sub-Committee - July 20, 2022
6. Special Roads Sub-Committee – August 10, 2022
7. Road Sub-Committee On-Site – September 8, 2022
8. Special Roads Sub-Committee – September 14, 2022

Items for Information Purposes

1. Letter from the Deputy Chief Veterinarian for Ontario – Avian Influenza
2. Letter from Steve Clark, Minister of Ministry of Municipal Affairs, and Housing Strong Mayors, Building Homes Act
3. Proposed Amendments to O. Reg. 507/18: Energy Reporting and Conservation and Demand Management Plans
4. Township of East Garafraxa Resolution to Support the Town of Wasaga Beach Resolution Strong Mayors, Build Homes Act
5. Dufferin County Resolution to Support the Township of Mulmur Resolution – Primrose Elementary School
6. Dufferin County Notice of Decision Amendment 4 to the Official Plan for the Township of Mulmur
7. Municipality of Grey Highlands Notice of Decision to refuse an Official Plan Amendment
8. Dufferin County Notice of Decision Revised Amendment 9 to the Official Plan for the Township of East Garafraxa
9. Email from Meghan Townsend, CAO/ Clerk-Treasurer Town of Grand Valley Regarding Proposal for OPP Detachment Board – Dufferin Detachment
10. Dufferin County Outdoor Recreation Plan Approved by County Council
11. Triton Engineering Services Limited Township of Southgate Dundalk Water Treatment Facility Class Environmental Assessment Notice of Public Information Centre
12. Report to Council from Denise B. Holmes, CAO/Clerk – Accessibility Report 2022 Municipal Election

17. General Business

1. Accounts
2. New/Other Business/Additions
 1. Grand River Conservation Authority – Representative Guy Guardhouse – Term to Expire
 2. Draft Township of Melancthon Respect in the Workplace Policy
 3. Nottawasaga Valley Conservation Authority - Councillor Mercer Appointment
 4. Other/Additions
3. Unfinished Business
 1. Township Diversity Policy

18. Delegations

1. Bill Chambers, Gavin MacPhee and Hamreet Sekhon, TransAlta – invited by the Environmental Sustainability Committee to answer questions regarding Phase 1 Melancthon Wind Project – Extension period and public consultation, as well as how TransAlta dealt with any complaints received regarding the wind turbines

19. Closed Session

20. Third Reading of By-laws

21. Notice of Motion

22. Confirmation By-law

23. Adjournment and Date of Next Meeting – Thursday, December 1, 2022 – 9:00 a.m. – INAUGURAL MEETING

24. On Sites

25. Correspondence on File at the Clerk's Office



The Corporation of
THE TOWNSHIP OF MELANCTHON
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CORPORATION OF THE TOWNSHIP OF MELANCTHON

MEMORANDUM

TO: MAYOR WHITE AND MEMBERS OF COUNCIL

FROM: KAITLIN CHESSELL, SECRETARY ROADS SUB-COMMITTEE

**SUBJECT: RECOMMENDATION FROM ROADS SUB-COMMITTEE MEETING
HELD NOVEMBER 2, 2022**

DATE: NOVEMBER 3, 2022

8.9 General Business; Other/Additions – Memorandum of Understanding from Dufferin Drift Busters Snowmobile Club

The Roads Sub-Committee discussed that we have previously signed memorandums of understanding with the Dufferin Drift Busters Snowmobile Club. Public Works Superintendent, Craig Micks advised that he has no issues with this and that he spoke to Steve McCarthy of the snowmobile club who dropped the agreement off and he advised that the government is making them have annually signed agreements with Municipalities now just like they do with the landowners whose properties they use for the trails.

Recommendation:

The Roads Sub-Committee recommends to Council that we sign the memorandum of understanding with the Dufferin Drift Busters Snowmobile Club.

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Dufferin Drift Busters Snowmobile Club

November 1, 2022

To Melancthon Township Roads Committee

The Dufferin Drift Busters Snowmobile Club has been using the Melancthon Road system for the past 45 plus years. The Ontario Federation of Snowmobile Clubs (OFSC) has been updating its Land Use Permissions system and we have been asked to get written permission to use the Melancthon Township Roadways for the use of your land for the OFSC trails. Your Land is an important and intricate part of the trail network. We can not do this with out you.

Roads currently used for our trail this year are

240 and 6th Line near 3000Mark Atkinson's property

6th Line near John Kidd's property

8th Line & Cty Rd 9

4th Line near Strada

270 Sideroad from the Rail bed to Southgate Townline

OFSC has a standard Memorandum of Understanding (MOU) that you can sign to give permission and be included in the OFSC 15 million dollar insurance policy for Land Owners.

Our trails are maintained and managed by Volunteers. Your volunteer contribution is well appreciated. We are looking forward to another great snowmobile year and we are out in the fields now getting ready. We are very happy to have you a part of this Sport.

If you have any concerns regarding the trail, please reach out to me.

We would like to Thank You for supporting the Dufferin Drift Snowmobile Club.

Sincerely,

A black rectangular redaction box covering the signature of Steve McCarty.

Steve McCarty

Landowner Liaison

Dufferin Drift Busters Snowmobile Club

A black rectangular redaction box covering contact information.

Vice President of the South Central Snowmobile Region (made up of 6 clubs, Dufferin, Alliston, Orangeville, Hillsburgh, Georgina &, Heart of Ontario)

4TH LINE NE ROAD COUNTER DATA BEFORE AND AFTER SPEED LIMIT CHANGE

SPEED BEFORE ROAD WAS CHANGED TO 60 KM/HR AND SIGNS WENT UP AND SPEED LIMIT WAS 80 KM/HR																
238211 4th Line NE May 13-18 2022																
Start Date/Time:13-05-2022 14:00																
End Date/Time:18-05-2022 14:59																
	40 KPH	45 KPH	50 KPH	55 KPH	60 KPH	65 KPH	70 KPH	75 KPH	80 KPH	85 KPH	90 KPH	95 KPH	100 KPH	120 KPH	> 120 KPH	All Speeds
Friday May 13, 2022	7	1	1	2	6	6	8	13	10	8	14	6	4	7	0	93
Saturday May 14, 2022	11	6	7	7	8	8	4	22	20	13	19	12	9	7	2	155
Sunday May 15, 2022	3	8	7	5	12	11	14	17	20	16	22	11	10	14	0	170
Monday May 16, 2022	4	4	3	7	13	9	14	18	16	21	17	11	10	16	0	163
Tuesday May 17, 2022	11	1	4	2	6	11	17	18	26	23	25	18	18	23	1	204
Wednesday May 18, 2022	7	1	1	2	3	4	6	14	22	12	11	4	5	13	0	105
TOTAL	43	21	23	25	48	49	63	102	114	93	108	62	56	80	3	890
PERCENTAGE	4.83%	2.36%	2.58%	2.81%	5.39%	5.51%	7.08%	11.46%	12.81%	10.45%	12.13%	6.97%	6.29%	8.99%	0.34%	100.00%
SPEED AFTER ROAD WAS CHANGED TO 60 KM/HR AND SIGNS WENT UP																
Daily Speed 238211 4th Line NE August 22-26, 2022																
Start Date/Time:26-08-2022 13:00																
End Date/Time:26-08-2022 21:59																
	40 KPH	45 KPH	50 KPH	55 KPH	60 KPH	65 KPH	70 KPH	75 KPH	80 KPH	85 KPH	90 KPH	95 KPH	100 KPH	120 KPH	> 120 KPH	All Speeds
Monday August 22, 2022	1	1	0	3	5	5	12	13	18	6	9	6	2	4	0	85
Tuesday August 23, 2022	5	1	3	8	6	10	23	28	35	19	28	22	14	15	0	217
Wednesday August 24, 2022	8	4	9	8	7	8	25	25	27	27	27	18	14	19	2	228
Thursday August 25, 2022	5	2	2	6	8	16	15	22	20	21	33	9	3	9	0	171
Friday August 26, 2022	3	1	5	7	11	12	13	17	25	25	24	20	32	28	3	226
TOTAL	22	9	19	32	37	51	88	105	125	98	121	75	65	75	5	927
PERCENTAGE	2.37%	0.97%	2.05%	3.45%	3.99%	5.50%	9.49%	11.33%	13.48%	10.57%	13.05%	8.09%	7.01%	8.09%	0.54%	100.00%

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**APPLICATIONS TO PERMIT FOR APPROVAL
Nov 10, 2022 COUNCIL MEETING**

PROPERTY OWNER	PROPERTY DESCRIPTION	SIZE OF BUILDING	TYPE OF STRUCTURE	USE OF BUILDING	DOLLAR VALUE	D.C.'s	COMMENTS
Ken & Shannon Granter Applicant: Donna Pascoe	096084 4th Line SW Pt Lot 3, Con 5 SW Part 1	102.93 m2 (1108 sq ft)	Addition	2 bedroom/2 bathrooms/office	\$200,000	NO	Approved
Henry Martin - Mapleton Mfg Applicant: Aaron Bauman	097437 4th Line SW Pt lot 269-270, Con 4 SW	817 m2 (8794 sq ft)	horse/sheep/buggy barn	Barn	\$200,000	NO	Approved
Sam & Mary Young Applicant: Dave Metz	556408 Mulmur Melancthon TL Part Lot 7 & 8, Con 1 OS	334 m2 (3595 sq)	single family dwelling	house	\$920,000	NO	Existing House to be Demolished Approved

Plan# 11.1

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The Corporation of **THE TOWNSHIP OF MELANCTHON**

Date: November 10, 2022
To: Mayor White and Members of Council
From: Silva Yousif – Senior Planner
Subject: Bill 23 More Homes Built Faster Act, 2022 Overview

Recommendation:

That the Staff Report of Silva Yousif, Senior Planner be received for information

Background:

With the introduction of Bill 23, More Homes Built Faster Act, 2022, on October 25, 2022, by the Minister of Municipal Affairs for first reading, the much-anticipated Bill 23, that supports Ontario's Housing Supply Action Plan, was brought forward for a second reading on October 26, 2022.

The Bill proposes significant changes that impact the planning process in Ontario. It is presented as the next step in the Province's plan to address the housing crisis by building 1.5 million homes over the next 10 years. The bill proposes to introduce various amendments to multiple statutes including:

1. City of Toronto Act, 2006/Municipal Act, 2001
2. Conservation Authorities Act
3. Development Charges Act, 1997
4. Ontario Heritage Act
5. Ontario Land Tribunal Act, 2021
6. Planning Act

The legislation is the third step in the government's changes to the Planning Act and other related legislation, following on the More Homes, More Choice Act, 2019, and the More Homes for Everyone Act, 2020. The Strong Mayors, Building Homes Act was also passed earlier this year, and those powers may well be rolled out to other municipalities beyond Toronto and Ottawa, when the final regulations are released.

The Act introduced a number of new Planning Act requirements which have financial, legal and other implications for Township decision-making with respect to Development



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planning in attempt to, among other goals, build more homes, help homebuyers, reducing construction costs and, streamlining development approvals.

Comments and Considerations:

Bill 23, which is announced to address the housing shortage through building more homes. However, many of these proposed legislative changes are highly consequential, and it may jeopardize affordable homes by make renting more expensive, permits massive urban sprawl, and cuts funding to municipalities.

Bill 23, will be subject to further readings by the legislature and committee review where the development community, municipalities and landowners can submit their comments for review, therefore this Bill may be amended through that process. Highlights from Bill 23 are discussed below:

Issue	Proposed Change
Inclusionary Zoning / Affordable and Attainable Housing	<ul style="list-style-type: none"> • Exempt affordable housing (generally defined as being priced at no greater than 80% of the average price/rent in the year a unit is rented or sold) and attainable housing and inclusionary zoning units from DC, CBCs and parkland dedication • Introduce a category of “attainable housing” which will be defined in future regulations • An upper limit of 5% of the total number of units in a development that can be required to be affordable as part of inclusionary zoning, and a maximum period of 25 years over which the units would be required to remain affordable (this is a proposed regulation change, not in the legislation itself)



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<p>Parkland</p>	<ul style="list-style-type: none"> • The maximum amount of land that can be conveyed or paid in lieu is capped at 10% of the land or its value for sites under 5 ha, and 15 % for sites greater than 5 ha • Maximum alternative dedication rate reduced to 1 ha/600 units for land and 1 ha/1000 units for cash in lieu • Parkland rates frozen as of the date that a zoning by-law or site plan application is filed. Freeze remains in effect for two years following approval. If no building permits are pulled in that time, the rate in place at the time the building permit is pulled would apply • Encumbered parkland/strata parks, as well as privately owned publicly accessible spaces (POPS) to be eligible for parkland credits • Landowners can identify land they intend to provide for parkland, with the municipality able to appeal to the Tribunal if there is a disagreement • Parks plans to be required prior to the passing of any future parkland dedication by-law (would not apply to by-laws already passed) • Parkland dedication will apply to new units only (i.e., no dedication can be imposed for existing units) • Municipalities will be required to spend or allocate 60% of parkland reserve funds at the start of each year
<p>Development Charges</p>	<ul style="list-style-type: none"> • Five-year phase in of DC rate increases, beginning with a 20% reduction in the first year, with the reduction decreasing by 5% each year until year five when the full new rate applies. This is proposed to apply to all new DC by-laws passed since June 1, 2022. • Historical service level for DC eligible capital costs (except transit) extended from 10 to 15 years • DC by-laws will expire every 10 years, instead of every five years. By-laws can still be updated any time • Cap the interest paid on phased DCs for rental, institutional and non-profit housing to prime plus 1% • DC/CBC/parkland exemptions for attainable housing, which will be projects designated by future regulations



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	<ul style="list-style-type: none"> • New regulation authority to set services for which land costs would not be an eligible capital cost recoverable through DCs • Exclude the cost of studies (including background studies) from recovery through DCs • Municipalities will be required to spend at least 60% of DC reserves for priority services (i.e., water, wastewater and roads). • Discount for purpose built rental units, with a higher discount for larger units, on top of the existing DC freeze and deferral of payments over five years
Community Benefit Charges	<ul style="list-style-type: none"> • Maximum CBC payable to be based only on the value of land proposed for new development, not the entire parcel that may have existing development • Maximum CBC to be discounted by 4% of land value divided by the existing building size, as a proportion to total building square footage
Removal of Upper Tier approval powers	<ul style="list-style-type: none"> • All upper tier municipalities in the Greater Toronto Area, as well as Waterloo and Simcoe will be removed from the Planning Act approval process for both lower tier official plans and amendments and plans of subdivision • Upper-tier municipality could provide advice and assistance to lower-tier municipalities if there is mutual agreement is appreciated • Minister would (unless otherwise provided) therefore become the approval authority for all lower tier OP and OPAs, and Minister's decisions are not subject to appeal
Zoning in MTSAs	<ul style="list-style-type: none"> • Municipalities will be required to update zoning to include minimum heights and densities within approved Major Transit Station Areas (MTSA) and Protected MTSAs within one year of MTSA/PMTSA being approved
No third-party appeals	<ul style="list-style-type: none"> • No one other than the applicant, the municipality, certain public bodies, and the Minister will be allowed to appeal municipal decisions to the Tribunal. This applies to all Planning Act decisions (including consents and minor variances)



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	<ul style="list-style-type: none"> Existing third-party appeals where no hearing date has been set as of October 25 will be dismissed. The scheduling of a case management conference or mediation will not be sufficient to prevent an appeal from being dismissed
Gentle Density/Intensification	<ul style="list-style-type: none"> As of right zoning to permit up to three residential units per lot (two in the main building and one in an accessory building), with no minimum unit sizes New units built under this permission would be exempt from DC/CBC and parkland requirements, and no more than one additional parking space can be required
Subdivision approvals	<ul style="list-style-type: none"> Public meetings no longer will be required for applications for approval of a draft plan of subdivision
Site plan control	<ul style="list-style-type: none"> Developments of up to 10 residential units will be exempted from site plan control Architectural details and landscape design aesthetics will be removed from the scope of site plan control
Rental Replacement	<ul style="list-style-type: none"> Minister to be given the authority to enact regulations related to the replacement of rental housing when it is proposed to be demolished or converted as part of a proposed development
Heritage	<ul style="list-style-type: none"> Municipalities will not be permitted to issue a notice of intention to designate a property under Part IV of the Ontario Heritage Act unless the property is already on the heritage register when the current 90-day requirement for Planning Act applications is triggered Heritage registers to be reviewed and a decision made whether listed properties are to be designated, and if not, removed from the register A process is proposed which will allow Heritage Conservation District Plans to be amended or repealed Criteria for Heritage Conservation District Plans can be established for regulation
Ontario Land Tribunal procedures	<ul style="list-style-type: none"> The Tribunal will have increased powers to order costs against a party who loses a hearing at the Tribunal The Tribunal is being given increased power to dismiss appeals for undue delay



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	<ul style="list-style-type: none"> • The Attorney General will have the power to make regulations setting service standards with respect to timing of scheduling hearings and making decisions • Regulations can also be made to establish priorities for the scheduling of certain matters
Aggregate Resources	<ul style="list-style-type: none"> • Decisions on aggregate applications will be delegated to staff (instead of the Minister) • Planning Act applications for aggregate proposals will be exempt from the two-year freeze on applications to amend new official plans, secondary plans and zoning by-laws
Natural heritage planning	<ul style="list-style-type: none"> • wetlands can be developed provided a net positive impact is demonstrated • the proposed changes would eliminate the concept of wetland complexes
Conservation Authorities	<ul style="list-style-type: none"> • A single regulation is proposed for all 36 Authorities in the province • Clear limits are proposed on what Authorities are permitted to comment on as part of the planning approvals process, which will keep their focus on natural hazards and flooding • Permits will not be required within regulated areas (including wetlands) for activity that is part of a development authorized under the Planning Act
Consumer protection	<ul style="list-style-type: none"> • Proposed increases to penalties under the New Homes Construction Licensing Act, 2017 of up to \$50,000

Financial Impact:

The proposed changes although aimed to the goal of building more housing in the long-term, it merely shifts the financial burden of growth-related infrastructure onto existing taxpayers as the increasing impact of proposed changes to municipal fees and charges is significant and conflicting to the concept of “growth should pay for growth”. Further evaluation by Staff should be undertaken to assess the Township policies in place and the effect of the legislation changes.



The Corporation of **THE TOWNSHIP OF MELANCTHON**

Summary/ Options:

Council may:

1. Take no further action.
2. Receive this Report for information and that Council Direct Staff to take actions as per the Staff Report of Silva Yousif, Senior Planner Recommendation
3. Direct Staff in another manner Council deems appropriate

Conclusion:

Option #2 is recommended.

Respectfully

Prepared By

Silva Yousif
Sr. Planner

Submitted By

Denise B. Holmes
CAO/Clerk



NVCA's statement in response to Bill 23, the *More Homes Built Faster Act*

In response to Bill 23, the *More Homes Built Faster Act*, which was announced on Tuesday, October 25th, 2022, specifically regarding Schedule 2, NVCA offers the following:

NVCA agrees that there is a housing and affordability issue in the Nottawasaga Watershed and across the province, and the Board of Directors are fully supportive of the Ontario government to build 1.5 million homes. NVCA is prepared to do our part along with the province, upper tier governments and watershed municipalities to ensure that these homes are safe from natural hazards.

However, the proposed legislation may jeopardize the Province's goals to protect lives and properties from natural hazards, result in longer response times and increased costs to homes.

For over 70 years, conservation authorities have been responsible for directing development outside of natural hazards, such as floodplains and areas prone to erosion. These watershed-based organizations also ensure development does not impact sensitive environmental areas, such as wetlands, shorelines and watercourses.

Conservation Authorities are recognized internationally to be a cost-effective solution to help solve challenging local issues on a watershed basis. When planning developments, we need to consider how development in one municipality impacts the ones adjacent or downstream of them.

In review of the proposed legislation, there appears to be inconsistency regarding protecting lives and properties from natural hazards. While conservation authorities will be able to comment on natural hazards for new developments under the *Planning Act*, there is a proposal to exempt developments that have historic *Planning Act* approvals from natural hazard permits.

In addition, conservation authorities will also be prohibited from entering into agreements with municipalities to comment on natural heritage, and select aspects of stormwater management reviews.

In the Nottawasaga Watershed, one important component of natural heritage is wetlands. They are important for flood control, water filtering, groundwater recharge and discharge and provide important fish and wildlife habitat.

Wetlands absorb excess rainwater and snowmelt, slow floodwaters helping to alleviate property damage and can even save lives. In the face of climate change, wetlands are ever more important as we experience more extreme storm events.

In addition to mitigating flooding, wetlands are intrinsically connected to larger natural heritage systems which includes other habitats like streams, rivers and forests. As

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biodiversity hotspots, wetlands are home to species at risk, and provincially and regionally rare species, as well as a number of other fish, wildlife and vegetation.

The degradation of wetlands has cumulative impacts on the watershed – green infrastructure will be weakened, native plants and animals will be displaced, migration and breeding grounds will be disrupted, climate change resiliency in the watershed will be reduced.

Wetlands are currently evaluated under the Ontario Wetlands Evaluations System. In the Nottawasaga Watershed, there are 33 provincially significant wetlands (PSW), 34 important but non-provincially significant wetlands as well as approximately 80 wetlands and wetland complexes in the Nottawasaga watershed that are unevaluated, but would likely become provincially significant if they were evaluated.

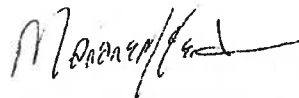
The Ontario government is proposing to change the evaluation system and redefine what PSWs are. If the new legislation is approved, the Ministry of Natural Resources and Forestry is no longer involved in evaluating wetlands. If conservation authorities also are taken out of the picture, who will oversee development around wetlands with an objective lens?

The proposed changes are signaling that municipalities will play a large role in protecting people and property from natural hazards and the evaluation of wetlands. Municipalities have neither capacity nor expertise in water resources engineering, environmental planning and regulatory compliance.

Conservation authorities have been strong partners with upper tier municipalities, who provide input and guidance on planning, including development growth, natural heritage, waste management, roads and servicing. NVCA has publicly reported that we can deliver these services efficiently without lengthening the approvals process, and have delivered them under accountable and rigorous service delivery standards.

As noted above NVCA is here to work with key stakeholders to address housing issues in the Nottawasaga Watershed. The Executive Members of NVCA's Board of Directors recommend municipalities retain the option to enter into agreements with conservation authorities, and that the Ontario Government pause Bill 23 and continue to work with conservation authorities through the multi-stakeholder CA Working Group established in 2021.

Sincerely,



Marianne McLeod
NVCA Chair



Gail Little
NVCA Vice Chair



MEDIA RELEASE

FOR IMMEDIATE RELEASE

NVCA responds to *More Homes Built Faster Act*

UTOPIA, Ontario (November 2, 2022) – The Nottawasaga Valley Conservation Authority (NVCA) has released a statement in response to Bill 23, the More Homes Built Faster Act, tabled to the legislature on October 25, 2022.

While the bill aims to reduce development planning process and fees to address housing affordability issues across the province, some of the proposed changes jeopardizes the Province's goals to protect lives and properties from natural hazards, result in longer response times and increased costs to homes.

"The NVCA Board of Directors agree that there is a housing and affordability issue in the Nottawasaga Watershed and across the province and we're fully supportive of the Province to build 1.5 million homes," said Mariane McLeod, Chair of the NVCA Board of Directors. "In building these homes, we continue to look towards our local conservation authority to keep our resident's lives and properties protected from natural hazards such as flooding and erosion. One way to do that is to allow wetlands to do their job - flood control, water filtering, groundwater recharge and discharge and provide wildlife habitat."

Wetlands are natural areas that absorb and slow floodwaters when there is a lot of rain or snowmelt, which helps to alleviate property damage and can even save lives. In the face of climate change, these wetlands are ever more important as we experience more extreme storm events.

Under the current wetland evaluation system, the Nottawasaga Watershed is home to the internationally significant Minesing Wetlands, 33 provincially significant wetlands (PSW), 34 important but non-provincially significant wetlands and several of the unevaluated wetlands that would likely become provincially significant if they were evaluated. If the new legislation is passed, the evaluation score of the Minesing Wetlands will be greatly diminished, and many wetlands, including the Mad River portion of the complex will not meet PSW status.

"The proposed changes are signaling that municipalities will be responsible for protecting people and property from natural hazards and the evaluation of wetlands," continued McLeod. "Conservation Authorities work on a watershed basis. If municipalities are directed

to take on this task, we would need to consider how development in one municipality impacts the ones adjacent or downstream of them. We just don't have the staff or expertise in water resources engineering, environmental planning and regulatory compliance for the *Conservation Authorities Act* to do that. We need to keep all hazard-related responsibilities with NVCA."

Additional proposed changes include freezing or eliminating user-pay fees for developers and looking at conservation authority lands as potential areas for housing development.

The NVCA Board Executives are looking forward to the reestablishment of the multi-stakeholder Conservation Authorities Working Group, formed to help guide the Province in its implementation of the last round of changes to the *Conservation Authorities Act*.

- 30 -

About NVCA: The Nottawasaga Valley Conservation Authority is a public agency dedicated to the preservation of a healthy environment through specialized programs to protect, conserve and enhance our water, wetlands, forests and lands.

Media contact: Maria Leung, Communications Coordinator 705-424-1479 ext.254, mleung@nvca.on.ca

Denise Holmes

From: AMO Communications <Communicate@amo.on.ca>
Sent: Wednesday, November 2, 2022 2:27 PM
To: Denise Holmes
Subject: AMO Policy Update - Unpacking Bill 23 – More Homes Built Faster Act, 2022

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POLICY UPDATE

November 2, 2022

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

Earlier this week Bill 23 – *More Homes Built Faster Act, 2022* passed Second Reading and was referred to the Standing Committee on Heritage, Infrastructure and Cultural Policy. AMO has requested to present at Committee and will submit written comments by the November 17 deadline.

Bill 23 is proceeding quickly through the legislature, which means it is likely to pass before many municipal Councils have been sworn in, and before the AMO Board can prepare a response. Given these tight timelines, AMO's responses to the legislation and regulatory and environmental registry postings associated with it will be informed by our AMO Housing Blueprint and other recent work.

Bill 23 and the province's new More Homes Built Faster Plan, as proposed, will have economic, social, and environmental implications that cannot be ignored. That is why AMO is releasing a preliminary analysis as it continues to work through the complex policy changes. It focuses on the following Schedules:

- Schedule 2 – *Conservation Authorities Act*
- Schedule 3 – *Development Charges Act, 1997*
- Schedule 4 – *Municipal Act, 2001*
- Schedule 6 – *Ontario Heritage Act*
- Schedule 7 – *Ontario Land Tribunal Act, 2021*
- Schedule 9 – *Planning Act*.

Examples below are intended to illustrate AMO's early thoughts on how to approach an overarching response to Bill 23 and its related consultations. It is not intended to be exhaustive or inclusive of all proposed provisions.

Bill 23 proposes numerous changes to the *Development Charges Act* and *Planning Act* that, if passed, will significantly impact how municipal governments recover the costs associated with growth.

For example, Bill 23 proposes to exempt developers who build affordable, inclusionary zoning and select attainable housing units from paying development charges, parkland dedication fees, and community benefit charges. The bill also includes several additional changes, including reductions in costs associated with rental residential construction and changes to the method for determining development charges, amongst others.

The cumulative impact of proposed changes to municipal fees and charges is significant and contrary to the widely accepted concept that growth should pay for growth.

While AMO would like to support the province's housing objectives, it cannot support changes that largely place the burden of carrying the costs associated with development onto municipalities. AMO believes that the proposed changes may contradict the goal of building more housing in the long-term as it merely shifts the financial burden of growth-related infrastructure onto existing taxpayers.

Yesterday the AMO President sent a letter to the Honourable Peter Bethlenfalvy, Minister of Finance, urging the province to address the funding shortfall associated with changes proposed under Bill 23. The province is expected to release its Fall Economic Statement on November 14.

While some of the proposed amendments to the *Planning Act*, *Heritage Act*, *Ontario Land Tribunal Act*, and the *Conservation Authorities Act* have merit, it is unclear how these changes will improve a community's livability (i.e., connected to core infrastructure in an integrated and coordinated way).

AMO understands the desire to reduce barriers to planning and development approvals so that housing can be built faster. That is why many municipalities have made investments to streamline and digitize their processes and are working to improve processes in response to Bill 109.

The proposed changes to increase transparency around the heritage designations and the process at the Ontario Land Tribunal (OLT) will require implementation by already under-resourced municipal staff. The OLT also needs to be properly resourced to eliminate the existing backlog. AMO will be looking for more clarity around what constitutes an "undue delay," and the policy intent behind having a municipality use property tax dollars to pay the successful party's cost if its case is unsuccessful at the OLT.

A broader issue, however, is understanding what the implications are of the reduced role in land use planning proposed for some upper-tier municipalities and conservation

authorities. The proposal that an upper-tier municipality could provide advice and assistance to lower-tier municipalities if there is mutual agreement is appreciated, however, the proposals (particularly in Schedule 9) could have the unintended consequence of having local planning disconnected from the servicing requirements that many upper-tier municipalities are responsible for managing and funding.

Many of the proposed amendments to the *Conservation Authorities Act* and the *Planning Act* in Bill 23 are concerning, as they signal a move away from environmental protection at a time when climate change impacts are being felt more at the local level.

Bill 23 proposes sweeping changes to the regulatory responsibilities of Ontario's 36 conservation authorities that, if passed, will undermine the collaborative and productive changes put forward by the Ministry led Conservation Authority Working Group over the past two years.

The proposals under Schedule 2 have raised confusion around how these changes will impact the *Conservation Authorities Act* regulations that recently came into effect. AMO is seeking further clarification to understand how these amendments will impact municipal budgets and environmental outcomes. At first glance, they seem to result in negative consequences (i.e., increased flooding, liability), at a time when the impacts of climate change are increasingly prevalent.

Another emerging area of concern is the proposal to allow pits and quarries to request official plan amendments within two years of a new official plan or secondary plan coming into effect. Finally, there are numerous environmental implications associated with the use of more land and the proposed reduction in revenues to build parkland.

Next Steps

AMO continues to work with provincial ministries to understand the proposed changes under Bill 23. In the meantime, AMO is meeting with stakeholders and our Task Forces to inform our Standing Committee submission and our responses to the relevant consultation postings. A list of regulatory and environmental registry postings has been created to show what should be prioritized.

We recognize that this is a challenging time for AMO members to provide feedback due to the recent municipal elections. If your municipality is providing comments and would like to share them with AMO, please contact policy@amo.on.ca. We will continue to provide further updates to members as the Bill and consultations progress.

*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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 higher logic

Denise Holmes

From: karrenwallace karrenwallace [REDACTED]
Sent: Wednesday, October 26, 2022 9:28 AM
To: Denise Holmes
Subject: Re: AMO: More Homes Built Faster Act and impact on Development Charges

As a follow up to this email and in the interests of providing more information on the Development Charges implications, they can be found at this link: <https://ero.ontario.ca/notice/019-6172#proposal-details>

----- Original Message -----

From: [REDACTED]
To: dholmes@melancthontownship.ca
Sent: Wednesday, October 26, 2022 8:38 AM
Subject: AMO: More Homes Built Faster Act and impact on Development Charges

Mayor and Council:

As a ratepayer I am very concerned about this possibility of development being shifted from developers to current property taxpayers.

Karren Wallace

ASSOCIATION OF MUNICIPALITIES OF ONTARIO Ontario's New Housing Supply Action Plan: Some Troubling Features

October 26, 2022

The Government of Ontario introduced the next phase of its Housing Supply Action Plan: the proposed *More Homes Built Faster Act, 2022*. The Plan includes a broad array of legislative and regulatory changes related to land use planning, property taxes, building code, heritage, conservation, and the infrastructure financing framework that supports growth.

"Municipalities will welcome some of the proposed changes, and will be very concerned about others, such as changes to the Development Charges Act," said AMO President Colin Best. "We will work with the government on the ideas that have the potential to make housing more affordable, and we will oppose changes that undermine good economic and environmental policy."

Proposed changes include discounting and, in some cases, eliminating development charges and related developer obligations. When communities grow, infrastructure and public services must be scaled up to meet new demands. The new legislation would shift some of those costs from developers to current property taxpayers.

The Ontario government has signaled it may offset some of the financial impacts for municipalities. However, shifting growth costs from developers to taxpayers represents a fundamental change from the principle that growth should pay for growth, and that

current homeowners and renters should not be required to subsidize new development. There are no mechanisms to ensure that developers will pass on cost savings to consumers in need of more affordable housing options.

For years, municipalities have been sounding the alarm about housing affordability and homelessness. Municipal governments deliver many of the front-line services that respond to these complicated and difficult challenges. Municipalities are committed to doing what they can to make housing more affordable, and to support economic growth.

Ontario had 100,000 housing starts in 2021, the highest in 30 years. However, some municipalities have seen a sharp decline in permit applications in 2022, due to factors such as higher interest rates and labour shortages.

Denise Holmes

From: karrenwallace karrenwallace [REDACTED]
Sent: Wednesday, October 26, 2022 8:39 AM
To: Denise Holmes
Subject: AMO: More Homes Built Faster Act and impact on Development Charges

Mayor and Council:

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Karren Wallace

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Proposed Planning Act and Development Charges Act, 1997 Changes: Providing Greater Cost Certainty for Municipal Development-related Charges

ERO (Environmental Registry of Ontario) number	019-6172
Notice type	Act
Act	Planning Act, R.S.O. 1990
Posted by	Ministry of Municipal Affairs and Housing
Notice stage	Proposal
Proposal posted	October 25, 2022
Comment period	October 25, 2022 - November 24, 2022 (30 days) Open
Last updated	October 25, 2022

This consultation closes at 11:59 p.m. on:

November 24, 2022

Proposal summary

To reduce the cost of building homes, the government is proposing changes to the *Planning Act* and the *Development Charges Act, 1997* through Bill 23, *More Homes Built Faster Act, 2022* introduced in support of Ontario's *More Homes Built Faster: Ontario's Housing Supply Action Plan: 2022-2023*.

Proposal details

Everyone in Ontario should be able to find a home that is right for them. But too many people are struggling with the rising cost of living and with finding housing that meets their family's needs.

Ontario's housing supply crisis is a problem which has been decades in the making. It will take both short-term strategies and long-term commitment from all levels of government, the private sector, and not-for-profits to drive change. Each entity will have to do their part to be part of the solution to this crisis.

Ontario needs more housing, and we need it now. That's why the Ontario government is taking bold and transformative action to get 1.5 million homes built over the next 10 years.

To support *More Homes Built Faster: Ontario's Housing Supply Action Plan: 2022-2023*, the government introduced the *More Homes Built Faster Act, 2022*, which, if passed, would ensure that cities, towns, and rural communities grow with a mix of ownership and rental housing types that meet the needs of all Ontarians.

These changes are providing a solid foundation to address Ontario's housing supply crisis over the long term and will be supplemented by continued action in the future.

We welcome your thoughts on the following municipal development-related charge amendments to the *Development Charges Act* and *Planning Act, 1997* proposed under Bill 23, *More Homes Built Faster Act, 2022*.

Provide greater cost certainty of parkland costs to enable housing developments to proceed more quickly

To help reduce the cost of developing housing and to create cost savings for new home buyers and renters, the maximum alternative parkland dedication rate, which is the maximum amount of parkland that can be required for higher density developments would be updated to:

- For the purposes of land conveyed, from the current rate of one hectare for each 300 dwelling units to one hectare for each 600 dwelling units; and
- For the purposes of cash payment in lieu of land, from the current rate of one hectare for each 500 dwelling units to one hectare for each 1000 dwelling units.

To provide further cost certainty, no more than 15 per cent of the amount of developable land (or equivalent value) could be required for parks or other recreational purposes for sites greater than 5 hectares and no more than 10 per cent for sites 5 hectares or less.

These proposed changes to parkland dedication would be in effect immediately upon Royal Assent of Bill 23 and would apply to developments, (other than a development that has received a land division approval under the Planning Act), for which a building permit has not yet been issued.

To incent developments to proceed more quickly, the parkland dedication rates would be set at the time council receives a site plan application for a development; or if a site plan is not submitted, at the time council receives an application for a zoning amendment (the status quo would apply for developments requiring neither of these applications).

- To encourage development to move to the building permit stage so that housing can get to market faster and provide greater certainty of costs, the legislation provides that parkland dedication rates will be frozen for two years from the date the relevant application is approved.

To ensure that parkland dedication requirements are only applied to new units/developments, as originally intended, legislative amendments would ensure existing residential units/developments are fully credited for parkland dedication requirements.

Support more efficient use of land and provide for more parks quickly

To make more efficient use of available land in a development and to provide for parks more quickly for a community, developers would be able to identify land, including encumbered land (e.g., land with underground transit tunnels or other infrastructure) and privately owned public spaces that would count towards any municipal parkland dedication requirements if defined criteria, as set out in a future regulation, were met.

- With regard to privately owned public spaces, a municipality would have the ability to enter into agreements with the owners of the land, which may be registered on title, to enforce parkland requirements.
- In cases, where disputes arise about the suitability of land for parks and recreational purposes, the matter could be appealed to the Ontario Land Tribunal (OLT).

Build transparency and other measures to support the faster acquisition of more parks

To build more transparency and accountability on planning for and acquiring parks, municipalities would be required to develop a parks plan before passing a parkland dedication by-law.

- Currently, this is a requirement before a municipality can adopt the official plan policies required to use the alternative parkland dedication rate for higher density developments.
- Now, this requirement is extended to municipalities that plan to use the standard parkland dedication rate. This rate requires that the maximum land to be conveyed for park or other public recreational purposes not exceed 2 per cent for development or redevelopment for commercial or industrial purposes and 5 per cent for all other developments.
- This proposed change would apply to the passage of a new parkland by-law.

To incent municipalities to acquire parks more quickly, municipalities would be required to allocate or spend at least 60 per cent of their parkland reserve balance at the start of each year.

Set maximum interest rate for DC freeze and deferral (prime + 1 per cent)

To provide for more consistent municipal interest rate charges that apply during the period that development charges are frozen and/or deferred, a maximum interest rate of Canadian Banks prime rate plus 1.0% per annum would be set for these periods as of June 1, 2022.

The municipal interest rate charge would apply to the freeze and deferral period from the date the applicable application is received to the date the development charge is payable.

Reduce development costs to enable more housing to be built faster

To reduce development costs immediately and slow future increases, municipalities would be required to:

- Phase-in development charge rates set out in new DC by-laws over a 5-year period. The DC rates set out in new DC by-laws would be subject to a percentage reduction that gradually decreases each year, over a five-year period (i.e., 20 per cent in year 1, 15 per cent in year 2, 10 per cent in year 3 and 5 per cent in year 4). With this proposal, the maximum development charge rate would be applied in year five of the DC by-law. This proposed change would apply to any DC by-law passed as of June 1, 2022.
- Update a development charge by-law at least once every 10 years compared to the current requirement to update every 5 years.
- Use a historical service level of 15 years compared to the current 10 years to calculate capital costs that are eligible to be recovered through development charges. This would not apply to transit. This proposed change would apply to the passage of any new DC by-law.
- Remove housing services from the list of eligible services. DCs could no longer be collected for housing services, effective immediately, upon Royal Assent of Bill 23.
- Limit eligible capital costs to ensure greater cost certainty:
 - Studies would no longer be an eligible capital cost that could be recovered through development charges.
 - A regulation-making authority would be provided to prescribe specific services for which the cost of land would not be an eligible capital cost that could be recovered through development charges.
 - These proposed changes to eligible capital costs would be apply on a go-forward basis to the passage of new DC by-laws.

Increase transparency and accountability in the use of development charges funds

To incent municipalities to plan and build priority infrastructure to service growth more quickly, municipalities would be required to allocate or spend at least 60 per cent of their development charges reserve balance for water, wastewater and roads at the start of each year. Regulation-making authority would be provided to prescribe additional priority services, for which this would apply, in the future.

Encourage the supply of rental housing

To incent the supply of rental housing units, particularly family-friendly rental housing, a tiered discount would be provided on development charges levied on purpose-built rental units. The discount would be deeper depending on the unit type (i.e., 15 per cent for a 1-bedroom unit (or smaller), 20 per cent for a 2-bedroom unit; 25 per cent for a 3+ bedroom unit). This proposed change would be in effect immediately upon Royal Assent of Bill 23.

The definition of purpose-built rental would be based on the definition that is currently used in a regulation under the Development Charges Act, 1997: "a building or structure with four or more dwelling units all of which are intended for use as rented residential premises".

Encourage the supply of affordable housing

To incent the supply of more affordable housing, affordable ownership and rental housing units, affordable housing units in a development subject to inclusionary zoning, as well as non-profit housing developments would be exempt from development charges, community benefits charges and parkland dedication requirements.

The proposed exemptions for non-profit housing developments would come into effect immediately upon Royal Assent of Bill 23. Similarly, the proposed exemptions for affordable units in a development subject to inclusionary zoning would come into effect immediately.

For all other developments, an affordable housing unit would be any unit that is no greater than 80 per cent of the average resale purchase price for ownership or 80 per cent of the average market rent for rental, for a period of 25 years.

A Minister's (Municipal Affairs and Housing) bulletin would provide the information needed to support municipal determination of the eligibility of a unit for development charges and parkland dedication exemptions.

To benefit from a development-related charge exemption, a developer must enter into an agreement with a municipality, which may be registered on title, to enforce the affordability period of 25 years and any other applicable terms set out by the municipality, such as the eligibility of buyers and renters. The Minister of Municipal Affairs and Housing would have the authority to impose the use of a standard agreement to ensure the effective implementation of these exemptions.

Affordable housing units would also be exempt from parkland dedication requirements. With regard to the standard parkland rate, the exemption would be implemented by discounting the maximum parkland rate of 5% of land or its value based on the number of affordable housing units to be built as a proportion of total units in a particular development. With regard to the alternative parkland dedication rates, the maximum parkland requirements would only be calculated based on the market units in a particular development.

Similarly, affordable housing units would be exempt from community benefits charges. The exemption would be implemented by discounting the maximum CBC of 4% of land value by the floor area of affordable housing units as a proportion of total building floor area.

Gentle Density

To encourage the supply to gentle intensification, a new parkland dedication exemption and refined DC exemptions are proposed to align with proposals under the Planning Act to implement an enhanced "additional residential unit" framework. A second unit in a primary residential building and up to one unit in an ancillary building would be exempt from DCs and parkland dedication requirements. Similarly, a third residential unit in a primary residential building would be exempt from DCs and parkland dedication requirements as long there are no residential units in an ancillary building.

Encourage the supply of attainable housing

To incent the supply of attainable housing units, a residential unit, in a development designated through regulation, would be exempt from development charges, parkland dedication requirements and community benefit charges.

The Lieutenant Governor in Council would be provided with regulation-making authority to prescribe any applicable additional criteria that a residential unit would need to meet to be exempt from municipal development-related charges.

The parkland dedication and community benefits charge exemptions would be calculated based on the same approach proposed for affordable housing exemptions.

Analysis of Regulatory Impact:

- The proposed changes are designed to incent increased housing supply and affordability by providing greater cost certainty with respect to municipal development related charges – i.e., development charges (DCs), community benefit charges (CBCs) and parkland dedication requirements. The changes would reduce these charges and slow their growth over time, helping to provide cost savings for home builders, home buyers and renters. The proposals would incent the development of family-friendly rental housing by reducing charges to build these units and no charges could be levied on non-profit housing developments and affordable housing units meeting defined criteria (for charges not levied on a per-unit basis, the maximum charge would be lowered to reflect the affordable housing units). The proposals would have an impact on municipal revenues with associated administrative costs for compliance.

Supporting materials

Related ERO (Environmental Registry of Ontario) notices

[Consultations on More Homes Built Faster: Ontario's Housing Supply Action Plan 2022-2023 \(/notice/019-6162\)](#)

View materials in person

Some supporting materials may not be available online. If this is the case, you can request to view the materials in person.

Get in touch with the office listed below to find out if materials are available.

Comment

Let us know what you think of our proposal.

Have questions? Get in touch with the contact person below. Please include the ERO (Environmental Registry of Ontario) number for this notice in your email or letter to the contact.

[Read our commenting and privacy policies. \(/page/commenting-privacy\)](#)

Submit by mail

MFPB@ontario.ca

Connect with us

Contact

MFPB@ontario.ca

Denise Holmes

From: Watson & Associates Economists Ltd. <info@watsonecon.ca>
Sent: Thursday, October 27, 2022 7:33 AM
To: Watson & Associates Economists Ltd.
Subject: Bill 23, More Homes Built Faster Act, 2022
Attachments: Bill 23 1st Reading_e.pdf

Good morning,

On October 25, 2022, the Province of Ontario introduced *Bill 23, More Homes Built Faster Act, 2022* (attached) in support of the More Homes Built Faster: Ontario's Housing Supply Action Plan: 2022-2023. The Bill proposes to amend a number of Acts, including the *Development Charges Act, Planning Act, Conservation Authorities Act*, as well as others. If passed, the legislative amendments will have significant impacts on the way municipalities plan, process and fund development.

We are preparing a summary of the proposed changes, which will be provided to you in the coming days. Subsequently, we will be providing our clients with our evaluation and perspectives on the legislative changes. These will also form the basis of our submission to the Province on the matter.

Upon receiving this, if you have any questions regarding Bill 23, we would be pleased to discuss them with you further at your convenience.

Best regards,

Andrew Grunda, MBA, CPA, CMA
Principal



Watson & Associates
Economists Ltd.

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Office: 905-272-3600 ext. 229
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Regards,

Bruna Fischer, BBA (Hons) (she/her)
Business Manager/Comptroller



**Watson & Associates
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Legislative
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législative
de l'Ontario

1ST SESSION, 43RD LEGISLATURE, ONTARIO
1 CHARLES III, 2022

Bill 23

**An Act to amend various statutes, to revoke various regulations and to
enact the Supporting Growth and Housing in York and Durham Regions Act, 2022**

The Hon. S. Clark
Minister of Municipal Affairs and Housing

Government Bill

1st Reading October 25, 2022
2nd Reading
3rd Reading
Royal Assent



EXPLANATORY NOTE

SCHEDULE 1 CITY OF TORONTO ACT, 2006

The Schedule amends section 111 of the *City of Toronto Act, 2006* to give the Minister the authority to make regulations imposing limits and conditions on the powers of the City to prohibit and regulate the demolition and conversion of residential rental properties under that section.

The Schedule also makes various amendments to section 114 of the *City of Toronto Act, 2006*. New subsections (1.2) and (1.3) are added to qualify the definition of "development" in subsection 114 (1). Amendments to subsection (6) and new subsection (6.1) provide that exterior design is no longer a matter that is subject to site plan control. Related amendments are also included.

SCHEDULE 2 CONSERVATION AUTHORITIES ACT

The Schedule repeals and re-enacts subsections 21 (2) and (3) of the *Conservation Authorities Act* so that a disposition of land in respect of which the Minister has made a grant under section 39 requires authorities to provide a notice of the proposed disposition to the Minister instead of requiring the Minister's approval. Authorities will also be required to conduct public consultations before disposing of lands that meet certain criteria. Sections 21.1.1 and 21.1.2 of the Act are also amended to provide that authorities may not provide a program or service related to reviewing and commenting on certain matters under prescribed Acts. A new section 21.3 is added to the Act authorizing the Minister to direct an authority not to change the fees it charges for a specified period of time.

The Act is amended to provide that certain prohibitions on activities in the area of jurisdiction of an authority do not apply if the activities are part of development authorized under the *Planning Act* and if other specified conditions are satisfied.

Sections 28.0.1 and 28.1.2 of the Act, which include provisions to require a conservation authority to issue a permission or permit where an order has been made under section 47 of the *Planning Act*, are amended to also apply to orders made under section 34.1 of the *Planning Act*.

Currently, several factors must be considered when making decisions relating to a permission to carry out a development project or a permit to engage in otherwise prohibited activities. The factors include the possible effects on the control of pollution and the conservation of land. The Act is amended to instead require consideration of the effects on the control of unstable soil or bedrock.

Regulation making powers are amended to provide that the Minister may make regulations limiting the types of conditions that may be attached to a permission or permit.

A new prohibition is added to prohibit a person from continuing to carry out a development project if they have not entered into an agreement by the timeline prescribed in the regulations.

Various other related and consequential amendments and corrections are made, and several regulations made under the Act are revoked.

SCHEDULE 3 DEVELOPMENT CHARGES ACT, 1997

The Schedule makes various amendments to the *Development Charges Act, 1997*. Here are some highlights:

1. Subsection 2 (4) is amended to remove housing services as a service in respect of which a development charge may be imposed.
2. New sections 4.1, 4.2 and 4.3 provide, respectively, for exemptions from development charges for the creation of affordable residential units and attainable residential units, for non-profit housing developments and for inclusionary zoning residential units.
3. Changes are made to the method for determining development charges in section 5, including to remove the costs of certain studies from the list of capital costs that are considered in determining a development charge that may be imposed and to require development charges to be reduced from what could otherwise be imposed during the first four years a by-law is in force.
4. Currently, subsection 9 (1) provides that, unless it expires or is repealed earlier, a development charge by-law expires five years after it comes into force. The subsection is amended to extend this period to 10 years.
5. Section 26.2 is amended to provide that development charges in the case of rental housing development are reduced by a percentage based on the number of bedrooms.
6. A new section 26.3 is added to provide a maximum interest rate for the purposes of sections 26.1 and 26.2. Complementary amendments are made to sections 26.1 and 26.2.

7. New subsections 35 (2) and (3) are added, which, for certain services, require a municipality to spend or allocate 60 per cent of the monies in the reserve funds required by section 33 annually.

**SCHEDULE 4
MUNICIPAL ACT, 2001**

The Schedule amends section 99.1 of the *Municipal Act, 2001* to give the Minister the authority to make regulations imposing limits and conditions on the powers of a local municipality to prohibit and regulate the demolition and conversion of residential rental properties under that section.

**SCHEDULE 5
NEW HOME CONSTRUCTION LICENSING ACT, 2017**

The Schedule makes various amendments to the *New Home Construction Licensing Act, 2017*, including the following:

1. Sections 10 and 11, which relate to competency criteria and composition of the regulatory authority's board, are amended to provide for the Minister's powers to be exercised by order instead of by regulation.
2. Section 71 is amended to provide for higher maximum fines for subsequent convictions for offences.
3. Section 76 is replaced with a new section 76, with some changes. The purposes for which an administrative penalty may be imposed are extended to include compliance with the Acts, regulations and by-laws referred to in subsection 76 (1) and the conditions of a licence as well to prevent economic benefit from contraventions. The maximum amount of an administrative penalty is increased to \$50,000. New subsections 76 (15) and (16) allow administrative penalties to be imposed for contraventions that occurred between April 14, 2022 and the day section 76 comes into force.
4. Clause 84 (1) (i), which authorizes regulations specifying the purposes for which the regulatory authority may use funds that it collects as administrative penalties, is replaced with a new clause 84 (1) (i) that extends the authority to funds that the regulatory authority collects as fines.
5. New clause 84 (1) (i.1) authorizes regulations requiring the regulatory authority to establish, maintain and comply with a policy governing payments to adversely affected persons from funds the authority collects as fines and administrative penalties. New subsection 84 (7) allows such a regulation to provide for any aspect of the policy to be subject to the approval of the Minister.

**SCHEDULE 6
ONTARIO HERITAGE ACT**

The Schedule amends the *Ontario Heritage Act*. Here are some highlights.

Section 25.2 of the Act currently permits the Minister to prepare heritage standards and guidelines for the identification, protection, maintenance, use and disposal of property that is owned by the Crown or occupied by a ministry or prescribed public body and that has cultural heritage value or interest. New subsection 25.2 (3.1) provides that the process for identifying such properties, as set out in the heritage standards and guidelines, may permit the Minister to review determinations made by a ministry or prescribed public body. New subsection 25.2 (7) authorizes the Lieutenant Governor in Council to, by order, exempt the Crown, a ministry or a prescribed public body from having to comply with the heritage standards and guidelines in respect of a particular property, if the Lieutenant Governor in Council is of the opinion that such exemption could potentially advance one or more provincial priorities, as specified.

Section 27 of the Act currently requires the clerk of each municipality to keep a register that lists all property designated under Part IV of the Act and also all property that has not been designated, but that the municipal council believes to be of cultural heritage value or interest. New subsection 27 (1.1) requires the clerk of the municipality to ensure that the information included in the register is accessible to the public on the municipality's website. Subsection 27 (3) is re-enacted to require that non-designated property must meet the criteria for determining whether property is of cultural heritage value or interest, if such criteria are prescribed. Current subsection 27 (13) is re-enacted to provide that, in addition to applying to properties included in the register on and after July 1, 2021, the objection process set out in subsections 27 (7) and (8) apply to non-designated properties that were included in the register as of June 30, 2021. New subsections 27 (14), (15) and (16) specify circumstances that require the removal of non-designated property from the register. New subsection 27 (18) prevents a council from including such non-designated property in the register again for five years.

Currently, subsection 29 (1.2) of the Act provides that, if a prescribed event occurs, a notice of intention to designate a property under that section may not be given after 90 days have elapsed from the prescribed event, subject to such exceptions as may be prescribed. The subsection is re-enacted to also provide that the municipality may give a notice of intention to designate the property only if the property was included in the register under subsection 27 (3) as of the date of the prescribed event.

Subsection 41 (1) of the Act currently permits a council of a municipality to designate, by by-law, the municipality or any defined area of it as a heritage conservation district, if there is in effect in the municipality an official plan that contains provisions relating to the establishment of a heritage conservation district. The subsection is re-enacted to also require the municipality or defined area or areas to meet criteria for determining whether they are of cultural heritage value or interest, if such criteria are prescribed. New subsections 41 (10.2) and (10.3) require a council of a municipality wishing to amend or

repeal a by-law made under the section to do so in accordance with such process as may be prescribed; similar rules are added to section 41.1.

Section 71 of the Act authorizes the Lieutenant Governor in Council to make regulations governing transitional matters to facilitate the implementation of the amendments made in the Schedule.

Other housekeeping amendments are made to the Act.

SCHEDULE 7 ONTARIO LAND TRIBUNAL ACT, 2021

The Schedule amends the *Ontario Land Tribunal Act, 2021*.

Subsection 19 (1) is amended to expand the Tribunal's powers to dismiss a proceeding without a hearing, on the basis that the party who brought the proceeding has contributed to undue delay. Section 19 of the Act is also amended to give the Tribunal the power to dismiss a proceeding entirely, if the Tribunal is of the opinion that a party has failed to comply with a Tribunal order. Section 20 is amended to give the Tribunal the power to order an unsuccessful party to pay a successful party's costs.

The regulation-making authority in section 29 is also amended. The Lieutenant Governor in Council is given authority to make regulations requiring the Tribunal to prioritize the resolution of specified classes of proceedings. The Minister is given authority to make regulations prescribing timelines that would apply to specified steps taken by the Tribunal in specified classes of proceedings. The implications of a failure of the Tribunal to comply with the timelines prescribed by the Minister are addressed, and the Minister is given authority to require the Tribunal to report on its compliance with the timelines.

A consequential amendment is made to subsection 13 (4).

SCHEDULE 8 ONTARIO UNDERGROUND INFRASTRUCTURE NOTIFICATION SYSTEM ACT, 2012

The Schedule amends the *Ontario Underground Infrastructure Notification System Act, 2012*. Here are some highlights:

1. New subsection 2 (4.4) authorizes the Minister to appoint a chair of the board of directors.
2. New section 2.3 authorizes the Minister to appoint an administrator of the Corporation. This section sets out details of this appointment such as the term, powers and duties of the administrator and various rules with respect to liability. New section 2.5 sets out the conditions to be satisfied in order for the Minister to exercise this authority.
3. New section 2.4 sets out that the members of the board of directors of the Corporation cease to hold office during an administrator's tenure, unless otherwise specified. This section sets out the status of the board during an administrator's tenure.
4. New section 2.6 sets out that the Act, the regulations and Minister's orders prevail in the event of a conflict with the memorandum of understanding or the Corporation's by-laws and resolutions.

SCHEDULE 9 PLANNING ACT

The Schedule makes various amendments to the *Planning Act*. Here are some highlights:

1. The concept of parcels of urban residential land is added as well as rules respecting development on such parcels.
2. New subsections 16 (20) and (21) are added to require zoning by-laws to be amended to conform with certain official plan policies within one year of the policies coming into effect.
3. Currently, under subsection 17 (24), a person or public body has a right to appeal the adoption of an official plan if the person or public body has, before the municipality adopted the plan, made oral submissions at a public meeting or written submissions to the municipality. Amendments to subsection 17 (24) add the requirement that the person also be a "specified person" listed in a new definition in subsection 1 (1). New subsections 17 (24.0.1) to (24.0.4) are added to provide for transitional rules associated with this change, including its retroactive application. Similar amendments are made to appeal rights under subsections 17 (36), 34 (19), 45 (12) and 53 (19) and (27).
4. Currently, subsections 22 (2.1) and (2.1.1) prohibit requests for official plan amendments to be made within two years of a new official plan or secondary plan coming into effect. A new subsection 22 (2.3) is added to provide an exception to this prohibition for requests related to pits and quarries. A similar change is made in relation to the prohibition on applications to amend zoning by-laws in subsection 34 (10.0.0.1).
5. Currently, section 23 of the Act enables the Minister to amend official plans by order where the plan is likely to adversely affect a matter of provincial interest. This section is re-enacted to, in particular, eliminate certain procedural steps to which the Minister's power to make orders is subject, as well as to remove the possibility of the Minister requesting that the Tribunal hold a hearing on a proposed amendment.

6. A new subsection 34 (19.9) is added to create an exception to subsection 34 (19.5), which prevents certain appeals of zoning by-laws related to protected major transit station areas if more than a year has passed since related official plan policies or amendments thereto came into effect.
7. Currently, subsection 37 (32) of the Act provides that the amount of a community benefits charge payable in any particular case shall not exceed the prescribed percentage of the value of the land as of the valuation date. The subsection is amended to require the amount to be multiplied by a ratio based on floor area.
8. Various amendments are made to section 41 of the Act with respect to site plan control areas. New subsections (1.2) and (1.3) are added to qualify the definition of “development” in section 41. Amendments to subsections (4) and (4.1) provide that exterior design is no longer a matter that is subject to site plan control. Similar changes are made to section 47.
9. Various amendments are made to section 42 of the Act with respect to parkland requirements, including the following:
 - i. Currently subsection 42 (1) provides that a council may require the dedication of land for park or other public recreational purposes as a condition of development or redevelopment and sets out maximum amounts based on the type of development or redevelopment. A new subsection 42 (1.1) is added to establish a maximum amount for development or redevelopment that will include affordable residential units, attainable residential units or residential units required to be affordable pursuant to an inclusionary zoning by-law. Similar changes are made to section 51.1.
 - ii. New subsections 42 (2.1) to (2.4) are added, which set out rules with respect to the timing of the determination of the amount of land for park or other public recreational purposes or payment in lieu that is required to be provided under a by-law under the section. Similar changes are made to section 51.1.
 - iii. Amendments are made in relation to the alternative requirement for parkland conveyances and payments in lieu, including to change the maximum rates and provide a maximum amount of land or value thereof that may be required to be provided. Similar changes are made to section 51.1.
 - iv. New subsections 42 (4.30) to (4.39) are added, which set out a framework for owners of land to identify land to be conveyed to satisfy requirements of a by-law passed under the section. The framework permits owners to appeal to the Tribunal if the municipality refuses to accept the conveyance of the identified land.
 - v. A new subsection 42 (16.1) is added, which requires a municipality to spend or allocate 60 per cent of the monies in the special account required by subsection 42 (15) annually.
10. Amendments to the exceptions to subdivision control and part-lot control under subsections 50 (3) and (5) of the Act are made in connection with land lease community homes. The exception doesn't apply in respect of land if any part of the land is in the Greenbelt Area. A complementary amendment is made to the definition of “parcel of land” in subsection 46 (1).
11. Section 51 is amended by repealing certain provisions respecting public meetings.
12. Section 70.12 is added to give the Minister the power to make regulations governing transitional matters.
13. The Act is amended to provide for two different classes of upper-tier municipalities, those which have planning responsibilities and those which do not. Various amendments are made to provide lower-tier municipalities with planning functions where, for municipal purposes, they form part of an upper-tier municipality without planning responsibilities. A new section 70.13 addresses various transitional matters which may arise where there is a change in the municipality that has planning responsibilities.

SCHEDULE 10
SUPPORTING GROWTH AND HOUSING IN YORK AND DURHAM REGIONS ACT, 2022

The *Supporting Growth and Housing in York and Durham Regions Act, 2022* is enacted. Its purpose is to expedite the planning, development and construction of the proposed York Region sewage works project to expedite the improvement, enlargement and extension of the York Durham Sewage System to convey sewage to the Duffin Creek Water Pollution Control Plant. The Act also expedites the development, construction and operation of the Lake Simcoe phosphorus reduction project for the capture, conveyance and treatment of drainage from the Holland Marsh to remove phosphorus before discharge into the West Holland River.

Certain orders and approvals under the *Environmental Assessment Act* are terminated, and the projects are exempted from the *Environmental Bill of Rights, 1993*.

Land required for the projects may be designated as project land, in which case certain work cannot be performed without a permit.

The Minister may require removal of obstructions to the projects.

Adjustments to the expropriation process under the *Expropriations Act* are set out, as are rules regarding compensation.

A number of the powers given to the Minister may be delegated to the Regional Municipalities of York or Durham, a lower-tier municipality or the Agency. Rules with regard to utility companies affected by the project are established.

Various provisions of an administrative nature are enacted.

**An Act to amend various statutes, to revoke various regulations and to
enact the Supporting Growth and Housing in York and Durham Regions Act, 2022**

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Schedule 10	Supporting Growth and Housing in York and Durham Regions Act, 2022

His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Contents of this Act

1 This Act consists of this section, sections 2 and 3 and the Schedules to this Act.

Commencement

2 (1) Except as otherwise provided in this section, this Act comes into force on the day it receives Royal Assent.

(2) The Schedules to this Act come into force as provided in each Schedule.

(3) If a Schedule to this Act provides that any of its provisions are to come into force on a day to be named by proclamation of the Lieutenant Governor, a proclamation may apply to one or more of those provisions, and proclamations may be issued at different times with respect to any of those provisions.

Short title

3 The short title of this Act is the *More Homes Built Faster Act, 2022*.

**SCHEDULE 1
CITY OF TORONTO ACT, 2006**

1 Section 111 of the *City of Toronto Act, 2006* is amended by adding the following subsection:

Regulations

(7) The Minister of Municipal Affairs and Housing may make regulations imposing limits and conditions on the powers of the City to prohibit and regulate the demolition and conversion of residential rental properties under this section.

2 (1) Section 114 of the Act is amended by adding the following subsections:

Same

(1.2) Subject to subsection (1.3), the definition of “development” in subsection (1) does not include the construction, erection or placing of a building or structure for residential purposes on a parcel of land if that parcel of land will contain no more than 10 residential units.

Land lease community home

(1.3) The definition of “development” in subsection (1) includes the construction, erection or placing of a land lease community home, as defined in subsection 46 (1) of the *Planning Act*, on a parcel of land that will contain any number of residential units.

(2) Subparagraph 2 iv of subsection 114 (5) of the Act is repealed.

(3) Subsection 114 (6) of the Act is amended by adding the following paragraph:

- 1.1 Exterior design, except to the extent that it is a matter relating to exterior access to a building that will contain affordable housing units or to any part of such a building.

(4) Section 114 of the Act is amended by adding the following subsections:

Same

(6.1) The appearance of the elements, facilities and works on the land or any adjoining highway under the City’s jurisdiction is not subject to site plan control, except to the extent that the appearance impacts matters of health, safety, accessibility or the protection of adjoining lands.

Same

(20) In respect of plans and drawings submitted for approval under subsection (5) before the day subsection 2 (2) of Schedule 1 to the *More Homes Built Faster Act, 2022* came into force,

- (a) subparagraph 2 iv of subsection (5) as it read immediately before the day subsection 2 (2) of Schedule 1 to the *More Homes Built Faster Act, 2022* came into force continues to apply;
- (b) paragraph 1.1 of subsection (6) does not apply; and
- (c) subsection (6.1) does not apply.

Commencement

3 This Schedule comes into force on the day the *More Homes Built Faster Act, 2022* receives Royal Assent.

**SCHEDULE 2
CONSERVATION AUTHORITIES ACT**

1 The definition of “Minister” in section 1 of the *Conservation Authorities Act* is repealed and the following substituted:

“Minister” means the Minister of Natural Resources and Forestry or such other member of the Executive Council as may be assigned the administration of this Act under the *Executive Council Act*; (“ministre”)

2 (1) Clause 21 (1) (c) of the Act is amended by striking out “subject to subsection (2)” and substituting “subject to subsections (2) and (4)”.

(2) Subsections 21 (2) and (3) of the Act are repealed and the following substituted:

Notice to Minister

(2) Subject to subsection (6), if the Minister has made a grant to an authority under section 39 in respect of land, the authority shall not sell, lease or otherwise dispose of the land under clause (1) (c) without providing a written notice of the proposed disposition to the Minister at least 90 days before the disposition.

Same

(3) If an authority is required to consult the public and post a notice of proposed disposition under subsection (4), the notice to the Minister required under subsection (2) shall, at a minimum, describe how the comments received during the public consultation, if any, were considered by the authority prior to the disposition.

Public consultation prior to disposition

(4) Subject to subsection (6), an authority shall conduct a public consultation and post a notice of the consultation on its website if the authority proposes, under clause (1) (c), to sell, lease or otherwise dispose of land in respect of which the Minister has made a grant under section 39 and the land includes,

- (a) areas of natural and scientific interest, lands within the Niagara Escarpment Planning Area or wetlands as defined in section 1 of the *Conservation Land Act*;
- (b) the habitat of threatened or endangered species;
- (c) lands in respect of which the authority has entered into an agreement with the Minister in relation to forestry development under section 2 of the *Forestry Act*; or
- (d) land that is impacted by a type of natural hazard listed in subsection 1 (1) of Ontario Regulation 686/21 (Mandatory Programs and Services) made under this Act.

Length of public consultation and content of notice

(5) The public consultation under subsection (4) shall last for a minimum of 45 days and the notice of public consultation to be posted on the authority’s website prior to the proposed disposition shall include,

- (a) a description of the type of land referred to in clauses (4) (a) to (d) that the authority is proposing to dispose of;
- (b) the proposed date of the disposition; and
- (c) the proposed future use of the lands, if known.

Exceptions

(6) With regard to a disposition of land in respect of which the Minister has made a grant to an authority under section 39, the authority is not required to provide a notice to the Minister under subsection (2) or consult the public and post a notice under subsection (4) if,

- (a) the disposition is for provincial or municipal infrastructure and utility purposes;
- (b) the province, the provincial agency, board or commission affected by the disposition or the municipal government, agency, board or commission affected by the disposition has approved it; and
- (c) the authority informs the Minister of the disposition.

Minister’s direction on disposition proceeds

(7) If the Minister receives a notice under subsection (2), the Minister may, within 90 days after receiving the notice, direct the authority to apply a specified share of the proceeds of the disposition to support programs and services provided by the authority under section 21.1.

3 (1) Subsection 21.1.1 (1) of the Act is amended by adding “Subject to subsection (1.1)” at the beginning.

(2) Section 21.1.1 of the Act is amended by adding the following subsection:

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

4 (1) Subsection 21.1.2 (1) of the Act is amended by adding “Subject to subsection (1.1)” at the beginning.

(2) Section 21.1.2 of the Act is amended by adding the following subsection:

(1.1) 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.

5 The Act is amended by adding the following section:

Minister’s direction re fee changes

21.3 (1) The Minister may give a written direction to an authority directing it not to change the amount of any fee it charges under subsection 21.2 (10) in respect of a program or service set out in the list referred to in subsection 21.2 (2), for the period specified in the direction.

Compliance

(2) An authority that receives a direction under subsection (1) shall comply with the direction within the time specified in the direction.

6 (1) Section 24 of the Act is amended by adding the following subsection:

Terms and conditions

(8) The Minister may impose terms and conditions on an approval given under subsection (1).

(2) Section 24 of the Act, as re-enacted by section 23 of Schedule 4 to the *Building Better Communities and Conserving Watersheds Act, 2017*, is amended by adding the following subsection:

Terms and conditions

(2) The Minister may impose terms and conditions on an approval given under subsection (1).

7 (1) Subsection 28 (1) of the Act, as re-enacted by section 25 of Schedule 4 to the *Building Better Communities and Conserving Watersheds Act, 2017*, is amended by striking out “Subject to subsections (2), (3) and (4) and section 28.1” at the beginning.

(2) Section 28 of the Act, as re-enacted by section 25 of Schedule 4 to the *Building Better Communities and Conserving Watersheds Act, 2017*, is amended by adding the following subsections:

Same, *Planning Act*

(4.1) Subject to subsection (4.2), the prohibitions in subsection (1) do not apply to an activity within a municipality prescribed by the regulations if,

- (a) the activity is part of development authorized under the *Planning Act*; and
- (b) such conditions and restrictions as may be prescribed for obtaining the exception and on carrying out the activity are satisfied.

Same

(4.2) If a regulation prescribes activities, areas of municipalities or types of authorizations under the *Planning Act* for the purposes of this subsection, or prescribes any other conditions or restrictions relating to an exception under subsection (4.1), the exception applies only in respect of such activities, areas and authorizations and subject to such conditions and restrictions.

8 (1) Clause 28.0.1 (1) (a) of the Act is repealed and the following substituted:

- (a) an order has been made by the Minister of Municipal Affairs and Housing under section 34.1 or 47 of the *Planning Act* authorizing the development project under that Act;

(2) The definition of “development project” in subsection 28.0.1 (2) of the Act is repealed and the following substituted:

“development project” means development as defined in subsection 28 (25) or any other act or activity that would be prohibited under this Act and the regulations unless permission to carry out the activity is granted by the affected authority.

(3) Clause 28.0.1 (6) (a) of the Act is repealed and the following substituted:

- (a) any effects the development project is likely to have on the control of flooding, erosion, dynamic beaches or unstable soil or bedrock;

(4) Subsection 28.0.1 (9) of the Act is repealed and the following substituted:

Request for Minister’s review

(9) The holder of a permission who objects to any conditions attached to the permission by an authority may, within 15 days of the reasons being given under subsection (8), submit a request to the Minister for the Minister to review the conditions, subject to the regulations.

(5) Subsection 28.0.1 (16) of the Act is amended by striking out “conditions that the authority proposes to attach to a permission” and substituting “conditions attached by the authority to a permission”.

(6) Clause 28.0.1 (17) (a) of the Act is repealed and the following substituted:

- (a) effects the development project is likely to have on the control of flooding, erosion, dynamic beaches or unstable soil or bedrock;

(7) Subsection 28.0.1 (19) of the Act is amended by striking out the portion before clause (a) and substituting the following:

Appeal

(19) The holder of a permission who objects to any conditions attached to the permission by an authority may, within 90 days of the reasons being given under subsection (8), appeal to the Ontario Land Tribunal to review the conditions if,

(8) Subsection 28.0.1 (20) of the Act is amended by striking out “proposed” and substituting “attached”.

(9) Section 28.0.1 of the Act is amended by adding the following subsection:

Same

(26.1) If a regulation made under this section provides that a development project may begin prior to entering into an agreement under subsection (24), but an agreement is not entered into by the date identified in the regulation, no person shall carry out the development project until an agreement is entered into.

(10) Clause 28.0.1 (28) (b) of the Act is repealed and the following substituted:

- (b) subsection (26) or (26.1).

(11) Subsection 28.0.1 (34) of the Act is repealed and the following substituted:

(34) If the conditions attached to a permission granted under this section conflict with the terms of an order made under section 34.1 or 47 of the *Planning Act*, the terms of the order shall prevail.

(12) Clause 28.0.1 (35) (b) of the Act is amended by adding the following subclause:

- (i.1) limiting the types of conditions that an authority may attach to a permission under this section,

(13) Clause 28.0.1 (35) (e) of the Act is repealed and the following substituted:

- (e) specifying lands or development projects to which this section does not apply;
- (e.1) exempting lands or development projects from subsection (5), (24) or (26), subject to such conditions or restrictions as may be specified;

9 (1) Clause 28.1 (1) (a) of the Act is repealed and the following substituted:

- (a) the activity is not likely to affect the control of flooding, erosion, dynamic beaches or unstable soil or bedrock;

(2) Clauses 28.1 (6) (a) and (b) of the Act are repealed and the following substituted:

- (a) the authority shall not refuse the permit unless it is of the opinion that it is necessary to do so to control flooding, erosion, dynamic beaches or unstable soil or bedrock; and
- (b) despite subsection (4), the authority shall not attach conditions to the permit unless the conditions relate to controlling flooding, erosion, dynamic beaches or unstable soil or bedrock.

(3) Subsection 28.1 (22) of the Act is amended by striking out “120” and substituting “90”.

10 (1) Clause 28.1.2 (1) (a) of the Act is revoked and the following substituted:

- (a) an order has been made by the Minister of Municipal Affairs and Housing under section 34.1 or 47 of the *Planning Act* authorizing the development project under that Act;

(2) The definition of “development project” in subsection 28.1.2 (2) of the Act is repealed and the following substituted:
 “development project” means development activity as defined in subsection 28 (5) or any other act or activity that, without a permit issued under this section or section 28.1, would be prohibited under section 28.

(3) Subsection 28.1.2 (5) of the Act is amended by striking out “permission” and substituting “permit”.

(4) Clause 28.1.2 (6) (a) of the Act is repealed and the following substituted:

- (a) any effects the development project is likely to have on the control of flooding, erosion, dynamic beaches or unstable soil or bedrock;

(5) Subsection 28.1.2 (9) of the Act is repealed and the following substituted:

Request for Minister's review

(9) A permit holder who objects to any conditions attached to the permit by an authority may, within 15 days of the reasons being given under subsection (8), submit a request to the Minister for the Minister to review the conditions, subject to the regulations.

(6) Subsection 28.1.2 (11) of the Act is amended by striking out “conditions that the authority proposes to attach to a permit” and substituting “conditions attached by the authority to a permit”.

(7) Clause 28.1.2 (12) (a) of the Act is repealed and the following substituted:

- (a) effects the development project is likely to have on the control of flooding, erosion, dynamic beaches or unstable soil or bedrock;

(8) Subsection 28.1.2 (14) of the Act is amended by striking out the portion before clause (a) and substituting the following:

Appeal

(14) A permit holder who objects to any conditions attached to the permit by an authority may, within 90 days of the reasons being given under subsection (8), appeal to the Local Planning Appeal Tribunal to review the conditions if,

(9) Subsection 28.1.2 (15) of the Act is amended by striking out “proposed” and substituting “attached”.

(10) Section 28.1.2 of the Act is amended by adding the following subsection:

Same

(19.1) If a regulation made under subsection 40 (4) provides that a development project may begin prior to entering into an agreement under subsection (17), but an agreement is not entered into by the date identified in the regulation, no person shall carry out the development project until such time the agreement is entered into.

(11) Subsection 28.1.2 (20) of the Act is revoked and the following substituted:

Conflict

(20) If the conditions attached to a permit issued under this section conflict with the terms of an order made under section 34.1 or 47 of the *Planning Act*, the terms of the order shall prevail.

11 (1) Clause 30.2 (1.1) (a) of the Act is repealed and the following substituted:

- (a) the entry is for the purpose of ensuring compliance with subsection 28 (1), 28.1.2 (19) or 28.1.2 (19.1), with a regulation made under section 28.5 or with the conditions of a permit issued under section 28.1, 28.1.1 or 28.1.2 or issued under a regulation made under clause 28.5 (1) (c);

(2) Subclause 30.2 (1.1) (b) (i) of the Act is repealed and the following substituted:

- (i) the damage affects or is likely to affect the control of flooding, erosion, dynamic beaches or unstable soil or bedrock, or

12 (1) Subclause 30.4 (1) (a) (i) of the Act is repealed and the following substituted:

- (i) subsection 28 (1), 28.1.2 (19) or 28.1.2 (19.1) or a regulation made under section 28.5, or

(2) Subclause 30.4 (1) (b) (i) of the Act is repealed and the following substituted:

- (i) the damage affects or is likely to affect the control of flooding, erosion, dynamic beaches or unstable soil or bedrock, or

13 (1) Clause 30.5 (1) (a) of the Act, as re-enacted by section 21 of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020*, is repealed and the following substituted:

- (a) subsection 28 (1), 28.1.2 (19) or 28.1.2 (19.1);

(2) Clause 30.5 (1) (b) of the Act, as re-enacted by section 21 of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020*, is amended by striking out “subsection 28 (3) or (4)” substituting “subsection 28 (3), (4) or (4.1)”.

14 (1) Subsection 40 (1) of the Act is amended by adding the following clause:

- (g) governing exceptions under subsection 28 (4.1) from the prohibitions set out in subsection 28 (1), including,
 - (i) prescribing municipalities to which the exception applies,
 - (ii) respecting any conditions or restrictions that must be satisfied to obtain the exception, or in carrying out the activity, including conditions or restrictions applying to the municipality in which the exception applies,

- (iii) prescribing activities, areas of municipalities, types of authorizations under the *Planning Act* and other conditions or restrictions for the purposes of subsection 28 (4.2),
- (iv) governing transitional matters resulting from an exception under subsection 28 (4.1);
- (2) **Clause 40 (3) (c) of the Act is amended by striking out “clause 21.1.1 (4) (b) and subsection 21.1.2 (2)” at the end and substituting “clauses 21.1.1 (4) (b) and 21.1.2 (3) (b)”.**
- (3) **Subsection 40 (3) of the Act is amended by adding the following clause:**
 - (c.1) prescribing Acts for the purposes of subsections 21.1.1 (1.1) and 21.1.2 (1.1);
- (4) **Clause 40 (4) (b) of the Act is amended by striking out “may be attached” and substituting “may or may not be attached”.**
- (5) **Clause 40 (4) (c) of the Act is repealed.**
- (6) **Clause 40 (4) (e) of the Act is amended by adding the following subclause:**
 - (i.1) limiting the types of conditions that an authority may attach to a permit under section 28.1.2;
- (7) **Clause 40 (4) (h) of the Act is repealed and the following substituted:**
 - (h) specifying lands or development projects to which section 28.1.2 does not apply;
 - (h.1) exempting lands or development projects from subsections 28.1.2 (5), (17) and (19), subject to such conditions or restrictions as may be specified;

Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020

15 Subsection 16 (1) of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020* is repealed.

Revocation of Regulations

16 Ontario Regulations 97/04, 42/06, 146/06, 147/06, 148/06, 150/06, 151/06, 152/06, 153/06, 155/06, 156/06, 157/06, 158/06, 159/06, 160/06, 161/06, 162/06, 163/06, 164/06, 165/06, 166/06, 167/06, 168/06, 169/06, 170/06, 171/06, 172/06, 174/06, 175/06, 176/06, 177/06, 178/06, 179/06, 180/06, 181/06, 182/06 and 319/09 are revoked.

Commencement

- 17 (1) Except as otherwise provided in this section, this Schedule comes into force on the day the *More Homes Built Faster Act, 2022* receives Royal Assent.**
- (2) Sections 2 to 5 and subsections 6 (1) and 14 (3) come into force on the later of January 1, 2023 and the day the *More Homes Built Faster Act, 2022* receives Royal Assent.**
- (3) Subsection 6 (2) comes into force on the later of the day section 23 of Schedule 4 to the *Building Better Communities and Conserving Watersheds Act, 2017* comes into force and the day the *More Homes Built Faster Act, 2022* receives Royal Assent.**
- (4) Sections 9 and 16 come into force on the later of the day section 25 of Schedule 4 to the *Building Better Communities and Conserving Watersheds Act, 2017* comes into force and the day the *More Homes Built Faster Act, 2022* receives Royal Assent.**
- (5) Section 10 comes into force on the later of the day section 17 of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020* comes into force and the day the *More Homes Built Faster Act, 2022* receives Royal Assent.**
- (6) Section 11 comes into force on the later of the day subsection 19 (1) of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020* comes into force and the day the *More Homes Built Faster Act, 2022* receives Royal Assent.**
- (7) Section 12 comes into force on the later of the day subsection 20 (1) of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020* comes into force and the day the *More Homes Built Faster Act, 2022* receives Royal Assent.**
- (8) Section 13 comes into force on the later of the day section 21 of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020* comes into force and the day the *More Homes Built Faster Act, 2022* receives Royal Assent.**
- (9) Subsections 14 (4) to (7) come into force on the later of the day subsection 25 (2) of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020* comes into force and the day the *More Homes Built Faster Act, 2022* receives Royal Assent.**
- (10) Section 7 and subsection 14 (1) come into force on a day to be named by proclamation of the Lieutenant Governor.**

**SCHEDULE 3
DEVELOPMENT CHARGES ACT, 1997**

1 Section 1 of the *Development Charges Act, 1997* is amended by adding the following definition:

“rental housing development” means development of a building or structure with four or more residential units all of which are intended for use as rented residential premises; (“aménagement de logements locatifs”)

2 (1) Subsections 2 (3) and (3.1) of the Act are repealed and the following substituted:

Same

(3) An action mentioned in clauses (2) (a) to (g) does not satisfy the requirements of subsection (2) if the only effect of the action is to permit the enlargement of an existing residential unit.

Exemption for residential units in existing rental residential buildings

(3.1) The creation of the greater of the following in an existing rental residential building, which contains four or more residential units, is exempt from development charges:

1. One residential unit.
2. 1% of the existing residential units.

Exemption for residential units in existing houses

(3.2) The creation of any of the following is exempt from development charges:

1. A second residential unit in an existing detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if all buildings and structures ancillary to the existing detached house, semi-detached house or rowhouse cumulatively contain no more than one residential unit.
2. A third residential unit in an existing detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if no building or structure ancillary to the existing detached house, semi-detached house or rowhouse contains any residential units.
3. One residential unit in a building or structure ancillary to an existing detached house, semi-detached house or rowhouse on a parcel of urban residential land, if the existing detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the existing detached house, semi-detached house or rowhouse contains any residential units.

Exemption for additional residential units in new residential buildings

(3.3) The creation of any of the following is exempt from development charges:

1. A second residential unit in a new detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if all buildings and structures ancillary to the new detached house, semi-detached house or rowhouse cumulatively will contain no more than one residential unit.
2. A third residential unit in a new detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if no building or structure ancillary to the new detached house, semi-detached house or rowhouse contains any residential units.
3. One residential unit in a building or structure ancillary to a new detached house, semi-detached house or rowhouse on a parcel of urban residential land, if the new detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the new detached house, semi-detached house or rowhouse contains any residential units.

(2) Paragraph 17 of subsection 2 (4) of the Act is repealed.

(3) Section 2 of the Act is amended by adding the following subsection:

Deemed amendment of by-law

(4.0.1) If a by-law under this section imposes development charges to pay for increased capital costs required because of increased needs for housing services, the by-law is deemed to be amended to be consistent with subsection (4) as it reads on the day subsection 2 (2) of Schedule 3 to the *More Homes Built Faster Act, 2022* comes into force.

3 The Act is amended by adding the following section:

Exemption for affordable and attainable residential units

Definitions

4.1 (1) In this section,

“affordable residential unit” means a residential unit that meets the criteria set out in subsection (2) or (3); (“unité d’habitation abordable”)

“attainable residential unit” means a residential unit that meets the criteria set out in subsection (4). (“unité d’habitation à la portée du revenu”)

Affordable residential unit, rented

(2) A residential unit intended for use as a rented residential premises shall be considered to be an affordable residential unit if it meets the following criteria:

1. The rent is no greater than 80 per cent of the average market rent, as determined in accordance with subsection (5).
2. The tenant is dealing at arm’s length with the landlord.

Affordable residential unit, ownership

(3) A residential unit not intended for use as a rented residential premises shall be considered to be an affordable residential unit if it meets the following criteria:

1. The price of the residential unit is no greater than 80 per cent of the average purchase price, as determined in accordance with subsection (6).
2. The residential unit is sold to a person who is dealing at arm’s length with the seller.

Attainable residential unit

(4) A residential unit shall be considered to be an attainable residential unit if it meets the following criteria:

1. The residential unit is not an affordable residential unit.
2. The residential unit is not intended for use as a rented residential premises.
3. The residential unit was developed as part of a prescribed development or class of developments.
4. The residential unit is sold to a person who is dealing at arm’s length with the seller.
5. Such other criteria as may be prescribed.

Average market rent

(5) For the purposes of paragraph 1 of subsection (2), the average market rent applicable to a residential unit is the average market rent for the year in which the residential unit is occupied by a tenant, as identified in the bulletin entitled the “Affordable Residential Units for the Purposes of the *Development Charges Act, 1997* Bulletin”, as it is amended from time to time, that is published by the Minister of Municipal Affairs and Housing on a website of the Government of Ontario.

Average purchase price

(6) For the purposes of paragraph 1 of subsection (3), the average purchase price applicable to a residential unit is the average purchase price for the year in which the residential unit is sold, as identified in the bulletin entitled the “Affordable Residential Units for the Purposes of the *Development Charges Act, 1997* Bulletin”, as it is amended from time to time, that is published by the Minister of Municipal Affairs and Housing on a website of the Government of Ontario.

Arm’s length

(7) For the purposes of this section, in the determination of whether two or more persons are dealing at arm’s length, section 251 of the *Income Tax Act* (Canada) applies with necessary modifications.

Affordable residential unit, exemption from development charges

(8) The creation of a residential unit that is intended to be an affordable residential unit for a period of 25 years or more from the time that the unit is first rented or sold is exempt from development charges.

Same, agreement

(9) A person who, but for subsection (8), would be required to pay a development charge and the local municipality shall enter into an agreement that requires the residential unit to which subsection (8) applies to be an affordable residential unit for a period of 25 years.

Attainable residential unit, exemption from development charges

(10) The creation of a residential unit that is intended to be an attainable residential unit when the unit is first sold is exempt from development charges.

Same, agreement

(11) A person who, but for subsection (10), would be required to pay a development charge and the local municipality shall enter into an agreement that requires the residential unit to which subsection (10) applies to be an attainable residential unit at the time it is sold.

Standard form agreement

(12) The Minister of Municipal Affairs and Housing may establish standard forms of agreement that shall be used for the purposes of subsection (9) or (11).

Registration of agreement

(13) An agreement entered into under subsection (9) or (11) may be registered against the land to which it applies and the municipality is entitled to enforce the provisions of the agreement against the owner and, subject to the *Registry Act* and the *Land Titles Act*, against any and all subsequent owners of the land.

Transition

(14) Subsection (8) does not apply with respect to a development charge that is payable before the day section 3 of Schedule 3 to the *More Homes Built Faster Act, 2022* comes into force.

Non-application of *Legislation Act, 2006*

(15) Part III (Regulations) of the *Legislation Act, 2006* does not apply to,

- (a) a bulletin referred to in this section; or
- (b) a standard form of agreement established under subsection (12).

4 The Act is amended by adding the following sections:

Exemption for non-profit housing development

Definition

4.2 (1) In this section,

“non-profit housing development” means the development of a building or structure intended for use as a residential premises and developed by,

- (a) a corporation to which the *Not-for-Profit Corporations Act, 2010* applies, that is in good standing under that Act and whose primary object is to provide housing,
- (b) a corporation without share capital to which the *Canada Not-for-profit Corporations Act* applies, that is in good standing under that Act and whose primary object is to provide housing, or
- (c) a non-profit housing co-operative that is in good standing under the *Co-operative Corporations Act*.

Exemption

(2) A non-profit housing development is exempt from development charges.

Transition

(3) Subsection (2) does not apply with respect to a development charge that is payable before the day section 4 of Schedule 3 to the *More Homes Built Faster Act, 2022* comes into force.

Same

(4) For greater certainty, subsection (2) applies to future instalments that would have been payable in accordance with section 26.1 after the day section 4 of Schedule 3 to the *More Homes Built Faster Act, 2022* comes into force.

Exemption for inclusionary zoning residential units

Exemption

4.3 (1) The creation of a residential unit described in subsection (2) is exempt from development charges unless a development charge is payable with respect to the residential unit before the day section 4 of Schedule 3 to the *More Homes Built Faster Act, 2022* comes into force.

Application

(2) Subsection (1) applies in respect of residential units that are affordable housing units required to be included in a development or redevelopment pursuant to a by-law passed under section 34 of the *Planning Act* to give effect to the policies described in subsection 16 (4) of that Act.

5 (1) Paragraph 4 of subsection 5 (1) of the Act is amended by striking out “10-year period” and substituting “15-year period”.

(2) Section 5 of the Act is amended by adding the following subsection:

Transition, par. 4 of subs. (1)

(1.1) For greater certainty, paragraph 4 of subsection (1), as it read immediately before the day subsection 5 (1) of Schedule 3 to the *More Homes Built Faster Act, 2022* came into force, continues to apply in respect of a development charge by-law in force on that day.

(3) Paragraph 1 of subsection 5 (3) of the Act is amended by adding “except in relation to such services as are prescribed for the purposes of this paragraph” at the end.

(4) Paragraphs 5 and 6 of subsection 5 (3) of the Act are repealed.

(5) Section 5 of the Act is amended by adding the following subsection:

Transition

(3.1) For greater certainty, subsection (3), as it read immediately before the day subsection 5 (4) of Schedule 3 to the *More Homes Built Faster Act, 2022* came into force, continues to apply in respect of a development charge by-law in force on that day.

(6) Subsection 5 (6) of the Act is amended by adding the following paragraph:

4. In the case of a development charge by-law passed on or after the day subsection 5 (6) of Schedule 3 to the *More Homes Built Faster Act, 2022* comes into force, the rules must provide that,
 - i. any development charge imposed during the first year that the by-law is in force is no more than 80 per cent of the maximum development charge that could otherwise be charged in accordance with this section,
 - ii. any development charge imposed during the second year that the by-law is in force is no more than 85 per cent of the maximum development charge that could otherwise be charged in accordance with this section,
 - iii. any development charge imposed during the third year that the by-law is in force is no more than 90 per cent of the maximum development charge that could otherwise be charged in accordance with this section, and
 - iv. any development charge imposed during the fourth year that the by-law is in force is no more than 95 per cent of the maximum development charge that could otherwise be charged in accordance with this section.

(7) Section 5 of the Act is amended by adding the following subsections:

Special rule

(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.

Same

(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.

Same, interpretation

(9) For the purposes of subsections (7) and (8), a development charge is deemed to be imposed on the day referred to in subsection 26.2 (1) that applies to the development charge.

6 (1) Subsection 9 (1) of the Act is amended by striking out “five years” and substituting “10 years”.

(2) Section 9 of the Act is amended by adding the following subsection:

Transition

(1.1) For greater certainty, subsection (1), as it reads on and after the day subsection 6 (1) of Schedule 3 to the *More Homes Built Faster Act, 2022* came into force, does not apply with respect to a development charge by-law that, before that day, had expired pursuant to subsection (1) as it read before that day.

7 (1) Paragraphs 1 to 3 of subsection 26.1 (2) of the Act are repealed and the following substituted:

1. Rental housing development.
2. Institutional development.

(2) Subsection 26.1 (3) of the Act is repealed and the following substituted:

Annual instalments

(3) A development charge referred to in subsection (1) shall be paid in equal annual instalments beginning on the earlier of the date of the issuance of a permit under the *Building Code Act, 1992* authorizing occupation of the building and the date the building is first occupied, and continuing on the following five anniversaries of that date.

(3) Subsection 26.1 (7) of the Act is amended by striking out “not exceeding the prescribed maximum interest rate” at the end and substituting “not exceeding the maximum interest rate determined in accordance with section 26.3”.

8 (1) Subsection 26.2 (1) of the Act is amended by striking out “The total amount” at the beginning and substituting “Subject to subsection (1.1), the total amount”.

(2) Section 26.2 of the Act is amended by adding the following subsections:

Discount, rental housing development

(1.1) In the case of rental housing development, the amount determined under subsection (1) shall be reduced in accordance with the following rules:

1. A development charge for a residential unit intended for use as a rented residential premises with three or more bedrooms shall be reduced by 25 per cent.
2. A development charge for a residential unit intended for use as a rented residential premises with two bedrooms shall be reduced by 20 per cent.
3. A development charge for a residential unit intended for use as a rented residential premises not referred to in paragraph 1 or 2 shall be reduced by 15 per cent.

Same, transition

(1.2) Subsection (1.1) does not apply in respect of a development charge for a development in respect of which a building permit was issued before subsection 8 (2) of Schedule 3 to the *More Homes Built Faster Act, 2022* comes into force.

(3) Subsection 26.2 (3) of the Act is amended by striking out “at a rate not exceeding the prescribed maximum interest rate” and substituting “at a rate not exceeding the maximum interest rate determined in accordance with section 26.3”.

9 The Act is amended by adding the following section:

Maximum interest rate

26.3 (1) In this section,

“adjustment date” means January 1, April 1, July 1 or October 1; (“date de rajustement”)

“average prime rate”, on a particular date, means the mean, rounded to the nearest hundredth of a percentage point, of the annual rates of interest announced by each of the Royal Bank of Canada, The Bank of Nova Scotia, the Canadian Imperial Bank of Commerce, the Bank of Montreal and The Toronto-Dominion Bank to be its prime or reference rate of interest in effect on that date for determining interest rates on Canadian dollar commercial loans by that bank in Canada. (“taux préférentiel moyen”)

Same

(2) For the purposes of subsections 26.1 (7) and 26.2 (3), the maximum interest rate that a municipality may charge shall be determined in accordance with the following rules:

1. A base rate of interest shall be determined for April 1, 2022 and for each adjustment date after April 1, 2022 and shall be equal to the average prime rate on,
 - i. October 15 of the previous year, if the adjustment date is January 1,
 - ii. January 15 of the same year, if the adjustment date is April 1,
 - iii. April 15 of the same year, if the adjustment date is July 1, and
 - iv. July 15 of the same year, if the adjustment date is October 1.
2. The base rate of interest in effect on a particular date shall be,
 - i. the base rate for the particular date, if the particular date is an adjustment date, and
 - ii. the base rate for the last adjustment date before the particular date, otherwise.

3. The maximum rate of interest that may be charged, in respect of a particular day after June 1, 2022, shall be an annual interest rate that is one percentage point higher than the base rate of interest in effect for that day.

Transition

(3) Subsection (2) does not apply in respect of a development charge that was payable before the day section 9 of Schedule 3 to the *More Homes Built Faster Act, 2022* comes into force.

10 Section 35 of the Act is amended by adding the following subsections:

Requirement to spend or allocate monies in reserve fund

(2) Beginning in 2023 and in each calendar year thereafter, a municipality shall spend or allocate at least 60 per cent of the monies that are in a reserve fund for the following services at the beginning of the year:

1. Water supply services, including distribution and treatment services.
2. Waste water services, including sewers and treatment services.
3. Services related to a highway as defined in subsection 1 (1) of the *Municipal Act, 2001* or subsection 3 (1) of the *City of Toronto Act, 2006*, as the case may be.

Same

(3) If a service is prescribed for the purposes of this subsection, beginning in the first calendar year that commences after the service is prescribed and in each calendar year thereafter, a municipality shall spend or allocate at least 60 per cent of the monies that are in a reserve fund for the prescribed service at the beginning of the year.

11 (1) Subsection 44 (4) of the Act is amended by striking out “Subsection 2 (3.1) and section 4” at the beginning and substituting “Subsections 2 (3.3), 4.2 (2) and 4.3 (1) and section 4”.

(2) Subsection 44 (4) of the Act, as amended by subsection (1), is amended by adding “4.1 (8) and (10)” after “Subsections 2 (3.3)” at the beginning.

12 (1) Clauses 60 (1) (b) and (b.1) of the Act are repealed.

(2) Subsection 60 (1) of the Act is amended by adding the following clauses:

- (d.2) prescribing developments and classes of developments for the purposes of paragraph 3 of subsection 4.1 (4);
- (d.3) prescribing criteria for the purposes of paragraph 5 of subsection 4.1 (4);

(3) Subsection 60 (1) of the Act is amended by adding the following clause:

- (l) prescribing services for the purposes of paragraph 1 of subsection 5 (3);

(4) Clause 60 (1) (s.2) of the Act is repealed.

(5) Subsection 60 (1) of the Act is amended by adding the following clause:

- (s.4) prescribing one or more services for the purposes of subsection 35 (3);

(6) Section 60 of the Act is amended by adding the following subsections:

Adoption by reference

(1.1) A regulation under clause (1) (d.3) may adopt by reference, in whole or in part and with such changes as are considered necessary, any document and may require compliance with the document.

Rolling incorporation by reference

(1.2) The power to adopt by reference and require compliance with a document in subsection (1.1) includes the power to adopt a document as it may be amended from time to time.

Revocation

13 Subsections 11.1 (1) and (3) of Ontario Regulation 82/98 are revoked.

Commencement

14 (1) Except as otherwise provided in this section, this Schedule comes into force on the day the *More Homes Built Faster Act, 2022* receives Royal Assent.

(2) Section 3, subsection 11 (2) and subsections 12 (2) and (6) come into force on a day to be named by proclamation of the Lieutenant Governor.

**SCHEDULE 4
MUNICIPAL ACT, 2001**

1 Section 99.1 of the *Municipal Act, 2001* is amended by adding the following subsection:

Regulations

(7) The Minister may make regulations imposing limits and conditions on the powers of a local municipality to prohibit and regulate the demolition and conversion of residential rental properties under this section.

Commencement

2 This Schedule comes into force on the day the *More Homes Built Faster Act, 2022* receives Royal Assent.

**SCHEDULE 5
NEW HOME CONSTRUCTION LICENSING ACT, 2017**

1 (1) Subsection 10 (1) of the *New Home Construction Licensing Act, 2017* is amended by striking out “regulation” and substituting “order”.

(2) Subsection 10 (3) of the Act is amended by striking out “a regulation” and substituting “an order”.

2 (1) Subsection 11 (1) of the Act is amended by striking out “regulation” wherever it appears and substituting in each case “order”.

(2) Subsection 11 (2) of the Act is amended by striking out “a regulation” and substituting “an order”.

3 Subsection 14 (3) of the Act is amended by striking out “after this section comes into force” wherever it appears and substituting in each case “after February 1, 2021”.

4 Paragraph 6 of section 56.1 of the Act is repealed and the following substituted:

6. Take further action as is appropriate in accordance with this Act, including, for greater certainty, make an order under section 76 imposing an administrative penalty or refer the matter, in whole or in part, to another assessor to consider whether such an order should be made.

5 Subsection 71 (4) of the Act is repealed and the following substituted:

Penalties

(4) A person or entity that is convicted of an offence under this Act is liable to,

(a) in the case of an individual,

- (i) on the first conviction, a fine of not more than \$50,000 or imprisonment for a term of not more than two years less a day, or both, and**
- (ii) on each subsequent conviction, a fine of not more than \$100,000 or imprisonment for a term of not more than two years less a day, or both; or**

(b) in the case of a person or entity that is not an individual,

- (i) on the first conviction, a fine of not more than \$250,000, and**
- (ii) on each subsequent conviction, a fine of not more than \$500,000.**

Same, determining subsequent conviction

(4.0.1) For the purpose of subsection (4), a conviction of a person or entity for an offence mentioned in subsection (1), (2) or (3) is a subsequent conviction if the person or entity has a previous conviction for an offence mentioned in any of those subsections.

6 Section 76 of the Act is repealed.

7 The Act is amended by adding the following section:

Order

76 (1) An assessor may, by order, impose an administrative penalty against a person in accordance with this section and the regulations made by the Minister if the assessor is satisfied that the person has contravened or is contravening,

- (a) a prescribed provision of this Act or the regulations;**
- (b) a condition of a licence, if the person is the licensee;**
- (c) a prescribed provision of the *Ontario New Home Warranties Plan Act* or the regulations or the by-laws of the warranty authority made under it; or**
- (d) a prescribed provision of the *Protection for Owners and Purchasers of New Homes Act, 2017* or the regulations made under it.**

Clarification re code of ethics

(2) For greater certainty, provisions of the code of ethics established under clause 84 (1) (f) may be prescribed for the purpose of subsection (1).

To whom payable

(3) An administrative penalty is payable to the regulatory authority.

Purpose

(4) An administrative penalty may be imposed under this section for one or more of the following purposes:

1. To ensure compliance with the Acts, regulations and by-laws referred to in subsection (1) and the conditions of a licence.
2. To prevent a person from deriving, directly or indirectly, any economic benefit as a result of contravening the Acts, regulations or by-laws referred to in subsection (1) or the conditions of a licence.

Amount

(5) Subject to subsection (6), the amount of an administrative penalty shall reflect the purpose of the penalty and shall be determined in accordance with the regulations made by the Minister, but the amount of the penalty shall not exceed \$50,000.

Same, monetary benefit

(6) The total amount of the administrative penalty referred to in subsection (5) may be increased by an amount equal to the amount of the monetary benefit acquired by or that accrued to the person as a result of the contravention.

Form of order

(7) An order made under subsection (1) imposing an administrative penalty against a person shall be in the form that the registrar determines.

Service of order

(8) The order shall be served on the person against whom the administrative penalty is imposed in the manner that the registrar determines.

Absolute liability

- (9) An order made under subsection (1) imposing an administrative penalty against a person applies even if,
- (a) the person took all reasonable steps to prevent the contravention on which the order is based; or
 - (b) at the time of the contravention, the person had an honest and reasonable belief in a mistaken set of facts that, if true, would have rendered the contravention innocent.

No effect on offences

(10) For greater certainty, nothing in subsection (9) affects the prosecution of an offence.

Other measures

(11) Subject to section 78, an administrative penalty may be imposed alone or in conjunction with the exercise of any measure against a person provided by the Acts, regulations or by-laws referred to in subsection (1), including the application of conditions to a licence by the registrar, the suspension, immediate suspension or revocation of a licence or the refusal to renew a licence.

Limitation

(12) An order may not be made under subsection (1) more than two years after the day any assessor became aware of the contravention on which the order is based.

No hearing required

(13) Subject to the regulations made by the Minister, an assessor is not required to hold a hearing or to afford a person an opportunity for a hearing before making an order under subsection (1) against the person.

Non-application of other Act

(14) The *Statutory Powers Procedure Act* does not apply to an order of an assessor made under subsection (1).

Transition — pre-commencement transition period

(15) A regulation made under subclause 84 (1) (h) (0.i) and filed with the Registrar of Regulations in accordance with Part III (Regulations) of the *Legislation Act, 2006* on or before the last day of the pre-commencement transition period may prescribe a provision for the purpose of subsection (1) for all or part of the pre-commencement transition period and, for greater certainty, an assessor may impose an administrative penalty under subsection (1) for a contravention that occurred during that period.

Same

(16) In subsection (15),

“pre-commencement transition period” means the period starting on April 14, 2022 and ending on the day before section 7 of Schedule 5 to the *More Homes Built Faster Act, 2022* comes into force.

8 Section 78 of the Act is amended by striking out “this Act” and substituting “an Act referred to in subsection 76 (1)”.

9 (1) Clause 84 (1) (f) of the Act is repealed and the following substituted:

(f) establishing a code of ethics for licensees;

(2) Clause 84 (1) (i) of the Act is repealed and the following substituted:

- (i) specifying the purposes for which the regulatory authority may use the funds that it collects as fines and administrative penalties;
- (i.1) requiring the regulatory authority to establish, maintain and comply with a policy, in accordance with any requirements in the regulations, to govern payments the regulatory authority makes, if any, from the funds the regulatory authority collects as fines and administrative penalties, to persons who have been adversely affected by contraventions in respect of which fines or administrative penalties can be imposed;

(3) Section 84 of the Act is amended by adding the following subsection:

Regulations may require Minister's approval

(7) A regulation made under clause (1) (i.1) may provide for any aspect of the policy required under that regulation to be subject to the approval of the Minister.

Related repeal

10 Section 5 of Schedule 3 to the *More Homes for Everyone Act, 2022* is repealed.

Commencement

11 (1) Except as otherwise provided in this section, this Schedule comes into force on the day the *More Homes Built Faster Act, 2022* receives Royal Assent.

(2) Sections 4, 5, 7 and 8 come into force on the later of the day section 75 of Schedule 1 (*New Home Construction Licensing Act, 2017*) to the *Strengthening Protection for Ontario Consumers Act, 2017* comes into force and the day the *More Homes Built Faster Act, 2022* receives Royal Assent.

**SCHEDULE 6
ONTARIO HERITAGE ACT**

1 Subsection 1 (2) of the *Ontario Heritage Act* is repealed.

2 (1) Section 25.2 of the Act is amended by adding the following subsection:

Minister's review of determination

(3.1) If the process for the identification of properties referred to in clause (3) (a) permits a ministry or prescribed public body to determine whether a property has cultural heritage value or interest, the process may permit the Minister to review the determination, or any part of the determination, whether made before, on or after the day subsection 2 (1) of Schedule 6 to the *More Homes Built Faster Act, 2022* comes into force, and may permit the Minister to confirm or revise the determination or part of it.

(2) Subsection 25.2 (6) of the Act is amended by adding "Subject to an order made under subsection (7)" at the beginning.

(3) Subsection 25.2 (7) of the Act is repealed and the following substituted:

Exemption re compliance

(7) The Lieutenant Governor in Council may, by order, provide that the Crown in right of Ontario or a ministry or prescribed public body is not required to comply with some or all of the heritage standards and guidelines approved under this section in respect of a particular property, if the Lieutenant Governor in Council is of the opinion that such exemption could potentially advance one or more of the following provincial priorities:

1. Transit.
2. Housing.
3. Health and Long-Term Care.
4. Other infrastructure.
5. Such other priorities as may be prescribed.

Not a regulation

(8) The heritage standards and guidelines approved under this section and orders made under subsection (7) are not regulations within the meaning of Part III (Regulations) of the *Legislation Act, 2006*.

3 (1) Section 27 of the Act is amended by adding the following subsection:

(1.1) The clerk of the municipality shall ensure that the information included in the register is accessible to the public on the municipality's website.

(2) Subsection 27 (3) of the Act is repealed and the following substituted:

Non-designated property

(3) Subject to subsection (18), in addition to the property listed in the register under subsection (2), the register may include property that has not been designated under this Part if,

- (a) the council of the municipality believes the property to be of cultural heritage value or interest; and
- (b) where criteria for determining whether property is of cultural heritage value or interest have been prescribed for the purposes of this subsection, the property meets the prescribed criteria.

Same

(3.1) If property is included in the register under subsection (3), the register shall contain, with respect to such property, a description of the property that is sufficient to readily ascertain the property.

(3) Subsection 27 (7) of the Act is amended by adding "or a predecessor of that subsection" after "subsection (3)".

(4) Subsection 27 (13) of the Act is repealed and the following substituted:

Application of subss. (7) and (8)

(13) In addition to applying to properties included in the register under subsection (3) on and after July 1, 2021, subsections (7) and (8) apply in respect of properties that were included in the register as of June 30, 2021 under the predecessor of subsection (3).

Removal of non-designated property

(14) In the case of a property included in the register under subsection (3), or a predecessor of that subsection, before, on or after the day subsection 3 (4) of Schedule 6 to the *More Homes Built Faster Act, 2022* comes into force, the council of the

municipality shall remove the property from the register if the council of the municipality has given a notice of intention to designate the property under subsection 29 (1) and any of the following circumstances exist:

1. The council of the municipality withdraws the notice of intention under subsection 29 (7).
2. The council of the municipality does not withdraw the notice of intention, but does not pass a by-law designating the property under subsection 29 (1) within the time set out in paragraph 1 of subsection 29 (8).
3. The council of the municipality passes a by-law designating the property under subsection 29 (1) within the time set out in paragraph 1 of subsection 29 (8), but the by-law is repealed in accordance with subclause 29 (15) (b) (i) or (iii).

Same

(15) In the case of a property included in the register under subsection (3) on or after the day subsection 3 (4) of Schedule 6 to the *More Homes Built Faster Act, 2022* comes into force, the council of a municipality shall remove the property from the register if the council of the municipality does not give a notice of intention to designate the property under subsection 29 (1) on or before the second anniversary of the day the property was included in the register.

Same

(16) In the case of a property included in the register under a predecessor of subsection (3), as of the day before subsection 3 (4) of Schedule 6 to the *More Homes Built Faster Act, 2022* comes into force, the council of a municipality shall remove the property from the register if the council of the municipality does not give a notice of intention to designate the property under subsection 29 (1) on or before the second anniversary of the day subsection 3 (4) of Schedule 6 to the *More Homes Built Faster Act, 2022* comes into force.

Consultation not required

(17) Despite subsection (4), the council of the municipality is not required to consult with its municipal heritage committee, if one has been established, before removing a property from the register under subsection (14), (15) or (16).

Prohibition re including property in register, subss. (14) to (16)

(18) If subsection (14), (15) or (16) requires the removal of a property from the register, the council of the municipality may not include the property again in the register under subsection (3) for a period of five years after the following date:

1. In the case of subsection (14), the day any of the circumstances described in paragraphs 1, 2 and 3 of that subsection exist.
2. In the case of subsection (15), the second anniversary of the day the property was included in the register.
3. In the case of subsection (16), the second anniversary of the day subsection 3 (4) of Schedule 6 to the *More Homes Built Faster Act, 2022* comes into force.

4 (1) The French version of clause 29 (1) (a) of the Act is repealed and the following substituted:

- (a) dans le cas où des critères permettant d'établir si un bien a une valeur ou un caractère sur le plan du patrimoine culturel ont été prescrits, le bien répond aux critères prescrits;

(2) Subsection 29 (1.2) of the Act is repealed and the following substituted:

Limitation

(1.2) The following rules apply if a prescribed event has occurred in respect of a property in a municipality:

1. If the prescribed event occurs on or after the day subsection 4 (2) of Schedule 6 to the *More Homes Built Faster Act, 2022* comes into force, the council of the municipality may give a notice of intention to designate the property under subsection (1) only if the property is listed in the register under subsection 27 (3), or a predecessor of that subsection, as of the date of the prescribed event.
2. The council may not give a notice of intention to designate such property under subsection (1) after 90 days have elapsed from the event, subject to such exceptions as may be prescribed.

5 (1) Subsection 41 (1) of the Act is repealed and the following substituted:

Designation of heritage conservation district

(1) The council of the municipality may, by by-law, designate the municipality or any defined area or areas of it as a heritage conservation district if,

- (a) there is in effect in the municipality an official plan that contains provisions relating to the establishment of heritage conservation districts; and
- (b) where criteria for determining whether a municipality or an area of a municipality is of cultural heritage value or interest have been prescribed, the municipality or any defined area or areas of the municipality meets the prescribed criteria.

(2) Section 41 of the Act is amended by adding the following subsections:

Amendment of by-law

(10.2) If the council of a municipality wishes to amend a by-law made under this section, the council of a municipality shall do so in accordance with such process as may be prescribed, which may require the municipality to adopt a heritage conservation district plan for the relevant district.

Repeal of by-law

(10.3) If the council of a municipality wishes to repeal a by-law made under this section, the council of a municipality shall do so in accordance with such process as may be prescribed.

6 (1) Section 41.1 of the Act is amended by adding the following subsection:

Same

(5.1) Where criteria have been prescribed for the purposes of clause 41 (1) (b), the statement referred to in clause (5) (b) of this section must explain how the heritage conservation district meets the prescribed criteria.

(2) Section 41.1 of the Act is amended by adding the following subsections:

Amendment of by-law

(13) If the council of a municipality wishes to amend a by-law passed under subsection (2), the council of a municipality shall do so in accordance with such process as may be prescribed.

Repeal of by-law

(14) If the council of a municipality repeals a by-law passed under subsection (2), the council of a municipality shall do so in accordance with such process as may be prescribed.

7 (1) Paragraph 4 of subsection 42 (1) of the Act is amended by striking out “whether or not the demolition or removal would affect a heritage attribute described in the heritage conservation district plan that was adopted for the heritage conservation district in a by-law registered under subsection 41 (10.1)” at the end.

(2) Subsection 42 (3) of the Act is amended by striking out “under subsection (2)” and substituting “under subsection (2.2)”.

8 Subsection 70 (1) of the Act is amended by adding the following clauses:

(i.1) prescribing criteria for the purposes of clause 27 (3) (b);

(k.1) prescribing criteria for the purposes of clause 41 (1) (b);

9 Section 71 of the Act is amended by striking out “and” at the end of clause (a) and by adding the following clauses:

(c) facilitate the implementation of amendments to this Act made by Schedule 6 to the *More Homes Built Faster Act, 2022*;

(d) deal with any problems or issues arising as a result of the repeal, amendment, enactment or re-enactment of a provision of this Act by Schedule 6 to the *More Homes Built Faster Act, 2022*.

Commencement

10 (1) Except as otherwise provided in this section, this Schedule comes into force on the day the *More Homes Built Faster Act, 2022* receives Royal Assent.

(2) Subsection 7 (1) comes into force on the day subsection 19 (1) of Schedule 11 to the *More Homes, More Choice Act, 2019* comes into force.

(3) Sections 2 and 3, subsection 4 (2) and sections 5, 6, 8 and 9 come into force on a day to be named by proclamation of the Lieutenant Governor.

**SCHEDULE 7
ONTARIO LAND TRIBUNAL ACT, 2021**

1 Subsection 13 (4) of the *Ontario Land Tribunal Act, 2021* is amended by striking out “a ground for setting aside a decision of the Tribunal on an application for judicial review or an appeal” at the end and substituting “a ground for an order or decision of the Tribunal to be set aside on an application for judicial review or rescinded on an appeal”.

2 (1) Subsection 19 (1) of the Act is amended by adding the following clause:

(b.1) if the Tribunal is of the opinion that the party who brought the proceeding has contributed to undue delay of the proceeding;

(2) Section 19 of the Act is amended by adding the following subsection:

Same

(1.1) Subject to subsection (4), the Tribunal may, on the motion of any party or on its own initiative, dismiss a proceeding if the Tribunal is of the opinion that a party has failed to comply with an order of the Tribunal in the proceeding.

(3) Subsection 19 (4) of the Act is amended by adding “or (1.1)” after “subsection (1)”.

3 Section 20 of the Act is amended by adding the following subsection:

Same

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

4 (1) Subsection 29 (1) of the Act is amended by adding the following clause:

(c) requiring the Tribunal to prioritize the resolution of specified classes of proceedings.

(2) Clause 29 (2) (a) of the Act is repealed and the following substituted:

(a) governing the practices and procedures of the Tribunal, subject to the regulations made under clause (1) (c) and other than in relation to a consolidated hearing under section 21, which may include prescribing timelines that shall apply with respect to specified steps taken by the Tribunal in specified classes of proceedings, and governing any related transitional matters;

(3) Section 29 of the Act is amended by adding the following subsections:

Timelines applicable to Tribunal

(2.1) The failure of the Tribunal to comply with any timeline prescribed under clause (2) (a) with respect to a specified step in a proceeding does not invalidate the proceeding, and is not a ground for an order or decision of the Tribunal to be set aside on an application for judicial review or rescinded on an appeal.

Same, reporting

(2.2) The Tribunal shall, on the Minister’s request and in the time and manner specified by the Minister, report to the Minister on such matters as may be specified by the Minister respecting the Tribunal’s compliance with any timelines prescribed under clause (2) (a).

(4) Subsection 29 (3) of the Act is amended by striking out “or clause (2) (a)” and substituting “or clause (1) (c) or (2) (a)”.

Commencement

5 This Schedule comes into force on a day to be named by proclamation of the Lieutenant Governor.

SCHEDULE 8
ONTARIO UNDERGROUND INFRASTRUCTURE NOTIFICATION SYSTEM ACT, 2012

1 Section 2 of the *Ontario Underground Infrastructure Notification System Act, 2012* is amended by adding the following subsection:

Chair

(4.4) The Minister may appoint a chair of the board of directors from among the members of the board.

2 The Act is amended by adding the following sections:

Minister's authority to appoint administrator

2.3 (1) Subject to section 2.5, the Minister may, by order, appoint an individual as an administrator of the Corporation for the purposes of assuming control of it and responsibility for its activities.

Notice of appointment

(2) The Minister shall give the Corporation's board of directors the notice that the Minister considers reasonable in the circumstances before appointing the administrator.

Immediate appointment

(3) Subsection (2) does not apply if there are not enough members on the board of directors to form a quorum.

Term of appointment

(4) The appointment of the administrator is valid until the Minister makes an order terminating it.

Powers and duties of administrator

(5) Unless the order appointing the administrator provides otherwise, the administrator has the exclusive right to exercise all the powers and perform all the duties of the directors, officers and members of the Corporation.

Same

(6) In the order appointing the administrator, the Minister may specify the administrator's powers and duties and the conditions governing them.

Right of access

(7) The administrator has the same rights as the board of directors in respect of the Corporation's documents, records and information.

Report to Minister

(8) The administrator shall report to the Minister as the Minister requires.

Minister's directions

(9) The Minister may issue directions to the administrator with regard to any matter within the administrator's jurisdiction, and the administrator shall carry them out.

No personal liability

(10) No action or other proceeding shall be instituted against the administrator or a former administrator for,

- (a) any act done in good faith in the exercise or performance or intended exercise or performance of a duty or power under this Act, the regulations made under this Act, a Minister's order or the appointment under subsection (1); or
- (b) any neglect or default in the exercise or performance in good faith of a duty or power described in clause (a).

Crown liability

(11) Despite subsection 8 (3) of the *Crown Liability and Proceedings Act, 2019*, subsection (10) of this section does not relieve the Crown of liability to which it would otherwise be subject.

Liability of Corporation

(12) Subsection (10) does not relieve the Corporation of liability to which it would otherwise be subject.

Status of board during administrator's tenure

2.4 (1) On the appointment of an administrator under section 2.3, the members of the board of directors of the Corporation cease to hold office, unless the order provides otherwise.

Same

(2) During the term of the administrator's appointment, the powers of any member of the board of directors who continues to hold office are suspended, unless the order provides otherwise.

No personal liability

(3) No action or other proceeding shall be instituted against a member or former member of the board of directors of the Corporation for any act, neglect or default done by the administrator or the Corporation after the member's removal under subsection (1) or while the member's powers are suspended under subsection (2).

Crown liability

(4) Despite subsection 8 (3) of the *Crown Liability and Proceedings Act, 2019*, subsection (3) of this section does not relieve the Crown of liability to which it would otherwise be subject.

Liability of Corporation

(5) Subsection (3) does not relieve the Corporation of liability to which it would otherwise be subject.

Conditions precedent

2.5 The Minister may exercise the power under subsection 2.3 (1) or any other prescribed provision only if the Minister is of the opinion that it is advisable to exercise the power in the public interest because at least one of the following conditions is satisfied:

1. The exercise of the power is necessary to prevent serious harm to underground infrastructure, public safety or to the interests of the public.
2. An event of force majeure has occurred.
3. The Corporation is facing a risk of insolvency.
4. The number of members of the board of directors of the Corporation is insufficient for a quorum.

Conflict

2.6 The following rules apply respecting conflicts that may arise in applying this Act:

1. This Act and its regulations prevail over the memorandum of understanding and the Corporation's by-laws and resolutions.
2. A Minister's order made under this Act prevails over the memorandum of understanding and the Corporation's by-laws and resolutions.

3 Section 20 of the Act is amended by adding the following clauses:

- (0.a) defining words and expressions used in this Act that are not otherwise defined in this Act;
- (0.b) prescribing provisions for the purpose of section 2.5;

Commencement

4 This Schedule comes into force on the day the *More Homes Built Faster Act, 2022* receives Royal Assent.

**SCHEDULE 9
PLANNING ACT**

1 (1) Subsection 1 (1) of the *Planning Act* is amended by adding the following definitions:

“parcel of urban residential land” means a parcel of land that is within an area of settlement on which residential use, other than ancillary residential use, is permitted by by-law and that is served by,

- (a) sewage works within the meaning of the *Ontario Water Resources Act* that are owned by,
 - (i) a municipality,
 - (ii) a municipal service board established under the *Municipal Act, 2001*,
 - (iii) a city board established under the *City of Toronto Act, 2006*,
 - (iv) a corporation established under sections 9, 10 and 11 of the *Municipal Act, 2001* in accordance with section 203 of that Act, or
 - (v) a corporation established under sections 7 and 8 of the *City of Toronto Act, 2006* in accordance with sections 148 and 154 of that Act, and
- (b) a municipal drinking water system within the meaning of the *Safe Drinking Water Act, 2002*; (“parcelle de terrain urbain d’habitation”)

“specified person” means,

- (a) a corporation operating an electric utility in the local municipality or planning area to which the relevant planning matter would apply,
- (b) Ontario Power Generation Inc.,
- (c) Hydro One Inc.,
- (d) a company operating a natural gas utility in the local municipality or planning area to which the relevant planning matter would apply,
- (e) a company operating an oil or natural gas pipeline in the local municipality or planning area to which the relevant planning matter would apply,
- (f) a person required to prepare a risk and safety management plan in respect of an operation under Ontario Regulation 211/01 (Propane Storage and Handling) made under the *Technical Standards and Safety Act, 2000*, if any part of the distance established as the hazard distance applicable to the operation and referenced in the risk and safety management plan is within the area to which the relevant planning matter would apply,
- (g) a company operating a railway line any part of which is located within 300 metres of any part of the area to which the relevant planning matter would apply, or
- (h) a company operating as a telecommunication infrastructure provider in the area to which the relevant planning matter would apply; (“personne précisée”)

(2) Subsection 1 (1) of the Act is amended by adding the following definitions:

“upper-tier municipality without planning responsibilities” means any of the following upper-tier municipalities:

1. The County of Simcoe.
2. The Regional Municipality of Durham.
3. The Regional Municipality of Halton.
4. The Regional Municipality of Niagara.
5. The Regional Municipality of Peel.
6. The Regional Municipality of Waterloo.
7. The Regional Municipality of York.
8. Any other upper-tier municipality that is prescribed under subsection (6); (“municipalité de palier supérieur sans responsabilités en matière d’aménagement”)

“upper-tier municipality with planning responsibilities” means an upper-tier municipality that is not an upper-tier municipality without planning responsibilities; (“municipalité de palier supérieur avec responsabilités en matière d’aménagement”)

(3) Subsection 1 (2) of the Act is amended by striking out “17 (24), (36), (40) and (44.1), 22 (7.4), 34 (19) and (24.1), 38 (4)” and substituting “17 (24), (36) and (44.1), 22 (7.4), 34 (19) and (24.1), 38 (4.1)”.

(4) Section 1 of the Act is amended by adding the following subsections:

Limitation

(4.1) A reference to a person or public body in the following provisions does not include a conservation authority under the *Conservation Authorities Act* except where an appeal made under or referred to in one of those provisions relates to natural hazard policies in any policy statements issued under section 3 of the Act, except for those policies that relate to hazardous forest types for wildland fire:

1. Paragraph 1.1 of subsection 17 (24).
2. Paragraph 1.1 of subsection 17 (36).
3. Paragraph 1 of subsection 17 (44.1).
4. Subsection 22 (7.4).
5. Paragraph 2.1 of subsection 34 (19).
6. Paragraph 1 of subsection 34 (24.1).
7. Subsection 38 (4.1).
8. Subsection 45 (12).
9. Paragraphs 2 and 5 of subsection 51 (39).
10. Paragraphs 2 and 5 of subsection 51 (43).
11. Paragraphs 2 and 5 of subsection 51 (48).
12. Paragraphs 1 and 5 of subsection 51 (52.1).
13. Subsections 53 (19) and (27).

Transition

(4.2) Despite subsection (4.1), a conservation authority that was a party to an appeal under a provision listed in subsection (4.1) on the day before the day subsection 1 (4) of Schedule 9 to the *More Homes Built Faster Act, 2022* came into force may continue as a party to the appeal after that date until the final disposition of the appeal.

(5) Section 1 of the Act is amended by adding the following subsections:

Limitation

(4.3) A reference to a person or public body in the following provisions does not include an upper-tier municipality without planning responsibilities:

1. Paragraphs 1.1 and 4 of subsection 17 (24).
2. Paragraphs 1.1 and 3 of subsection 17 (36).
3. Paragraph 1 of subsection 17 (44.1).
4. Subsection 22 (7.4).
5. Paragraph 2.1 of subsection 34 (19).
6. Paragraph 1 of subsection 34 (24.1).
7. Subsection 38 (4.1).
8. Subsection 45 (12).
9. Paragraphs 2 and 5 of subsection 51 (39).
10. Paragraphs 2 and 5 of subsection 51 (43).
11. Paragraphs 2 and 5 of subsection 51 (48).
12. Paragraphs 1 and 5 of subsection 51 (52.1).
13. Subsections 53 (19) and (27).

Transition

(4.4) Despite subsection (4.3), an upper-tier municipality without planning responsibilities listed in paragraphs 1 to 7 of the definition of “upper-tier municipality without planning responsibilities” in subsection (1) that was a party to an appeal under a provision listed in subsection (4.3) on the day before the day subsection 1 (2) of Schedule 9 to the *More Homes Built Faster Act, 2022* came into force or an upper-tier municipality without planning responsibilities prescribed under subsection (6) that

was a party to an appeal under a provision listed in subsection (4.3) on the day before the day the regulation prescribing the upper-tier municipality without planning responsibilities as such comes into force may continue as a party to the appeal after that date until the final disposition of the appeal, unless the appeal is deemed to be dismissed by application of subsection 17 (24.0.2) or (36.0.2), 34 (19.0.0.2), 45 (12.2) or 53 (19.2) or (27.0.2).

(6) Section 1 of the Act is amended by adding the following subsection:

Regulations, upper-tier municipality without planning responsibilities

(6) The Lieutenant Governor in Council may, by regulation, prescribe additional upper-tier municipalities for the purposes of the definition of “upper-tier municipality without planning responsibilities” in subsection 1 (1).

2 (1) Subsection 8 (1) of the Act is amended by striking out “upper-tier municipality” and substituting “upper-tier municipality with planning responsibilities”.

(2) Subsection 8 (2) of the Act is amended by striking out “The council of a lower-tier municipality” at the beginning and substituting “The council of a lower-tier municipality, the council of an upper-tier municipality without planning responsibilities”.

3 Section 15 of the Act is repealed and the following substituted:

Upper-tier municipalities, planning functions

15 (1) The council of an upper-tier municipality with planning responsibilities, on such conditions as may be agreed upon with the council of a lower-tier municipality, may assume any authority, responsibility, duty or function of a planning nature that the lower-tier municipality has under this or any other Act.

Same

(2) The council of an upper-tier municipality, on such conditions as may be agreed upon with the council of a lower-tier municipality, may provide advice and assistance to the lower-tier municipality in respect of planning matters generally.

4 (1) Subsection 16 (3) of the Act is repealed and the following substituted:

Restrictions for residential units

(3) No official plan may contain any policy that has the effect of prohibiting the use of,

- (a) two residential units in a detached house, semi-detached house or rowhouse on a parcel of urban residential land, if all buildings and structures ancillary to the detached house, semi-detached house or rowhouse cumulatively contain no more than one residential unit;
- (b) three residential units in a detached house, semi-detached house or rowhouse on a parcel of urban residential land, if no building or structure ancillary to the detached house, semi-detached house or rowhouse contains any residential units; or
- (c) one residential unit in a building or structure ancillary to a detached house, semi-detached house or rowhouse on a parcel of urban residential land, if the detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the detached house, semi-detached house or rowhouse contains any residential units.

Same, parking

(3.1) No official plan may contain any policy that has the effect of requiring more than one parking space to be provided and maintained in connection with a residential unit referred to in subsection (3).

Same, minimum unit size

(3.2) No official plan may contain any policy that provides for a minimum floor area of a residential unit referred to in subsection (3).

Policies of no effect

(3.3) A policy in an official plan is of no effect to the extent that it contravenes a restriction described in subsection (3), (3.1), or (3.2).

(2) Subsection 16 (15) of the Act is amended by adding “or a lower-tier municipality that, for municipal purposes, forms part of an upper-tier municipality without planning responsibilities” after “single-tier municipality” in the portion before clause (a).

(3) Subsection 16 (16) of the Act is amended by striking out “upper-tier municipality” in the portion before clause (a) and substituting “upper-tier municipality with planning responsibilities”.

(4) Section 16 of the Act is amended by adding the following subsections:

Updating zoning by-laws

(20) No later than one year after the official plan policies described in paragraph 1 or 2 of subsection (21) come into effect, the council of the local municipality shall amend all zoning by-laws that are in effect in the municipality to ensure that they conform with the policies.

Same

(21) The official plan policies referred to in subsection (20) are as follows:

1. Policies listed in subsection 17 (36.1.4).
2. Policies set out in the official plan of a local municipality that,
 - i. delineate an area surrounding and including an existing or planned higher order transit station or stop, and identify the minimum number of residents and jobs, collectively, per hectare that are planned to be accommodated within the area, and
 - ii. are required to be included in an official plan to conform with a provincial plan or be consistent with a policy statement issued under subsection 3 (1).

5 (1) Subsection 17 (2) of the Act is amended by striking out “upper-tier municipality” and substituting “upper-tier municipality with planning responsibilities”.

(2) Subsection 17 (4) of the Act is amended by striking out “an upper-tier municipality” and substituting “an upper-tier municipality with planning responsibilities”.

(3) Subsections 17 (6) and (12) of the Act are amended by striking out “accompanied by a written explanation for it” wherever it appears.

(4) Subsection 17 (13) of the Act is repealed and the following substituted:

Mandatory adoption

(13) A plan shall be prepared and adopted and, unless exempt from approval, submitted for approval by the council of,

- (a) an upper-tier municipality with planning responsibilities;
- (b) a lower-tier municipality that, for municipal purposes, forms part of an upper-tier municipality without planning responsibilities; and
- (c) any other local municipality that is prescribed for the purposes of this section.

(5) Subsection 17 (14) of the Act is amended by striking out “municipality not prescribed under subsection (13)” and substituting “local municipality not described in clause 13 (b) or otherwise prescribed for the purposes of subsection (13)”.

(6) Paragraph 1 of subsection 17 (24) of the Act is repealed and the following substituted:

1. A specified person who, before the plan was adopted, made oral submissions at a public meeting or written submissions to the council.
 - 1.1 A public body that, before the plan was adopted, made oral submissions at a public meeting or written submissions to the council.

(7) Section 17 of the Act is amended by adding the following subsections:

Transition

(24.0.1) For greater certainty, subsection (24), as it reads on the day subsection 5 (6) of Schedule 9 to the *More Homes Built Faster Act, 2022* comes into force, applies to an appeal on and after that day even if the giving of notice under subsection (23) is completed before that day.

Same, retroactive effect

(24.0.2) An appeal under subsection (24) made before the day subsection 5 (6) of Schedule 9 to the *More Homes Built Faster Act, 2022* comes into force by a person or public body not described in paragraph 1, 1.1, 2, 3 or 4 of subsection (24) of this section as it reads on the day subsection 5 (6) of Schedule 9 to the *More Homes Built Faster Act, 2022* comes into force shall be deemed to have been dismissed on the day subsection 5 (6) of Schedule 9 to the *More Homes Built Faster Act, 2022* comes into force unless,

- (a) a hearing on the merits of the appeal had been scheduled before October 25, 2022; or
- (b) a notice of appeal was filed by a person or public body listed in paragraph 1, 1.1, 2, 3 or 4 of subsection (24) of this section in respect of the same plan to which the appeal relates.

Same, hearing on the merits

(24.0.3) For the purposes of clause (24.0.2) (a), a hearing on the merits of an appeal is considered to be scheduled on the date on which the Tribunal first orders the hearing to be scheduled, and is not affected by an adjournment or rescheduling of the hearing.

Same

(24.0.4) For greater certainty, a hearing on the merits of an appeal does not include mediation or any other dispute resolution process, settlement negotiations, a case management conference or any other step in the appeal that precedes such a hearing.

(8) Subsection 17 (24.1) of the Act is repealed and the following substituted:**No appeal re additional residential unit policies**

(24.1) Despite subsection (24), there is no appeal in respect of policies adopted to authorize the use of,

- (a) a second residential unit in a detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if all buildings and structures ancillary to the detached house, semi-detached house or rowhouse cumulatively contain no more than one residential unit;
- (b) a third residential unit in a detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if no building or structure ancillary to the detached house, semi-detached house or rowhouse contains any residential units; or
- (c) one residential unit in a building or structure ancillary to a detached house, semi-detached house or rowhouse on a parcel of urban residential land, if the detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the detached house, semi-detached house or rowhouse contains any residential units.

(9) Paragraph 1 of subsection 17 (36) of the Act is repealed and the following substituted:

- 1. A specified person who, before the plan was adopted, made oral submissions at a public meeting or written submissions to the council.
- 1.1 A public body that, before the plan was adopted, made oral submissions at a public meeting or written submissions to the council.

(10) Section 17 of the Act is amended by adding the following subsections:**Transition**

(36.0.1) For greater certainty, subsection (36), as it reads on the day subsection 5 (9) of Schedule 9 to the *More Homes Built Faster Act, 2022* comes into force, applies to an appeal on and after that day even if the giving of notice under subsection (35) is completed before that day.

Same, retroactive effect

(36.0.2) An appeal under subsection (36) made before the day subsection 5 (9) of Schedule 9 to the *More Homes Built Faster Act, 2022* comes into force by a person or public body not described in paragraph 1, 1.1, 2 or 3 of subsection (36) of this section as it reads on the day subsection 5 (9) of Schedule 9 to the *More Homes Built Faster Act, 2022* comes into force shall be deemed to have been dismissed on the day subsection 5 (9) of Schedule 9 to the *More Homes Built Faster Act, 2022* comes into force unless,

- (a) a hearing on the merits of the appeal had been scheduled before October 25, 2022; or
- (b) a notice of appeal was filed by a person or public body listed in paragraph 1, 1.1, 2 or 3 of subsection (36) of this section in respect of the same decision to which the appeal relates.

Same, hearing on the merits

(36.0.3) For the purposes of clause (36.0.2) (a), a hearing on the merits of an appeal is considered to be scheduled on the date on which the Tribunal first orders the hearing to be scheduled, and is not affected by an adjournment or rescheduling of the hearing.

Same

(36.0.4) For greater certainty, a hearing on the merits of an appeal does not include mediation or any other dispute resolution process, settlement negotiations, a case management conference or any other step in the appeal that precedes such a hearing.

(11) Subsection 17 (36.1) of the Act is repealed and the following substituted:**No appeal re additional residential unit policies**

(36.1) Despite subsection (36), there is no appeal in respect of policies adopted to authorize the use of,

- (a) a second residential unit in a detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if all buildings and structures ancillary to the detached house, semi-detached house or rowhouse cumulatively contain no more than one residential unit;
- (b) a third residential unit in a detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if no building or structure ancillary to the detached house, semi-detached house or rowhouse contains any residential units; or
- (c) one residential unit in a building or structure ancillary to a detached house, semi-detached house or rowhouse on a parcel of urban residential land, if the detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the detached house, semi-detached house or rowhouse contains any residential units.

6 (1) Section 22 of the Act is amended by adding the following subsection:

Same

(2.3) Subsections (2.1) and (2.1.1) do not apply in respect of a request for an amendment to an official plan that relates to the making, establishment or operation of a pit or quarry.

(2) Clause 22 (7.2) (c) of the Act is repealed and the following substituted:

- (c) amend or revoke policies adopted to authorize the use of,
 - (i) a second residential unit in a detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if all buildings and structures ancillary to the detached house, semi-detached house or rowhouse cumulatively contain no more than one residential unit,
 - (ii) a third residential unit in a detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if no building or structure ancillary to the detached house, semi-detached house or rowhouse contains any residential units, or
 - (iii) one residential unit in a building or structure ancillary to a detached house, semi-detached house or rowhouse on a parcel of urban residential land, if the detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the detached house, semi-detached house or rowhouse contains any residential units; or

7 Section 23 of the Act is repealed and the following substituted:

Matter of provincial interest affected by official plan

23 (1) The Minister may, by order, amend an official plan if the Minister is of the opinion that the plan is likely to adversely affect a matter of provincial interest.

Effect or order

(2) The Minister's order has the same effect as an amendment to the plan adopted by the council and approved by the appropriate approval authority.

Non-application of *Legislation Act, 2006*, Part III

(3) Part III (Regulations) of the *Legislation Act, 2006* does not apply to an order made under subsection (1).

8 (1) Section 34 of the Act is amended by adding the following subsection:

Same

(10.0.0.3) Subsection (10.0.0.1) does not apply in respect of an application for an amendment to a zoning by-law to permit the making, establishment or operation of a pit or quarry.

(2) Paragraph 2 of subsection 34 (19) of the Act is repealed and the following substituted:

- 2. A specified person who, before the by-law was passed, made oral submissions at a public meeting or written submissions to the council.
- 2.1 A public body that, before the by-law was passed, made oral submissions at a public meeting or written submissions to the council.

(3) Section 34 of the Act is amended by adding the following subsections:

Transition

(19.0.0.1) For greater certainty, subsection (19), as it reads on the day subsection 8 (2) of Schedule 9 to the *More Homes Built Faster Act, 2022*, comes into force, applies to an appeal on and after that day even if the giving of notice under subsection (18) is completed before that day.

Same, retroactive effect

(19.0.0.2) An appeal under subsection (19) made before the day subsection 8 (2) of Schedule 9 to the *More Homes Built Faster Act, 2022* comes into force by a person or public body not described in paragraph 1, 2, 2.1 or 3 of subsection (19) of this section as it reads on the day subsection 8 (2) of Schedule 9 to the *More Homes Built Faster Act, 2022* comes into force shall be deemed to have been dismissed on the day subsection 8 (2) of Schedule 9 to the *More Homes Built Faster Act, 2022* comes into force unless,

- (a) a hearing on the merits of the appeal had been scheduled before October 25, 2022; or
- (b) a notice of appeal was filed by a person or public body listed in paragraph 1, 2, 2.1 or 3 of subsection (19) of this section in respect of the same by-law to which the appeal relates.

Same, hearing on the merits

(19.0.0.3) For the purposes of clause (19.0.0.2) (a), a hearing on the merits of an appeal is considered to be scheduled on the date on which the Tribunal first orders the hearing to be scheduled, and is not affected by an adjournment or rescheduling of the hearing.

Same

(19.0.0.4) For greater certainty, a hearing on the merits of an appeal does not include mediation or any other dispute resolution process, settlement negotiations, a case management conference or any other step in the appeal that precedes such a hearing.

(4) Subsection 34 (19.1) of the Act is repealed and the following substituted:**No appeal re additional residential unit by-laws**

(19.1) Despite subsection (19), there is no appeal in respect of the parts of a by-law that are passed to permit the use of,

- (a) a second residential unit in a detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if all buildings and structures ancillary to the detached house, semi-detached house or rowhouse cumulatively contain no more than one residential unit;
- (b) a third residential unit in a detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if no building or structure ancillary to the detached house, semi-detached house or rowhouse contains any residential units; or
- (c) one residential unit in a building or structure ancillary to a detached house, semi-detached house or rowhouse on a parcel of urban residential land, if the detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the detached house, semi-detached house or rowhouse contains any residential units.

(5) Subsection 34 (19.5) of the Act is amended by striking out “subsections (19.6) to (19.8)” in the portion before clause (a) and substituting “subsections (19.6) to (19.9)”.

(6) Subsection 34 (19.6) of the Act is amended by striking out “lower-tier municipality only if the municipality’s official plan” and substituting “lower-tier municipality that, for municipal purposes, forms part of an upper-tier municipality without planning responsibilities only if the lower-tier municipality’s official plan”.

(7) Section 34 of the Act is amended by adding the following subsection:

Exception re non-compliance with s. 16 (20)

(19.9) Subsection (19.5) does not apply to a zoning by-law that is passed more than one year after the later of the following comes into effect:

1. Official plan policies described in subsection 16 (15) or subclauses 16 (16) (b) (i) and (ii) for the protected major transit station area.
2. An amendment to the policies referred to in paragraph 1 of this subsection.

9 Subsections 35.1 (1) and (2) of the Act is repealed and the following substituted:**Restrictions for residential units**

(1) The authority to pass a by-law under section 34 does not include the authority to pass a by-law that prohibits the use of,

- (a) two residential units in a detached house, semi-detached house or rowhouse on a parcel of urban residential land, if all buildings and structures ancillary to the detached house, semi-detached house or rowhouse cumulatively contain no more than one residential unit;
- (b) three residential units in a detached house, semi-detached house or rowhouse on a parcel of urban residential land, if no building or structure ancillary to the detached house, semi-detached house or rowhouse contains any residential units; or

- (c) one residential unit in a building or structure ancillary to a detached house, semi-detached house or rowhouse on a parcel of urban residential land, if the detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the detached house, semi-detached house or rowhouse contains any residential units.

Same, parking

(1.1) The authority to pass a by-law under section 34 does not include the authority to pass a by-law requiring more than one parking space to be provided and maintained in connection with a residential unit referred to in subsection (1) of this section.

Same, minimum area

(1.2) The authority to pass a by-law under section 34 does not include the authority to pass a by-law that regulates the minimum floor area of a residential unit referred to in subsection (1) of this section.

Provisions of no effect

(1.3) A provision of a by-law passed under section 34 or an order made under subsection 34.1 (9) or clause 47 (1) (a) is of no effect to the extent that it contravenes a restriction described in subsection (1), (1.1) or (1.2) of this section.

Regulations

(2) The Minister may make regulations establishing requirements and standards with respect to,

- (a) a second residential unit in a detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if all buildings and structures ancillary to the detached house, semi-detached house or rowhouse cumulatively contain no more than one residential unit;
- (b) a third residential unit in a detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if no building or structure ancillary to the detached house, semi-detached house or rowhouse contains any residential units; or
- (c) a residential unit in a building or structure ancillary to a detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if the detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the detached house, semi-detached house or rowhouse contains any residential units.

10 (1) Subsection 37 (32) of the Act is amended by adding “Subject to subsection (32.1),” at the beginning.

(2) Subsection 37 (32) of the Act is repealed and the following substituted:

Maximum amount of community benefits charge

(32) The amount of a community benefits charge payable in any particular case shall not exceed an amount equal to the prescribed percentage of the value of the land, as of the valuation date, multiplied by the ratio of “A” to “B” where,

“A” is the floor area of any part of a building or structure, which part is proposed to be erected or located as part of the development or redevelopment, and

“B” is the floor area of all buildings and structures that will be on the land after the development or redevelopment.

(3) Section 37 of the Act is amended by adding the following subsection:

Discount

(32.1) With respect to a development or redevelopment that includes affordable residential units or attainable residential units, as defined in subsection 4.1 (1) of the *Development Charges Act, 1997*, or residential units described in subsection 4.3 (2) of that Act, the community benefits charge applicable to such a development or redevelopment shall not exceed the amount determined under subsection (32) multiplied by the ratio of A to B where,

“A” is the floor area of all buildings that are part of the development or redevelopment minus the floor area of all affordable residential units, attainable residential units and residential units described in subsection 4.3 (2) of the *Development Charges Act, 1997*; and

“B” is the floor area of all buildings that are part of the development or redevelopment.

11 (1) Section 41 of the Act is amended by adding the following subsections:

Same

(1.2) Subject to subsection (1.3), the definition of “development” in subsection (1) does not include the construction, erection or placing of a building or structure for residential purposes on a parcel of land if that parcel of land will contain no more than 10 residential units.

Land lease community home

(1.3) The definition of “development” in subsection (1) includes the construction, erection or placing of a land lease community home, as defined in subsection 46 (1), on a parcel of land that will contain any number of residential units.

(2) Subparagraph 2 (d) of subsection 41 (4) of the Act is repealed.

(3) Subsection 41 (4.1) of the Act is amended by adding the following paragraph:

1.1 Exterior design, except to the extent that it is a matter relating to exterior access to a building that will contain affordable housing units or to any part of such a building.

(4) Section 41 of the Act is amended by adding the following subsection:

Same

(4.1.1) The appearance of the elements, facilities and works on the land or any adjoining highway under a municipality’s jurisdiction is not subject to site plan control, except to the extent that the appearance impacts matters of health, safety, accessibility or the protection of adjoining lands.

(5) Subsection 41 (9) of the Act is repealed and the following substituted:

Limitations on requirement to widen highway

(9) An owner may not be required by a municipality, under paragraph 1 of clause (7) (a), or by an upper-tier municipality with planning responsibilities, under subclause (8) (a) (i), to provide a highway widening unless the highway to be widened is shown on or described in an official plan as a highway to be widened and the extent of the proposed widening is likewise shown or described.

(6) Subsection 41 (9.1) of the Act is repealed and the following substituted:

Limitations on requirement to convey land

(9.1) An owner of land may not be required by a municipality, under clause (7) (d), or by an upper-tier municipality with planning responsibilities, under clause (8) (c), to convey land unless the public transit right of way to be provided is shown on or described in an official plan.

(7) Section 41 of the Act is amended by adding the following subsection:

Same

(15.3) In respect of plans and drawings submitted for approval under subsection (4) before the day subsection 11 (2) of Schedule 9 to the *More Homes Built Faster Act, 2022* comes into force,

- (a) subparagraph 2 (d) of subsection (4), as it read immediately before the day subsection 11 (2) of Schedule 9 to the *More Homes Built Faster Act, 2022* came into force, continues to apply;
- (b) paragraph 1.1 of subsection (4.1) does not apply; and
- (c) subsection (4.1.1) does not apply.

12 (1) Subsection 42 (0.1) of the Act is amended by repealing the definition of “dwelling unit”.

(2) Subsection 42 (1) of the Act is amended by adding “Subject to subsection (1.1)” at the beginning.

(3) Section 42 of the Act is amended by adding the following subsection:

Same, affordable residential units

(1.1) With respect to land proposed for development or redevelopment that will include affordable residential units or attainable residential units, as defined in subsection 4.1 (1) of the *Development Charges Act, 1997*, or residential units described in subsection 4.3 (2) of that Act, the amount of land that may be required to be conveyed under subsection (1) shall not exceed 5 per cent of the land multiplied by the ratio of A to B where,

“A” is the number of residential units that are part of the development or redevelopment but are not affordable residential units, attainable residential units or residential units described in subsection 4.3 (2) of the *Development Charges Act, 1997*; and

“B” is the number of residential units that are part of the development or redevelopment.

(4) Section 42 of the Act is amended by adding the following subsection:

Exception, non-profit housing development

(1.2) A by-law passed under this section does not apply to non-profit housing development defined in subsection 4.2 (1) of the *Development Charges Act, 1997*.

(5) Section 42 of the Act is amended by adding the following subsection:

Non-application, residential units

(1.3) A by-law passed under this section does not apply to the erection or location of,

- (a) a second residential unit in a detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if all buildings and structures ancillary to the detached house, semi-detached house or rowhouse cumulatively contain no more than one residential unit;
- (b) a third residential unit in a detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if no building or structure ancillary to the detached house, semi-detached house or rowhouse contains any residential units; or
- (c) one residential unit in a building or structure ancillary to a detached house, semi-detached house or rowhouse on a parcel of urban residential land, if the detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the detached house, semi-detached house or rowhouse contains any residential units.

(6) Section 42 of the Act is amended by adding the following subsections:

When requirement determined

(2.1) The amount of land or payment in lieu required to be provided under this section is the amount of land or payment in lieu that would be determined under the by-law on,

- (a) the day an application for an approval of development in a site plan control area under subsection 41 (4) of this Act or subsection 114 (5) of the *City of Toronto Act, 2006* was made in respect of the development or redevelopment;
- (b) if clause (a) does not apply, the day an application for an amendment to a by-law passed under section 34 of this Act was made in respect of the development or redevelopment; or
- (c) if neither clause (a) nor clause (b) applies, the day a building permit was issued in respect of the development or redevelopment or, if more than one building permit is required for the development or redevelopment, the day the first permit was issued.

Same, if by-law not in effect

(2.2) Subsection (2.1) applies regardless of whether the by-law under which the amount of land or payment in lieu would be determined is no longer in effect on the date the land is conveyed, the payment in lieu is made or arrangements for the payment in lieu that are satisfactory to the council are made, as the case may be.

Same, more than one application

(2.3) If a development was the subject of more than one application referred to in clause (2.1) (a) or (b), the later one is deemed to be the applicable application for the purposes of subsection (2.1).

Exception, time elapsed

(2.4) Clauses (2.1) (a) and (b) do not apply if, on the date the first building permit is issued for the development, more than two years have elapsed since the application referred to in clause (2.1) (a) or (b) was approved.

Transition

(2.5) Subsection (2.1) does not apply in the case of an application made before the day subsection 12 (6) of Schedule 9 to the *More Homes Built Faster Act, 2022* comes into force.

(7) Subsection 42 (3) of the Act is amended by striking out “for each 300 dwelling units” and substituting “for each 600 net residential units”.

(8) Section 42 of the Act is amended by adding the following subsections:

Transition

(3.0.1) Subsection (3), as it read immediately before the day subsection 12 (8) of Schedule 9 to the *More Homes Built Faster Act, 2022* comes into force, continues to apply to a development or redevelopment if, on that day, a building permit has been issued in respect of the development or redevelopment.

Net residential units

(3.0.2) For the purposes of subsections (3) and (6.0.1), the net residential units proposed shall be determined by subtracting the number of residential units on the land immediately before the proposed development or redevelopment from the number of residential units that will be on the land after the proposed development or redevelopment.

(9) Section 42 of the Act is amended by adding the following subsection:

Same, affordable residential units

(3.0.3) Affordable residential units and attainable residential units, as defined in subsection 4.1 (1) of the *Development Charges Act, 1997*, and residential units described in subsection 4.3 (2) of that Act shall be excluded from the number of net residential units otherwise determined in accordance with subsection (3.0.2).

(10) Subsection 42 (3.2) of the Act is repealed.

(11) Section 42 of the Act is amended by adding the following subsection:

Transition

(3.5) Subsections (3.3) and (3.4) do not apply to land proposed for development or redevelopment if, before the day subsection 12 (11) of Schedule 9 to the *More Homes Built Faster Act, 2022* comes into force, a building permit has been issued in respect of the development or redevelopment unless the land proposed for development or redevelopment is designated as transit-oriented community land under subsection 2 (1) of the *Transit-Oriented Communities Act, 2020*.

(12) Subsection 42 (4.1) of the Act is amended by striking out “adopting the official plan policies described in subsection (4)” and substituting “passing a by-law under this section”.

(13) Subsection 42 (4.3) of the Act is repealed.

(14) Subclause 42 (4.27) (b) (i) of the Act is amended by striking out “only” at the end.

(15) Section 42 of the Act is amended by adding the following subsections:

Identification of land re conveyance to municipality

(4.30) An owner of land proposed for development or redevelopment may, at any time before a building permit is issued in respect of the development or redevelopment, identify, in accordance with such requirements as may be prescribed, a part of the land that the owner proposes be conveyed to the municipality to satisfy, in whole or in part, a requirement of a by-law passed under this section.

Same

(4.31) Land identified in accordance with subsection (4.30) may include,

(a) land that is,

- (i) part of a parcel of land that abuts one or more other parcels of land on a horizontal plane,
- (ii) subject to an easement or other restriction, or
- (iii) encumbered by below grade infrastructure; or

(b) an interest in land other than the fee, which interest is sufficient to allow the land to be used for park or other public recreational purposes.

Agreement re interest in land

(4.32) If the municipality intends to accept the conveyance of an interest in land described in clause (4.31) (b), the municipality may require the owner of the land to enter into an agreement with the municipality that provides for the land to be used for park or other public recreational purposes.

Registration of agreement

(4.33) An agreement entered into under subsection (4.32) may be registered against the land to which it applies and the municipality is entitled to enforce the agreement against the owner and, subject to the *Registry Act* and the *Land Titles Act*, against any and all subsequent owners of the land.

Municipality refuses to accept identified land

(4.34) If the municipality has decided to refuse to accept the conveyance of land identified in accordance with subsection (4.30) to satisfy a requirement of a by-law passed under this section, the municipality shall provide notice to the owner in accordance with such requirements as may be prescribed.

Appeal

(4.35) An owner of land who has received a notice under subsection (4.34) may, within 20 days of the notice being given, appeal the municipality’s refusal to accept the conveyance to the Tribunal by filing with the clerk of the municipality a notice of appeal accompanied by the fee charged by the Tribunal.

Record

(4.36) If the clerk of the municipality receives a notice of appeal referred to in subsection (4.35) within the time set out in that subsection, the clerk of the municipality shall ensure that,

- (a) a record is compiled which includes the prescribed information and material;

- (b) the record, the notice of appeal and the fee are forwarded to the Tribunal within 15 days after the notice is filed; and
- (c) such other information or material as the Tribunal may require in respect of the appeal is forwarded to the Tribunal.

Hearing

(4.37) On an appeal, the Tribunal shall hold a hearing, notice of which shall be given to such persons or public bodies and in such manner as the Tribunal may determine.

Order by Tribunal

(4.38) The Tribunal shall consider whether the land identified in accordance with subsection (4.30) meets the prescribed criteria and, if it does, the Tribunal shall order that the land,

- (a) be conveyed to the local municipality for park or other public recreational purposes; and
- (b) despite any provision in a by-law passed under this section, shall be deemed to count towards any requirement set out in the by-law that is applicable to the development or redevelopment.

Same, interest in land

(4.39) If the Tribunal orders an interest in land referred to in clause (4.31) (b) to be conveyed to the local municipality under subsection (4.38), the Tribunal may require the owner of the land to enter in an agreement with the municipality that provides for the land to be used for park or other public recreational purposes and subsection (4.33) applies to the agreement with necessary modifications.

(16) Subsection 42 (6.0.1) of the Act is amended by striking out “for each 500 dwelling units” and substituting “for each 1,000 net residential units”.

(17) Section 42 of the Act is amended by adding the following subsection:

Same

(6.0.4) Subsection (6.0.1), as it read immediately before the day subsection 12 (17) of Schedule 9 to the *More Homes Built Faster Act, 2022* comes into force, continues to apply to a development or redevelopment if, on that day, in circumstances where the alternative requirement set out in subsection (3) applies, a building permit has been issued in respect of the development or redevelopment.

(18) Section 42 of the Act is amended by adding the following subsection:

Requirement to spend or allocate monies in special account

(16.1) Beginning in 2023 and in each calendar year thereafter, a municipality shall spend or allocate at least 60 per cent of the monies that are in the special account at the beginning of the year.

13 (1) Subsection 45 (12) of the Act is amended by striking out “the Minister or any other person or public body who has an interest in the matter” and substituting “the Minister or a specified person or public body that has an interest in the matter”.

(2) Section 45 of the Act is amended by adding the following subsections:

Transition

(12.1) For greater certainty, subsection (12), as it reads on the day subsection 13 (1) of Schedule 9 to the *More Homes Built Faster Act, 2022* comes into force, applies to an appeal on and after that day even if the decision is made before that day.

Same, retroactive effect

(12.2) An appeal under subsection (12) made before the day subsection 13 (1) of Schedule 9 to the *More Homes Built Faster Act, 2022* comes into force by a person or public body not referred to in subsection (12) of this section as it reads on the day subsection 13 (1) of Schedule 9 to the *More Homes Built Faster Act, 2022* comes into force shall be deemed to have been dismissed on the day subsection 13 (1) of Schedule 9 to the *More Homes Built Faster Act, 2022* comes into force unless,

- (a) a hearing on the merits of the appeal had been scheduled before October 25, 2022; or
- (b) a notice of appeal was filed by a person or public body referred to in subsection (12) of this section in respect of the same decision to which the appeal relates.

Same, hearing on the merits

(12.3) For the purposes of clause (12.2) (a), a hearing on the merits of an appeal is considered to be scheduled on the date on which the Tribunal first orders the hearing to be scheduled, and is not affected by an adjournment or rescheduling of the hearing.

Same

(12.4) For greater certainty, a hearing on the merits of an appeal does not include mediation or any other dispute resolution process, settlement negotiations, a case management conference or any other step in the appeal that precedes such a hearing.

14 The definition of “parcel of land” in subsection 46 (1) of the Act is amended by striking out “in clause 50 (3) (b) or clause 50 (5) (a)” at the end and substituting “in clause 50 (3) (b) or (d.1) or clause 50 (5) (a) or (c.1)”.

15 (1) Sub-subparagraph I ii D of subsection 47 (4.4) of the Act is repealed.

(2) Subsection 47 (4.11) of the Act is amended by adding the following paragraph:

- 1.1 Exterior design, except to the extent that it is a matter relating to exterior access to a building that will contain affordable housing units or to any part of such a building.

16 (1) Section 50 of the Act is amended by striking out “under a project approved by the Minister of Natural Resources under section 24 of the Conservation Authorities Act and in respect of which” wherever it appears and substituting in each case “and”.

(2) Clause (a) of the definition of “consent” in subsection 50 (1) of the Act is repealed and the following substituted:

- (a) where land is situate in a lower-tier municipality that, for municipal purposes, forms part of an upper-tier municipality with planning responsibilities, a consent given by the council of the upper-tier municipality,
- (a.1) where land is situate in a lower-tier municipality that, for municipal purposes, forms part of an upper-tier municipality without planning responsibilities, a consent given by the council of the lower-tier municipality,

(3) Subsection 50 (1.1) of the Act is amended by striking out “accompanied by a written explanation for it” in the portion before paragraph 1.

(4) Subsection 50 (3) of the Act is amended by adding the following clause:

- (d.1) the land,
- (i) is located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the *City of Toronto Act, 2006*, and for which plans or drawings have been approved under subsection 41 (4) of this Act or subsection 114 (5) of the *City of Toronto Act, 2006*, as the case may be, and
- (ii) is being leased for the purpose of a land lease community home, as defined in subsection 46 (1) of this Act, for a period of not less than 21 years and not more than 49 years;

(5) Subsection 50 (5) of the Act is amended by adding the following clause:

- (c.1) the land,
- (i) is located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the *City of Toronto Act, 2006*, and for which plans or drawings have been approved under subsection 41 (4) of this Act or subsection 114 (5) of the *City of Toronto Act, 2006*, as the case may be, and
- (ii) is being leased for the purpose of a land lease community home, as defined in subsection 46 (1) of this Act, for a period of not less than 21 years and not more than 49 years;

(6) Section 50 of the Act is amended by adding the following subsection:

Exception re Greenbelt Area, subss. (3) (d.1) and (5) (c.1)

(6.1) Clauses (3) (d.1) and (5) (c.1) do not apply in respect of land if any part of the land is in the Greenbelt Area within the meaning of the *Greenbelt Act, 2005*.

17 (1) Section 51 of the Act is amended by striking out “A person listed in subsection (48.3)” wherever it appears and substituting in each case “A specified person”.

(2) Subsections 51 (5) and (5.1) of the Act are repealed and the following substituted:

Upper-tier municipality with planning responsibilities

(5) Subject to subsection (6), if land is in an upper-tier municipality with planning responsibilities, the upper-tier municipality is the approval authority for the purposes of this section and section 51.1.

Upper-tier municipality without planning responsibilities

(5.1) If land is in a lower-tier municipality that, for municipal purposes, forms part of an upper-tier municipality without planning responsibilities, the lower-tier municipality is the approval authority for the purposes of this section and section 51.1.

(3) Subsection 51 (11) of the Act is amended by,

- (a) striking out “accompanied by a written explanation for it”; and
- (b) striking out “subsection (3.1), (4), (5), (6) or (7)” and substituting “subsection (3.1), (4), (5), (5.1), (6) or (7)”.

(4) Subsections 51 (20) to (21.1) and (48.3) of the Act are repealed.

18 (1) Subsection 51.1 (0.1) of the Act is amended by repealing the definition of “dwelling unit”.

(2) Subsection 51.1 (1) of the Act is amended by adding “Subject to subsection (1.1),” at the beginning.

(3) Section 51.1 of the Act is amended by adding the following subsection:

Same, affordable residential units

(1.1) With respect to land proposed for a plan of subdivision that will include affordable residential units or attainable residential units, as defined in subsection 4.1 (1) of the *Development Charges Act, 1997*, or residential units described in subsection 4.3 (2) of that Act, the amount of land that may be required to be conveyed under subsection (1) shall not exceed 5 per cent of the land multiplied by the ratio of A to B where,

“A” is the number of residential units that are part of the development or redevelopment but are not affordable residential units, attainable residential units or residential units described in subsection 4.3 (2) of the *Development Charges Act, 1997*; and

“B” is the number of residential units that are part of the development or redevelopment.

(4) Section 51.1 of the Act is amended by adding the following subsection:

Exception, non-profit housing development

(1.2) A condition under subsection (1) may not be imposed in relation to a subdivision proposed for non-profit housing development defined in subsection 4.2 (1) of the *Development Charges Act, 1997*.

(5) Subsections 51.1 (2) to (2.3) of the Act are repealed and the following substituted:

Other criteria

(2) If the approval authority has imposed a condition under subsection (1) requiring land to be conveyed to the municipality and if the municipality in which the land is located has a by-law in effect under section 42 that provides for the alternative requirement authorized by subsection 42 (3), the municipality, in the case of a subdivision proposed for residential purposes, may, in lieu of such conveyance, require that land included in the plan be conveyed to the municipality for park or other public recreational purposes at a rate of one hectare for each 600 net residential units proposed or at such lesser rate as may be determined by the municipality.

(6) Section 51.1 of the Act is amended by adding the following subsection:

Same, net residential units

(3.0.1) For the purposes of subsection (2) and (3.1), the net residential units proposed shall be determined by subtracting the number of residential units on the land immediately before the draft plan of subdivision is approved from the number of residential units that are proposed to be on the land proposed to be subdivided.

(7) Section 51.1 of the Act is amended by adding the following subsection:

Same, affordable residential units

(3.0.2) Affordable residential units and attainable residential units, as defined in subsection 4.1 (1) of the *Development Charges Act, 1997*, and residential units described in subsection 4.3 (2) of that Act, shall be excluded from the number of net residential units otherwise determined in accordance with subsection (3.0.1).

(8) Subsection 51.1 (3.1) of the Act is amended by striking out “for each 500 dwelling units” and substituting “for each 1,000 net residential units”.

(9) Section 51.1 of the Act is amended by adding the following subsection:

Transition

(3.2.1) Subsections (2) and (3.1), as they read immediately before the day subsection 18 (9) of Schedule 9 to the *More Homes Built Faster Act, 2022* comes into force, continue to apply to a draft plan of subdivision approved on or before that date, if,

(a) the approval authority has imposed a condition under subsection (1) requiring land to be conveyed to the municipality; and

(b) subsection (2), as it read immediately before the day subsection 18 (9) of Schedule 9 to the *More Homes Built Faster Act, 2022* comes into force, applies.

(10) Subsection 51.1 (3.3) of the Act is repealed.

(11) Section 51.1 of the Act is amended by adding the following subsection:

Transition

(3.5) Subsection (3.4) does not apply to a draft plan of subdivision approved before the day subsection 18 (11) of Schedule 9 to the *More Homes Built Faster Act, 2022* comes into force unless the land included in the plan of subdivision is designated as transit-oriented community land under subsection 2 (1) of the *Transit-Oriented Communities Act, 2020*.

19 (1) Subsection 53 (12.1) of the Act is repealed and the following substituted:

Same

(12.1) For greater certainty, the powers of a council or the Minister under subsection (12) apply to both the part of the parcel of land that is the subject of the application for consent and the remaining part of the parcel of land. However, the council or the Minister may impose as a condition to the granting of a provisional consent that land be conveyed to the local municipality or dedicated for park or other public recreational purposes only in respect of the part of a parcel of land that is the subject of the application for consent unless the application for consent includes a request in accordance with subsection (42.1).

(2) Subsection 53 (19) of the Act is amended by striking out “Any person or public body” at the beginning and substituting “The applicant, the Minister, a specified person or any public body”.

(3) Section 53 of the Act is amended by adding the following subsections:

Transition

(19.1) For greater certainty, subsection (19), as it reads on the day subsection 19 (2) of Schedule 9 to the *More Homes Built Faster Act, 2022* comes into force, applies to an appeal on and after that day even if the giving of notice under subsection (17) of this section is completed before that day.

Same, retroactive effect

(19.2) An appeal under subsection (19) made before the day subsection 19 (2) of Schedule 9 to the *More Homes Built Faster Act, 2022* comes into force by a person or public body not referred to in subsection (19) of this section as it reads on the day subsection 19 (2) of Schedule 9 to the *More Homes Built Faster Act, 2022* comes into force shall be deemed to have been dismissed on the day subsection 19 (2) of Schedule 9 to the *More Homes Built Faster Act, 2022* comes into force unless,

- (a) a hearing on the merits of the appeal had been scheduled before October 25, 2022; or
- (b) a notice of appeal was filed by a person or public body referred to in subsection (19) of this section in respect of the same decision to which the appeal relates.

Same, hearing on the merits

(19.3) For the purposes of clause (19.2) (a), a hearing on the merits of an appeal is considered to be scheduled on the date on which the Tribunal first orders the hearing to be scheduled, and is not affected by an adjournment or rescheduling of the hearing.

Same

(19.4) For greater certainty, a hearing on the merits of an appeal does not include mediation or any other dispute resolution process, settlement negotiations, a case management conference or any other step in the appeal that precedes such a hearing.

(4) Subsection 53 (27) of the Act is amended by striking out “Any person or public body” at the beginning and substituting “The applicant, the Minister, a specified person or any public body”.

(5) Section 53 of the Act is amended by adding the following subsections:

Transition

(27.0.1) For greater certainty, subsection (27), as it reads on the day subsection 19 (4) of Schedule 9 to the *More Homes Built Faster Act, 2022* comes into force, applies to an appeal on and after that day even if the giving of notice under subsection (24) of this section is completed before that day.

Same, retroactive effect

(27.0.2) An appeal under subsection (27) made before the day subsection 19 (4) of Schedule 9 to the *More Homes Built Faster Act, 2022* comes into force by a person or public body not referred to in subsection (27) of this section as it reads on the day subsection 19 (4) of Schedule 9 to the *More Homes Built Faster Act, 2022* comes into force shall be deemed to have been dismissed on the day subsection 19 (4) of Schedule 9 to the *More Homes Built Faster Act, 2022* comes into force unless,

- (a) a hearing on the merits of the appeal had been scheduled before October 25, 2022; or
- (b) a notice of appeal was filed by a person or public body referred to in subsection (27) of this section in respect of the changed condition to which the appeal relates.

Same, hearing on the merits

(27.0.3) For the purposes of clause (27.0.2) (a), a hearing on the merits of an appeal is considered to be scheduled on the date on which the Tribunal first orders the hearing to be scheduled, and is not affected by an adjournment or rescheduling of the hearing.

Same

(27.0.4) For greater certainty, a hearing on the merits of an appeal does not include mediation or any other dispute resolution process, settlement negotiations, a case management conference or any other step in the appeal that precedes such a hearing.

20 Subsection 54 (2) of the Act is repealed and the following substituted:

Delegation by lower-tier municipality

(2) The council of a lower-tier municipality may, by by-law, delegate the authority for giving consents, or any part of such authority, to a committee of council, to an appointed officer identified in the by-law by name or position occupied or to a committee of adjustment if,

- (a) the lower-tier municipality, for municipal purposes, forms part of an upper-tier municipality without planning responsibilities; or
- (b) the council of the lower-tier municipality has been delegated the authority under subsection (1).

21 Paragraph 17 of subsection 70.1 (1) of the Act is repealed and the following substituted:

17. prescribing local municipalities for the purposes of subsection 17 (13) and municipalities for the purposes of section 69.2;

22 The Act is amended by adding the following section:

Regulations re transitional matters, 2022 amendments

70.12 (1) The Minister may make regulations providing for transitional matters respecting matters and proceedings that were commenced before, on or after the effective date.

Same

- (2) Without limiting the generality of subsection (1), a regulation made under that subsection may,
- (a) determine which matters and proceedings may be continued and disposed of under this Act, as it read on the day before the effective date, and which matters and proceedings must be continued and disposed of under this Act, as it reads on and after the effective date;
 - (b) for the purpose of subsection (1), deem a matter or proceeding to have been commenced on the date or in the circumstances specified in the regulation.

Conflict

(3) A regulation made under this section prevails over any provision of this Act specifically mentioned in the regulation.

Definition

(4) In this section,

“effective date” means the day section 22 of Schedule 9 to the *More Homes Built Faster Act, 2022* comes into force.

23 The Act is amended by adding the following section:

Transition, upper-tier municipalities without planning responsibilities

70.13 (1) In this section,

“effective date” means,

- (a) in respect of an upper-tier municipality referred to in paragraphs 1 to 7 of the definition of “upper-tier municipality without planning responsibilities” in subsection 1 (1), the day on which subsection 1 (2) of Schedule 9 to the *More Homes Built Faster Act, 2022* comes into force, and
- (b) in respect of an upper-tier municipality prescribed under subsection 1 (6) of this Act as an upper-tier municipality without planning responsibilities, the day on which the regulation prescribing the upper-tier municipality as such comes into force.

Upper-tier official plans

(2) The portions of an official plan of an upper-tier municipality without planning responsibilities that are in effect immediately before the effective date and that apply in respect of any area in a lower-tier municipality are deemed to constitute an official plan of the lower-tier municipality, and this official plan remains in effect until the lower-tier municipality revokes it or amends it to provide otherwise.

Official plans or amendments not yet in force

(3) If an upper-tier municipality without planning responsibilities has adopted an official plan or an amendment to its official plan and that official plan or amendment is not yet in force on the effective date, the following rules apply:

1. The plan or amendment shall be dealt with under this Act as it reads on and after the effective date.
2. If any portion of the plan or amendment applies in respect of an area in a lower-tier municipality, the lower-tier municipality is deemed to have adopted that portion of the plan or amendment.
3. Despite paragraphs 1 and 2, the upper-tier municipality remains responsible for doing any of the following, if it hasn't been done before the effective date:

- i. Giving notice under subsection 17 (23).
 - ii. Compiling and forwarding the record under subsection 17 (31), if the plan or amendment is not exempt from approval.
4. Despite paragraphs 1 and 2, the clerk of the upper-tier municipality remains responsible for compiling and forwarding the record under subsection 17 (29), if the plan or amendment is exempt from approval and a notice of appeal under subsection 17 (24) is filed before the effective date.

Official plans and amendments in process

(4) If an upper-tier municipality without planning responsibilities has commenced procedures to adopt an official plan or an amendment to its official plan and that official plan or amendment has not been adopted on the effective date, any lower-tier municipality to which the plan or amendment would apply may continue with the procedures necessary to adopt the official plan or amendment to the extent that it applies to the lower-tier municipality.

Requests for amendments to official plan

(5) If a request to amend the official plan of an upper-tier municipality without planning responsibilities has been made before the effective date and the request has not been finally disposed of by that date, every lower-tier municipality to which the amendment would apply may continue with the procedures necessary to dispose of the request for amendment to the extent that the amendment applies to the lower-tier municipality.

Forwarding of papers and other documents

(6) The upper-tier municipality without planning responsibilities shall forward to the applicable lower-tier municipality all papers, plans, documents and other material that relate to any official plan, amendment or request under subsection (4) or (5).

Conflict

(7) In the event of a conflict, the portions of an official plan of an upper-tier municipality without planning responsibilities that are deemed under subsection (2) to constitute an official plan of the lower-tier municipality and an official plan or an amendment to an official plan that the lower-tier municipality is deemed to have adopted under subsection (3) prevail over an official plan of a lower-tier municipality that existed before the effective date.

Plans of subdivision

(8) If an application for approval of a plan of subdivision has been made to an upper-tier municipality without planning responsibilities before the effective date and has not been finally disposed of by that date, the upper-tier municipality without planning responsibilities shall forward the application to the applicable lower-tier municipality along with all papers, plans, documents and other material that relate to the proposed plan of subdivision.

Consents

(9) If an application for a consent has been made to an upper-tier municipality without planning responsibilities before the effective date and has not been finally disposed of by that date, the upper-tier municipality without planning responsibilities shall forward the application to the applicable lower-tier municipality along with all papers, plans, documents and other material that relate to the proposed consent.

Regulations

(10) The Minister may make regulations providing for transitional matters in respect of matters and proceedings that were commenced before, on or after the effective date.

Same

- (11) Without limiting the generality of subsection (10), a regulation made under that subsection may,
- (a) determine which matters and proceedings may be continued and disposed of under this Act, as it read on the day before the effective date, and which matters and proceedings must be continued and disposed of under this Act, as it reads on and after the effective date;
 - (b) for the purpose of subsection (10), deem a matter or proceeding to have been commenced on the date or in the circumstances specified in the regulation.

Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020

24 Section 26 of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020* is repealed.

Commencement

25 (1) Except as otherwise provided in this section, this Schedule comes into force on the day the *More Homes Built Faster Act, 2022* receives Royal Assent.

(2) Subsections 1 (2), (5) and (6), sections 2 and 3, subsection 4 (2) and (3) and 5 (1) to (5), section 7, subsections 8 (6), 10 (1) and (3), 11 (5) and (6), 12 (2) and (3), (9) and (15), 16 (2) and (3), 17 (2) and (3) and 18 (2), (3) and (7) and sections 20 to 23 come into force on a day to be named by proclamation of the Lieutenant Governor.

(3) Subsections 1 (4) and 16 (1) come into force on January 1, 2023.

**SCHEDULE 10
SUPPORTING GROWTH AND HOUSING IN YORK AND DURHAM REGIONS ACT, 2022**

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**PART I
INTERPRETATION**

Definitions

1 In this Act,

- “2022 York Region Water and Wastewater Master Plan” means the master plan for York Region’s water and wastewater services titled “2022 York Region Water and Wastewater Master Plan” dated August 2022; (“2022 York Region Water and Wastewater Master Plan”)
- “aboriginal or treaty rights” means the existing aboriginal or treaty rights recognized and affirmed in section 35 of the *Constitution Act, 1982*; (“droits ancestraux ou issus de traités”)
- “Agency” means the Ontario Clean Water Agency; (“Agence”)
- “building” has the same meaning as in the *Building Code Act, 1992*; (“bâtiment”)
- “business day” means a day from Monday to Friday, other than a holiday as defined in section 87 of the *Legislation Act, 2006*; (“jour ouvrable”)
- “construct” has the same meaning as in the *Building Code Act, 1992*; (“construire”)
- “delegate” means an entity to which a power or duty has been delegated under section 51; (“déléataire”)
- “environment” has the same meaning as in the *Environmental Assessment Act*; (“environnement”)
- “Durham Region” means the Regional Municipality of Durham; (“région de Durham”)
- “highway” has the same meaning as in the *Municipal Act, 2001*; (“voie publique”)
- “immediate danger” means a danger or hazard that,
- (a) poses an immediate risk of danger to the health and safety of persons constructing the York Region sewage works project, or
 - (b) if construction is not underway but the start of construction is imminent, would pose an immediate risk of danger to the health and safety of persons constructing the York Region sewage works project; (“danger immédiat”)
- “Lake Simcoe phosphorus reduction project” means a sewage works for the capture, conveyance and treatment of drainage from the Holland Marsh to remove phosphorus before discharge into the West Holland River, including or excluding any associated or ancillary equipment, systems and technologies or things that may be prescribed; (“projet de réduction du phosphore dans le lac Simcoe”)
- “Minister” means the Minister of the Environment, Conservation and Parks or such other member of the Executive Council as may be assigned the administration of this Act under the *Executive Council Act*; (“ministre”)
- “Ministry” means the Ministry of the Minister; (“ministère”)
- “permit” means a permit issued under section 17; (“permis”)
- “person” includes a municipality; (“personne”)
- “prescribed” means prescribed by the regulations; (“prescrit”)
- “preview inspection” means an inspection under section 34; (“inspection préalable”)
- “project land” means land designated as project land under section 52; (“terre ou bien-fonds affecté à un projet”)
- “regulations” means the regulations made under this Act; (“règlements”)
- “sewage” has the same meaning as in the *Ontario Water Resources Act*; (“eaux d’égout”)
- “sewage works” has the same meaning as in the *Ontario Water Resources Act*; (“station d’épuration des eaux d’égout”)
- “stop-work order” means an order under section 38; (“arrêté de cessation des travaux”)
- “Upper York Sewage Solutions Undertaking” means the undertaking described in York Region’s Upper York Sewage Solutions Environmental Assessment Report dated July 2014; (“entreprise de solutions pour la gestion des eaux d’égout dans Upper York”)
- “utility company” means a municipality, municipal service board or other company or individual operating or using communications services, water services or sewage services, or transmitting, distributing or supplying any substance or form of energy for light, heat, cooling or power; (“entreprise de services publics”)

“utility infrastructure” means poles, wires, cables, including fibre-optic cables, conduits, towers, transformers, pipes, pipe lines or any other works, buildings, structures or appliances placed over, on or under land or water by a utility company; (“infrastructure de services publics”)

“YDSS Central system” means the sewage works described as “YDSS Central” in the 2022 York Region Water and Wastewater Master Plan; (“portion centrale du réseau d’égout de York-Durham”)

“YDSS North system” means the sewage works described as “YDSS North” in the 2022 York Region Water and Wastewater Master Plan; (“portion nord du réseau d’égout de York-Durham”)

“York Durham Sewage System” means the sewage works described collectively as the “YDSS North, YDSS Central, YDSS South, and YDSS Primary system” in the 2022 York Region Water and Wastewater Master Plan; (“réseau d’égout de York-Durham”)

“York Region” means the Regional Municipality of York; (“région de York”)

“York Region sewage works project” means the improvement, enlargement, extension and any other modifications of the York Durham Sewage System in York and Durham Regions to convey sewage, including sewage from the towns of Aurora, East Gwillimbury and Newmarket, for treatment at the Duffin Creek Water Pollution Control Plant in Durham Region and discharge into Lake Ontario, including or excluding any associated or ancillary equipment, systems and technologies or thing that may be prescribed. (“projet de station d’épuration des eaux d’égout dans la région de York”)

PART II REVOCATIONS

Revocations

2 (1) The following are revoked:

1. The order, dated October 1, 2004, with the file number ENV1283MC-2004-5305, in respect of the York-Durham Sewage System project that was issued by the Minister to the Region under section 16 of the *Environmental Assessment Act*, requiring the Region to comply with Part II of that Act before proceeding with the projects specified in the order.
2. The approval, dated March 11, 2010, with the file number 02-04-03, of the terms of reference that forms part of the application for the Upper York Sewage Solutions Undertaking approved under section 6 of the *Environmental Assessment Act*.
3. Any other prescribed document or instrument issued under the *Environmental Assessment Act* that is related to the York sewage works project or the Lake Simcoe phosphorus reduction project.

Application withdrawn

(2) The application submitted for approval by York Region dated July 25, 2014 under section 6.2 of the *Environmental Assessment Act* shall be deemed to have been withdrawn and, for greater certainty, the Minister is not required to make a decision about that application.

Exception

(3) For greater certainty, subsections (1) and (2) do not apply to any portion of the undertaking described in Order in Council 399/2018 made under the *Environmental Assessment Act*.

PART III REQUIREMENTS TO PROVIDE SEWAGE WORKS

Regions to construct sewage works project

3 (1) York Region and Durham Region shall, in accordance with subsections (2) and (3), work together to do everything in their respective powers to develop, construct and operate the York Region sewage works project.

Specific requirements

(2) The York Region sewage works project must,

- (a) have sufficient capacity to meet the total combined average daily wastewater flows forecasted to flow to the Duffin Creek Water Pollution Control Plant and the Water Reclamation Centre in 2051 in figures 2.1 and 2.2 of Appendix A to the 2022 York Region Water and Wastewater Master Plan;
- (b) include improvements and upgrades to the YDSS North system to accommodate the flows described in clause (a);
- (c) include improvements and upgrades to the YDSS Central system, which, at a minimum, consist of upgrades and improvements to the Yonge Street trunk sewer between Bloomington Road and 19th Avenue to accommodate the flows described in clause (a);
- (d) meet all prescribed timelines for the development, construction and operation of all or part of the project;

- (e) improve, enlarge and extend the York Durham Sewage System in an efficient and cost-effective manner; and
- (f) be developed, constructed and operated in accordance with the regulations, if any.

Consultation required, etc.

- (3) York Region and Durham Region shall not submit an application for an environmental compliance approval under Part II.1 or register under Part II.2 of the *Environmental Protection Act* in respect of the York Region sewage works project until,
- (a) the report required under section 4 has been completed to the Minister's satisfaction;
 - (b) the consultation required under section 5 has been completed to the Minister's satisfaction; and
 - (c) any other prescribed requirements have been completed.

Report

4 (1) Immediately following the coming into force of this subsection, York Region and Durham Region shall commence the preparation of a report, in accordance with subsection (2) and the regulations.

Details in report

- (2) The report required under subsection (1) must contain details of,
- (a) the work required to meet the requirements of section 3;
 - (b) any associated cost of the work that is required to be detailed under clause (a);
 - (c) the approvals required to meet the requirements of section 3;
 - (d) the impacts to the environment of the project and the mitigation of those impacts; and
 - (e) anything else required by the Minister.

Report to be completed

(3) The report required under this section must be completed before the date specified by the Minister.

Report to be made public

- (4) Promptly after completing the report required under this section, York Region and Durham Region shall,
- (a) provide the report to the Minister;
 - (b) make the report publicly available on their respective websites; and
 - (c) provide the report to each Indigenous community identified on the list provided by the Minister under subsection 5 (4) for the purposes of the consultation required under section 5.

Revised report

(5) The Minister may require York Region and Durham Region to make revisions to the report provided to the Minister under subsection (4) by a date specified by the Minister.

Revised report to be made public

(6) Subsection (4) applies to a revised report required under subsection (5).

Additional reports

(7) The Minister may require York Region and Durham region to submit additional reports under this section for any part of the project, by the date specified by the Minister.

Requirements for additional reports

(8) Subsection 3 (3) and section 6 apply, with necessary modifications, to any part of the project that is the subject of a report required under subsection (7) of this section.

Same

(9) Subsections (2), (3), (4) and (5) apply to a report required under subsection (7).

Additional consultation

(10) Section 5 applies, with necessary modifications, to any part of the project that is the subject of a report required under subsection (7) of this section.

Consultation

5 (1) York Region and Durham Region shall, in accordance with this section and any regulations, consult with every Indigenous community that is identified on a list provided by the Minister under subsection (4) and with persons who, in the opinion of York Region and Durham Region, may be interested in the York Region sewage works project.

Commencement of consultation

(2) The consultation required by subsection (1) shall begin no later than 30 days after the list described in subsection (4) is provided by the Minister.

Indigenous communities

(3) As part of the consultation, York Region and Durham Region shall discuss with each Indigenous community identified on the list provided by the Minister under subsection (4),

- (a) the contents of the report required by section 4;
- (b) any aboriginal or treaty rights that may be adversely impacted by the project;
- (c) any potential adverse impacts of the project on aboriginal or treaty rights; and
- (d) measures that may avoid or mitigate potential adverse impacts on aboriginal or treaty rights, including any measures identified by the community.

List of Indigenous communities

(4) Before commencing consultation under this section, York Region and Durham Region shall obtain from the Minister a list of Indigenous communities that, in the opinion of the Minister, have or may have aboriginal or treaty rights that may be adversely impacted by the York Region sewage works project.

Consultation to be completed

(5) Any consultation required under this section shall be completed by the date specified by the Minister.

Consultation report

(6) Following the completion of consultation under this section, York Region and Durham Region shall provide the Minister with separate consultation reports, one respecting consultation with Indigenous communities and one with respect to consultation with other interested persons, each of which must include, as applicable,

- (a) a description of the consultations carried out;
- (b) a list of the Indigenous communities or interested persons who participated in the consultations;
- (c) summaries of any comments submitted;
- (d) copies of all written comments submitted by Indigenous communities or other interested persons;
- (e) a summary of discussions that York Region and Durham Region had with Indigenous communities or other interested persons;
- (f) a description of what York Region and Durham Region did to respond to concerns expressed by Indigenous communities or other interested persons; and
- (g) any commitments made by York Region and Durham Region to Indigenous communities or other interested persons in respect of the York Region sewage works project.

Further consultation

(7) Following the receipt of the report required under subsection (6), the Minister may require York Region and Durham Region to engage in further consultation with an Indigenous community identified on the list provided by the Minister under subsection (4).

Modification

(8) The report required under subsection (6) shall be modified by York Region and Durham Region to reflect any further consultation required by the Minister under subsection (7) and, following the completion of the consultation, submitted to the Minister.

Consultation by Minister

(9) For greater certainty, nothing in this section prevents the Minister from consulting with any Indigenous communities that, in the Minister's opinion, have or may have aboriginal or treaty rights that may be adversely impacted by the York Region sewage works project.

Notification by Minister

6 The Minister shall promptly notify York Region and Durham Region and each Indigenous community identified on the list provided by the Minister under subsection 5 (4) when the following have been completed to the Minister's satisfaction:

1. The report required under section 4.
2. The consultation required under section 5.

3. Any other requirements prescribed for the purpose of clause 3 (3) (c).

Municipalities to construct Lake Simcoe phosphorus reduction project

7 (1) Every municipality prescribed for the purposes of this subsection shall, in accordance with subsections (3) and (4), work together to do everything in their respective powers to develop, construct and operate the Lake Simcoe phosphorus reduction project.

Municipalities that may be prescribed

(2) The following municipalities may be prescribed for the purposes of subsection (1):

1. York Region.
2. A lower-tier municipality within York Region.
3. A lower-tier municipality within the County of Simcoe.

Specific requirements

(3) The Lake Simcoe phosphorus reduction project must be developed, constructed and operated in accordance with the regulations, if any, including meeting any prescribed timelines for all or part of the project.

Consultation required etc.

(4) A municipality prescribed for the purposes of subsection (1) shall not submit an application for an environmental compliance approval under Part II.1 or register under Part II.2 of the *Environmental Protection Act* in respect of the Lake Simcoe phosphorus reduction project until,

- (a) the report required under section 8 has been completed to the Minister's satisfaction;
- (b) the consultation required under section 9 has been completed to the Minister's satisfaction; and
- (c) any other prescribed requirements have been completed.

Report

8 (1) Immediately following the coming into force of this subsection, every municipality prescribed for the purposes of subsection 7 (1) shall commence the preparation of a report, in accordance with subsection (2) of this section and the regulations.

Details in report

- (2) The report required under subsection (1) must contain details of,
- (a) necessary work required to meet the requirements of section 7;
 - (b) any associated cost of the work that is required to be detailed under clause (a);
 - (c) the approvals required to meet the requirements of section 7;
 - (d) the impacts to the environment of the project and the mitigation of those impacts; and
 - (e) anything else required by the Minister.

Report to be completed

(3) The report required under this section must be completed before the date specified by the Minister.

Report to be made public

(4) Promptly after completing the report required under this section, each municipality prescribed for the purposes of subsection 7 (1) shall,

- (a) provide the report to the Minister;
- (b) make the report publicly available on its website; and
- (c) provide the report to each Indigenous community identified on the list provided by the Minister under subsection 9 (4) for the purposes of the consultation required under section 9.

Revised report

(5) The Minister may require a municipality prescribed for the purposes of subsection 7 (1) to make revisions to the report provided to the Minister under subsection (4) by a date specified by the Minister.

Revised report to be made public

(6) Subsection (4) applies to a revised report required under subsection (5).

Additional reports

(7) The Minister may require a municipality prescribed for the purposes of subsection 7 (1) to submit additional reports under this section for any part of the project, by the date specified by the Minister.

Requirements for additional reports

(8) Subsection 7 (4) and section 10 apply, with necessary modifications, to any part of the project that is the subject of a report required under subsection (7) of this section.

Same

(9) Subsections (2), (3), (4) and (5) apply to a report required under subsection (7).

Additional consultation

(10) Section 9 applies, with necessary modifications, to any part of the project that is the subject of a report required under subsection (7) of this section.

Consultation

9 (1) Every municipality prescribed for the purposes of subsection 7 (1) shall, in accordance with this section and any regulations, consult with every Indigenous community identified on the list provided by the Minister under subsection (4) of this section and with persons who, in the opinion of the municipality, may be interested in the Lake Simcoe phosphorus reduction project.

Commencement of consultation

(2) The consultation required by subsection (1) shall begin no later than 30 days after the list described in subsection (4) is provided by the Minister.

Indigenous communities

(3) As part of the consultation, the municipality shall discuss with each Indigenous community identified on the list provided by the Minister under subsection (4),

- (a) the contents of the report required by section 8;
- (b) any aboriginal or treaty rights that may be adversely impacted by the project;
- (c) any potential adverse impacts of the project on aboriginal or treaty rights; and
- (d) measures that may avoid or mitigate potential adverse impacts on aboriginal or treaty rights, including any measures identified by the community.

List of Indigenous communities

(4) Before commencing consultation under this section, a municipality prescribed for the purposes of subsection 7 (1) shall obtain from the Minister a list of Indigenous communities that, in the opinion of the Minister, have or may have aboriginal or treaty rights that may be adversely impacted by the phosphorus works project.

Consultation to be completed

(5) Any consultation required under this section shall be completed by the date specified by the Minister.

Consultation report

(6) Following the completion of consultation under this section, a municipality prescribed for the purposes of subsection 7 (1) shall provide the Minister with separate consultation reports, one respecting consultation with Indigenous communities and one with respect to consultation with other interested persons, each of which must include, as applicable,

- (a) a description of the consultations carried out;
- (b) a list of the Indigenous communities or interested persons who participated in the consultations;
- (c) summaries of any comments submitted;
- (d) copies of all written comments submitted by Indigenous communities or other interested persons;
- (e) a summary of discussions that the municipality had with Indigenous communities or other interested persons;
- (f) a description of what the municipality did to respond to concerns expressed by Indigenous communities or other interested persons; and
- (g) any commitments made by the municipality to Indigenous communities or other interested persons in respect of the Lake Simcoe phosphorus reduction project.

Further consultation

(7) Following the receipt of the report required under subsection (6), the Minister may require the municipality to engage in further consultation with an Indigenous community identified on the list provided by the Minister under subsection (4).

Modifications

(8) The report required under subsection (4) shall be modified by the municipality prescribed for the purposes of subsection 7 (1) to reflect any further consultation required by the Minister under subsection (7) and, following the completion of the consultation, submitted to the Minister.

Consultation by Minister

(9) For greater certainty, nothing in this section prevents the Minister from consulting with any Indigenous communities that, in the Minister's opinion, have or may have existing aboriginal or treaty rights that may be adversely impacted by the Lake Simcoe phosphorus reduction project.

Notification by Minister

10 The Minister shall promptly notify a municipality prescribed for the purposes of subsection 7 (1) and each Indigenous community identified on the list provided by the Minister under subsection 9 (4) when the following have been completed to the Minister's satisfaction:

1. The report required under section 8.
2. The consultation required under section 9.
3. Any other requirements prescribed for the purpose of clause 7 (4) (c).

Agency

11 (1) The Lieutenant Governor in Council may make an order requiring the Agency to undertake some or all of the work required under section 3 or 7, and the Agency shall comply with every such order.

Requirements

(2) An order under subsection (1) may be subject to any requirements that the Lieutenant Governor in Council considers necessary or advisable.

Requirements under regulations

(3) Any work the Agency is required to undertake under this section shall be done in accordance with the regulations.

Same

(4) Sections 3, 4, 5 and 6 apply to work the Agency undertakes with respect to the York Region sewage works project, subject to any necessary modification.

Same

(5) Sections 7, 8, 9, and 10 apply to work the Agency undertakes with respect to the Lake Simcoe phosphorus reduction project, subject to any necessary modification.

Agency's powers

(6) For greater certainty, if an order is issued under this section, section 12 of the *Ontario Water Resources Act* applies.

Agency to act for municipality for approval of Tribunal

(7) Where undertaking some or all of a project that a municipality is required to complete under this Part requires a municipality to obtain approval from the Ontario Land Tribunal, the Agency may apply on behalf of the municipality in respect of any part of the project that is subject to an order under subsection (1).

Delegation of authority

(8) Section 50 of the *Capital Investment Plan Act, 1993* applies with necessary modifications to anything the Agency is required to do under this Act.

Prohibition

(9) If an order is issued to the Agency under this section, no person, other than the Agency, shall undertake the work required by the order.

Payment of Agency costs

(10) A municipality shall pay the costs incurred by the Agency in the implementation of an order in accordance with any regulations.

Municipalities may raise money for costs

(11) For the purpose of making payments to the Agency under subsection (10), a municipality may raise money by any method or methods authorized by law or by any combination thereof as if the municipality itself were proposing to develop, construct or operate, were developing, constructing or operating or had developed, constructed or operated all or part of a project.

Settlement of disputes re costs

(12) In the event of any dispute arising in respect of an amount required to be paid under subsection (10) to the Agency by a municipality for the development, construction or operation of a project, the dispute shall be referred to a sole arbitrator appointed by the Lieutenant Governor in Council, and the award of the arbitrator is final and binding on the Agency and the municipality.

Costs of arbitrator

(13) The services of the arbitrator appointed under subsection (12) shall be paid in the amount directed by the Lieutenant Governor in Council and the whole costs of the arbitration shall be paid as directed by the arbitrator in the award.

Arbitration procedure

(14) Except as otherwise provided in this section, the *Municipal Arbitrations Act* applies to any arbitration under subsection (12).

Additional requirements

Powers of Minister

12 (1) The Minister may, for the purposes of this Act and the regulations, require a municipality required to complete a project under this Part to provide plans, specifications, reports or other information related to the project to the Minister by a specified date.

Powers of Agency

(2) Where undertaking some or all of a project that a municipality is required to complete under this Part, the Agency may require the municipality to provide plans, specifications, reports or other information related to the project to the Agency by a specified date.

PART IV EXEMPTIONS

Exemption, York Region sewage works project

13 The following are exempt from the *Environmental Assessment Act*:

1. The York Region sewage works project.
2. Any enterprises or activities for or related to the project.
3. Any proposal, plan or program in respect of any enterprise or activities for or related to the project.
4. Anything prescribed to be a part of or related to the project.

Exemption, Lake Simcoe phosphorus reduction project

14 The following are exempt from the *Environmental Assessment Act*:

1. The Lake Simcoe phosphorus reduction project.
2. Any enterprises or activities for or related to the project.
3. Any proposal, plan or program in respect of any enterprise or activities for or related to the project.
4. Anything prescribed to be a part of or related to the project.

PART V PROJECT LAND CONTROL

PROJECT LAND DEVELOPMENT PERMIT

Permit required

15 (1) No person shall carry out the following work without a permit:

1. Building, altering or placing a building or other structure that is wholly or partially on, under or within 30 metres of project land.
2. Grading, dewatering or excavating conducted wholly or partially on, under or within 30 metres of project land.
3. Building, altering or constructing a highway that is wholly or partially on, under or within 30 metres of project land.

4. Building, altering or placing utility infrastructure that would require grading, dewatering or excavation wholly or partially on, under or within 10 metres of project land.
5. Prescribed work.
6. Work that is subject to a notice under subsection 19 (2).

Exception

(2) Paragraph 1 of subsection (1) does not apply to utility infrastructure that does not require grading, dewatering or excavation.

Crown

(3) This section does not apply to the Crown.

Exception, emergencies

(4) A municipality, municipal service board or utility company may perform work that would otherwise be prohibited under this section to address an emergency that may impact the health and safety of any person or that would disrupt the provision of a service provided by the municipality, municipal service board or utility company.

Notification

(5) A municipality, municipal service board or utility company that performs work described in subsection (4) shall provide the Minister with a notice in writing providing details about the nature, location and duration of the work being conducted.

Application for permits

16 (1) An application for a permit or an amendment to a permit shall be in writing, prepared in accordance with the regulations, if any, and submitted to the Minister.

Additional requirements

(2) The Minister may require an applicant for a permit or an amendment to a permit to submit any plans, specifications, reports or other information related to the application.

Issuance of permits

17 (1) After considering an application for the issuance of a permit, the Minister may,

- (a) issue a permit with or without conditions; or
- (b) refuse to issue a permit.

Submissions

(2) A person to whom a permit is issued under subsection (1) may make submissions in writing to the Minister about the permit within 15 days of receiving the permit.

Confirmation, etc.

(3) After considering any submissions provided under subsection (2), and the needs and timelines of the project to be constructed within project lands, the Minister may, in writing,

- (a) confirm the permit issued or the refusal to issue the permit;
- (b) re-issue the permit with amended conditions; or
- (c) revoke the permit.

Amendment application

(4) A person to whom a permit is issued may apply, in writing and in accordance with the regulations, if any, to the Minister to have the permit amended.

Amendment decision

(5) After considering a request under subsection (4), and the needs and timelines of the project to be constructed within project lands, the Minister may,

- (a) amend the permit; or
- (b) refuse to amend the permit.

Terms and conditions

(6) A permit is subject to any terms and conditions that may be prescribed.

Revocation, amendment and suspension

18 (1) The Minister may revoke a permit in whole or in part, with or without issuing a new permit, amend a permit or suspend a permit in whole or in part, if,

- (a) a stop-work order has been issued in respect of any work subject to the permit; or
- (b) the Minister is of the opinion that the revocation, amendment or suspension is necessary.

Notice

(2) Before revoking, amending or suspending a permit pursuant to subsection (1), the Minister shall provide notice in writing to the permit holder.

Submissions

(3) The permit holder to whom a notice under subsection (2) is provided may make submissions to the Minister about the notice within 15 days of receiving the notice.

Confirmation, etc.

(4) After considering any submissions made by the permit holder, the Minister may revoke, amend or suspend the permit in accordance with subsection (1).

DEVELOPMENT IN PROCESS

Exception to permit requirement

19 (1) Subject to subsections (2) to (4), a person does not require a permit to carry out work described in subsection 15 (1) if the person has obtained all authorizations required at law to perform the work before the requirement to have a permit under section 15 applies to the person.

Imposition of requirement

(2) Despite subsection (1), the Minister may require, by notice, a person described in that subsection to obtain a permit for any work described in that subsection that is not completed within six months of the issuance of the notice.

Requirement in notice

(3) The notice issued under subsection (2) shall be in writing and shall include the following information:

1. A description of the work to be completed.
2. The date by which the work must be completed.
3. An indication that written submissions may be made to the Minister within 15 days of receiving the notice and how to make such submissions.
4. Contact information for further information about the notice.

Submissions

(4) A person to whom a notice is issued under subsection (2) may make submissions in writing to the Minister within 15 days of receiving the notice.

Extension

(5) After considering any submissions provided under subsection (4), and the needs and timelines of the project to be constructed within project lands, the Minister may extend the six-month time period set out in the notice issued under subsection (2).

OBSTRUCTION REMOVAL

Notice of obstruction removal

20 (1) Subject to subsection (3), the Minister may issue a notice requiring the owner of any of the following things that are wholly or partially on, under or within 30 metres of project land to remove or alter the thing within the time specified in the notice:

1. A building or other structure.
2. A tree, shrub, hedge or other vegetation.
3. A prescribed thing.

Application

(2) Subsection (1) applies regardless of whether a permit was required in respect of the thing.

Exception

- (3) A notice under subsection (1) shall not be issued in respect of,
- (a) utility infrastructure; or
 - (b) a highway that belongs to the Crown or other Crown property.

Requirements for notice

- (4) A notice issued under subsection (1) shall be in writing and include the following information:
1. A description of the thing to be altered or removed.
 2. The date by which the removal or alteration must be completed.
 3. An indication that the Minister may carry out the removal or alteration work if the removal or alteration is not completed within the time specified in the notice.
 4. An indication that written submissions may be made to the Minister within 15 days of receiving the notice and how to make such submissions.
 5. A reference to the applicable compensation provisions under this Act, including the possibility that no compensation is payable if the person to whom the notice is issued interferes with the removal or alteration of the thing.
 6. Contact information for further information about the notice.

Submissions

- (5) A person to whom a notice is issued under subsection (1) may make submissions in writing to the Minister within 15 days of receiving the notice.

Minister's decision

- (6) After considering any submissions provided under subsection (5), the Minister may, in writing,
- (a) confirm the issuance of the notice;
 - (b) issue an amended notice; or
 - (c) revoke the notice issued under subsection (1).

Date of amended notice

- (7) If an amended notice is issued under subsection (6), the date by which the work must be completed shall not be earlier than the date in the notice issued under subsection (1).

Minister may remove obstruction

21 (1) Where a notice is issued under section 20 (1) or amended under subsection 20 (6), the Minister may cause any work required by the notice to be done if,

- (a) the person required by the notice to do the work,
 - (i) has not completed the work, or in the Minister's opinion is not likely to complete the work, within the time specified in the notice,
 - (ii) in the Minister's opinion, is not conducting or has not completed the work in a competent manner, or
 - (iii) requests the assistance of the Minister in complying with the notice; or
- (b) a receiver or trustee in bankruptcy is not required to do the work because of subsection 63 (5).

Notice of intent to cause things to be done

- (2) The Minister shall give notice of an intention to cause work to be done under subsection (1),
- (a) to each person required by a notice issued under section 20 to remove an obstruction; and
 - (b) if a receiver or trustee in bankruptcy is not required to do the work because of subsection 63 (5), to the receiver or trustee in bankruptcy.

Permission required

- (3) A person who receives a notice under subsection (2) shall not do the work referred to in the notice without the permission of the Minister.

Person liable unknown

22 Where the Minister is authorized by section 20 to issue a notice requiring a person to remove or alter an obstruction, and the identity of the person cannot be ascertained, the Minister may cause the obstruction to be removed or altered without notice.

Advance notice

23 (1) The Minister shall provide notice in advance of any work to be done pursuant to section 21 to the person to whom the notice was issued and anyone occupying the property.

Contents

(2) The notice shall be in writing and include the date and approximate time of the work.

Additional requirement

(3) Subsection (1) applies in addition to any requirements of entry that apply under section 56.

Compensation

24 (1) Except as provided under subsection (2), no compensation is payable by the Minister or the Crown to any person for anything done under section 20, 21 or 22.

Where compensation payable

(2) The Minister shall provide such compensation as is determined in accordance with this Act, the regulations, if any, and the procedure set out in section 37 to the owner of any thing that was altered or removed under section 20, 21 or 22 for the following:

1. The work required to be done under the notice, if that work was not undertaken by the Minister.
2. The value of any thing that was required to be removed under the notice.
3. The value of the part of the thing that was altered or removed pursuant to the notice.
4. Any damage to the person's property necessary to carry out the work required under the notice.

Exception

(3) Subsection (2) does not apply to anything restored pursuant to section 25.

Restoration

25 (1) If the Minister carried out the work under section 21 or 22, the Minister shall make reasonable efforts to restore any part of the property that was not altered or removed to its condition prior to the work having been completed.

Exception

(2) Subsection (1) does not apply if the thing that was altered or removed was not constructed in accordance with, or was otherwise not in compliance with, all applicable laws.

Loss of compensation entitlement

26 (1) The Minister may reduce the amount of compensation otherwise payable under section 24, or pay no compensation, to a person who hinders, obstructs or otherwise interferes with any work done under section 20, 21 or 22.

Where laws not complied with

(2) The Minister may reduce the amount of compensation otherwise payable under section 24, or pay no compensation, if the thing that was altered or removed was not constructed in accordance with, or was otherwise not in compliance with, all applicable laws.

CONSTRUCTION DANGER INSPECTION AND ELIMINATION

Construction danger inspection

27 (1) The Minister may, without notice, cause an inspection of any of the following things that are wholly or partially on, under or within 30 metres of project land if the Minister is of the opinion that the thing may pose an immediate danger:

1. A building or other structure.
2. A tree, shrub, hedge or other vegetation.
3. A prescribed thing.

Exception

(2) Subsection (1) does not apply in respect of,

- (a) utility infrastructure; or
- (b) a highway that belongs to the Crown or other Crown property.

Additional requirement

(3) Subsection (1) applies in addition to any requirements of entry that apply under section 56.

Construction danger elimination

28 (1) If, upon inspection, the Minister confirms that a thing described in subsection 27 (1) poses an immediate danger, the Minister may cause work to be undertaken to remove or eliminate the immediate danger posed by the thing.

Advance notice

(2) The Minister shall make reasonable efforts to notify the property owner or occupant before the inspection under section 27 or removal or elimination under subsection (1) of this section takes place.

Additional requirement

(3) Subsection (2) applies in addition to any requirements that apply to entry to the property under section 56.

Informing owner afterwards

29 As soon as practicable after an inspection has taken place under section 27 or the carrying out of work under section 28, the Minister shall make reasonable efforts to notify the owner of,

- (a) the inspection;
- (b) any work undertaken to eliminate an immediate danger;
- (c) the applicable compensation provisions under this Act, including the possibility that no compensation is payable if the person to whom the notice is issued interferes with the inspection or work; and
- (d) the procedure for determining compensation.

Loss of compensation entitlement

30 Section 31 does not apply to a person who hinders, obstructs or interferes with an inspection under section 27 or any work carried out under section 28 or 32.

Compensation

31 (1) Except as provided under subsection (2), no compensation is payable by the Minister to any person for anything done under section 28.

Where compensation payable

(2) The Minister shall provide such compensation as is determined in accordance with this Act, the regulations, if any, and the procedure set out in section 40 to the owner of a property upon which work was carried out by the Minister under section 28 for the following:

1. The value of any thing that was eliminated.
2. The value of any part of the thing that was eliminated.
3. Any other damage to the person's property resulting from the work carried out.

Exception

(3) Subsection (2) does not apply to anything restored pursuant to section 32.

Restoration

32 (1) The Minister shall make reasonable efforts to restore any part of a property damaged in the course of any work carried out under section 28 to its condition prior to the work having been started.

Exception

(2) Subsection (1) does not apply if the thing that was altered or removed was not constructed in accordance with, or was otherwise not in compliance with, all applicable laws.

Reduced compensation

33 The Minister may reduce the amount of compensation otherwise payable under section 31, or pay no compensation, if the thing eliminated or the person's property that was damaged was not constructed in accordance with, or was otherwise not in compliance with, all applicable laws.

PREVIEW INSPECTION**Preview inspection**

34 (1) The Minister may carry out an inspection on property that is on or within 30 metres of project land for the purposes of carrying out due diligence in planning, developing and constructing the York Region sewage works project and the Lake Simcoe phosphorus reduction project, including,

- (a) making records of the property and surrounding area; and

- (b) taking samples and conducting tests.

Exception

- (2) Clause (1) (b) does not apply in respect of utility infrastructure.

Same

- (3) Subsection (1) does not apply in respect of a highway that belongs to the Crown or other Crown property.

Compensation

35 (1) Except as provided under subsection (2) no compensation is payable by the Minister to any person for anything done under section 34.

Where compensation payable

(2) The Minister shall provide such compensation as is determined in accordance with this Act, the regulations, if any, and the procedure set out in section 40 to the owner of the property for any damage resulting from any test conducted or sample taken under section 34 that is not restored under section 59.

Reduced compensation

36 The Minister may reduce the amount of compensation otherwise payable under section 35, or pay no compensation, if the thing that was damaged in an inspection pursuant to section 34 was not constructed in accordance with, or was otherwise not in compliance with, all applicable laws.

Advance notice

37 (1) The Minister shall provide notice of a preview inspection to the property owner or occupant at least 30 days in advance of the preview inspection.

Additional requirement

- (2) Subsection (1) applies in addition to any requirements that apply to entry to the property under section 56.

Contents

- (3) The notice shall be in writing and include the following information:

1. The intended date and approximate time of the inspection.
2. The approximate duration of the inspection.
3. The purpose of the inspection.
4. A reference to the applicable compensation provisions under this Act, including the possibility that no compensation is payable if the person to whom the notice is issued interferes with the inspection.
5. Contact information for further information.

STOP-WORK ORDERS

Stop-work order

38 (1) The Minister may make an order requiring a person to stop engaging in or to not engage in work described in section 15 if,

- (a) the Minister has reasonable grounds to believe that the person is engaging in the work, or is about to engage in the work, for which a permit is required but has not been obtained; or
- (b) the Minister is of the opinion that the work is being conducted pursuant to a permit but continuing the work would obstruct or delay the construction of the York Region sewage works project or the Lake Simcoe phosphorus reduction project.

Information to be included in order

- (2) The stop-work order shall include,

- (a) a reference to the requirement under this Act to have a permit to undertake the work, if the order is issued under clause (1) (a);
- (b) a brief description of the work that is required to be stopped and its location; and
- (c) the consequences of failing to comply with the order, including the associated offence and potential fine.

Exception

- (3) Subsection (1) does not apply in respect of a highway that belongs to the Crown or other Crown property.

Enforcement through court

39 A stop-work order may be filed in the Superior Court of Justice and enforced as if it were an order of that court.

COMPENSATION**Compensation**

40 (1) This section sets out the procedure for determining any compensation payable under this Part.

Particulars

(2) A person applying to the Minister for compensation shall provide proof of the person's interest in the property and the rationale for the claim, including details supporting the amount claimed, to the satisfaction of the Minister.

Determination

(3) After considering the information provided under subsection (2), the Minister shall determine whether compensation shall be paid, and if compensation is to be paid, the amount of the compensation.

Notice

(4) The Minister shall notify the person who applied to the Minister of the Minister's determination under subsection (3).

Compensation dispute

(5) A person who receives a notification under subsection (4) may, within 6 months of the receipt of the notification, apply to the Ontario Land Tribunal for determination by the Tribunal of whether compensation shall be paid, and if compensation is to be paid, the amount of the compensation.

Order by the Tribunal

(6) The Tribunal may order the amount of compensation to be paid to the person, including interest on any compensation payable from when the work began at the prescribed rate, if there is a prescribed rate.

Exception to interest

(7) Despite subsection (6),

- (a) if the Minister determined under subsection (3) compensation greater than the amount determined by the Tribunal, no interest may be ordered after the date that the person received the notice described under subsection (4); and
- (b) if the Tribunal is of the opinion that any delay in determining the compensation is attributable in whole or in part to the person, the Tribunal may refuse to order interest for the whole or any part of the time for which the person might otherwise be entitled to interest, or may order interest at such rate less than the prescribed rate as appears just.

Municipality or local board

41 No compensation is payable under this Part to a municipality or a local board within the meaning of the *Municipal Act, 2001* or the *City of Toronto Act, 2006*.

No expropriation, etc.

42 Nothing in this Part constitutes an expropriation or injurious affection for the purposes of the *Expropriations Act* or otherwise at law.

**PART VI
EXPROPRIATION PROCESS****Application**

43 This Part applies to an expropriation by a municipality or the Agency for the purposes of developing, constructing or operating the York Region sewage works project and the phosphorus recovery project, but, for greater certainty, does not apply in respect of anything to which section 42, 50 or 54 applies.

No hearings of necessity

44 (1) Subsections 6 (2) to (5) and sections 7 and 8 of the *Expropriations Act* do not apply to any expropriation of land within the meaning of that Act if,

- (a) all or part of the land is project land; and
- (b) the expropriation is related to the York Region sewage works project or the Lake Simcoe phosphorus reduction project.

Approving authority

(2) An approving authority to whom an application for expropriation has been made under subsection 4 (1) of the *Expropriations Act* in relation to the York Region sewage works project or the Lake Simcoe phosphorus reduction project shall approve or not approve the proposed expropriation as submitted, or approve the proposed expropriation with such modifications

as the approving authority considers proper, but an approval with modifications does not affect lands that are not part of the application.

Consideration of comments

(3) Before an approving authority approves a proposed expropriation under subsection (2), the authority shall consider any comments received under the process, if any, established under section 45.

This section prevails

(4) This section applies despite subsection 2 (4) of the *Expropriations Act*.

Alternative process

45 (1) The Minister may establish a process in writing for the receipt and consideration of comments from property owners about an application for an expropriation made under subsection 4 (1) of the *Expropriations Act* that is related to the York Region sewage works project or the Lake Simcoe phosphorus reduction project.

Publication

(2) The Minister shall publish the details of the process established under subsection (1) on a website maintained by the Ministry and in any other format the Minister considers advisable.

**PART VII
UTILITY COMPANY CO-OPERATION**

Notice to utility company

46 (1) The Minister may by notice require a utility company to take up, remove or change the location of utility infrastructure if, in the opinion of the Minister, the taking up, removing or changing in location is necessary for the York Region sewage works project or the Lake Simcoe phosphorus reduction project.

Requirements for notice

(2) The notice issued under subsection (1) shall be in writing and include the following information:

1. A description of the work to be carried out.
2. The date by which the work must be completed.
3. An indication that written submissions may be made to the Minister within 15 days of receiving the notice.
4. Contact information for further information about the notice.

Submissions

(3) The utility company to which the notice is issued under subsection (1) may make submissions in writing to the Minister within 15 days of receiving the notice, including submissions in respect of any technical or other difficulties with meeting the date for completion of the work in the notice.

Minister's decision

(4) After considering any submissions provided under subsection (3), the Minister may, in writing,

- (a) confirm the notice;
- (b) issue an amended notice; or
- (c) revoke the notice.

Date in amended notice

(5) If an amended notice is issued under subsection (4), the date by which the work must be completed shall not be earlier than the date in the notice issued under subsection (1).

Minister may take up, remove or change the location

47 (1) Where a notice is issued under section 46 (1) or amended under subsection 46 (4), the Minister may cause any work required by the notice to be done if the utility company required by the notice fails to do the work.

Notice of intent to cause work to be done

(2) The Minister shall provide notice, in advance of any work to be done pursuant to subsection (1), to the utility company to whom the notice was issued and anyone occupying the property.

Contents

(3) A notice under subsection (2) shall be in writing and include the date and approximate time of the work.

Compensation by Minister

48 If the utility company completes the work required by the notice issued under subsection 46 (1), the Minister shall compensate the utility company for the work, unless otherwise agreed.

Compensation by company

49 (1) If the Minister completes work pursuant to subsection 47 (1), the utility company shall compensate the Minister for the value of any loss or expense incurred by the Minister resulting from the failure of the utility company to comply with the notice.

Includes cost of work

(2) For greater certainty, subsection (1) includes the cost of doing the work required by the notice.

No expropriation, etc.

50 Nothing in this Part constitutes an expropriation or injurious affection for the purposes of the *Expropriations Act* or otherwise at law.

**PART VIII
ADMINISTRATION**

DELEGATION

Delegation

51 (1) The Lieutenant Governor in Council may, by order, delegate any of the powers and duties conferred or imposed on the Minister under Parts V and VII of this Act, in whole or in part, to any of the following entities, subject to any limitations, conditions and restrictions set out in the order:

1. York Region.
2. Durham Region.
3. A municipality prescribed for the purposes of subsection 7 (1).
4. The Agency.

Compensation

(2) If an obligation to pay compensation under this Act is delegated to an entity described in subsection (1), the delegate is responsible for the payment of all of the compensation, unless the Minister and the delegate agree otherwise.

DESIGNATIONS

Designating project land

52 The Lieutenant Governor in Council may, by order,

- (a) designate any area of land or water as project land for the development, construction, and operation of the York Region sewage works project or the Lake Simcoe phosphorus reduction project; and
- (b) amend or revoke a designation made under clause (a) at any time.

Notice

53 (1) When land has been designated as project land, or the designation of land has been amended or revoked, the Minister shall make reasonable efforts to provide notice to,

- (a) all owners or occupiers of land, any part of which is on or within 30 metres of project land;
- (b) every utility company having utility infrastructure any part of which is located on, under or within 10 metres of project land; and
- (c) each municipality, local board, municipal planning authority and planning board having jurisdiction in the area which is the subject of the project land.

Registration

(2) The Minister shall either,

- (a) register or cause to be amended or removed from the registry, as appropriate, a notice of designation in the proper land registry office on the title of each property any part of which is project land or any part of which is located within 30 metres of project land; or
- (b) carry out a prescribed public notice process with respect to the property described in clause (a).

No expropriation, etc.

54 The designation of land or water under section 52 does not constitute an expropriation or injurious affection for the purposes of the *Expropriations Act* or otherwise at law.

**PART IX
COMPLIANCE AND ENFORCEMENT**

Inspection

55 (1) An enforcement officer may conduct an inspection of a place for the purpose of determining any person's compliance with this Act or the regulations if the enforcement officer reasonably believes that,

- (a) the place contains documents or data relating to the person's compliance; or
- (b) an activity relating to the person's compliance is occurring or has occurred at the place.

Designation of enforcement officers

(2) The Minister may designate one or more of the following as enforcement officers to exercise the powers under subsection (1):

- 1. Public servants employed under Part III of the *Public Service of Ontario Act, 2006* who work in the Ministry or the members of classes of such public servants.
- 2. Any other persons or the members of any other classes of persons.

Restriction

(3) When making the designation, the Minister may limit the authority of an enforcement officer in the manner that the Minister considers necessary or advisable.

Powers of entry

56 (1) The powers of entry provided under this section apply to a person undertaking the following:

- 1. Work undertaken under section 21 or 22.
- 2. An inspection undertaken under section 27.
- 3. Work undertaken under section 28 or 47.
- 4. A preview inspection under section 34.
- 5. An inspection undertaken pursuant to section 55.

Entry without warrant

(2) A person who has the authority to engage in an activity referred to in subsection (1) may enter a place without a warrant if the entry is made in respect of that activity.

Restriction

(3) Subsection (2) authorizes a person to enter a place only if it is owned or occupied by a person who owns or occupies land any part of which is located within project land or any part of which is located within 30 metres of project land.

Dwellings

(4) A person shall not exercise a power conferred by this section to enter, without the occupier's consent, a room that is actually used as a dwelling, except under the authority of an order issued under section 57.

Time of day

(5) Subject to subsection (6), entry to a place and any related work or inspection referred to in subsection (1) may be carried out at any reasonable time.

Dwellings

(6) Entry to a place and any related work or inspection on property that contains a dwelling shall take place,

- (a) at any time during daylight hours after having given the occupier at least two days notice; or
- (b) at any other time with the occupier's consent.

Powers

(7) A person may do any one or more of the following in the course of entering a place and conducting work or an inspection related to the purpose of the entry,

- (a) undertake work;

- (b) make reasonable inquiries of any person, orally or in writing;
- (c) take samples for analysis;
- (d) conduct tests or take measurements;
- (e) make a record of anything by any method;
- (f) examine, record or copy any document or data, in any form, by any method;
- (g) require the production of any document or data, in any form, required to be kept under this Act and any form of other document or data related to the purpose of the entry; and
- (h) remove from the place, for the purpose of making copies, documents or data produced under clause (g).

Limitation

(8) A record made under clause (7) (e) must be made in a manner that does not intercept any private communication and that accords with reasonable expectations of privacy.

Records in electronic form

(9) If a record is retained in electronic form, a person exercising a power of inspection may require that a copy of it be provided to them on paper or electronically, or both.

Limitation re removal of documents

(10) A person shall not remove documents or data under clause (7) (h) without giving a receipt for them and shall promptly return them to the person who produced them.

Power to exclude persons

(11) A person exercising a power of inspection who exercises the power set out in clause (7) (b) may exclude any person from the questioning, except counsel for the individual being questioned.

Order for entry, work or inspection

57 (1) A justice of the peace may issue an order authorizing a person to do anything referred to in subsection 56 (1) or (7) if the justice is satisfied, on evidence under oath by the person that will be engaging in the activity, that there are reasonable grounds to believe that,

- (a) it is appropriate for the person to do anything set out in subsection 56 (1) or (7) for the purpose of determining a person's compliance with this Act or the regulations; and
- (b) the person may not be able to carry out his or her duties effectively without an order under this section because,
 - (i) no occupier is present to grant access to a place that is locked or otherwise inaccessible,
 - (ii) another person has prevented or may prevent the person from doing anything referred to in subsection 56 (1) or (7),
 - (iii) it is impractical, because of the remoteness of the property to be entered or because of any other reason, for a person to obtain an order under this subsection without delay if access is denied,
 - (iv) an attempt by a person to do anything referred to in subsection 56 (1) or (7) without the order might not achieve its purpose without the order, or
 - (v) it is more reasonable to carry out anything referred to in subsection 56 (1) or (7) at times other than those referred to in subsection 56 (6).

Same

(2) Subsections 56 (7) to (11) apply to an activity engaged in pursuant to an order issued under this section.

Expiry

(3) Unless renewed, an order under this section expires on the earlier of the day specified for the purpose in the order and the day that is 30 days after the date on which the order is made.

Renewal

(4) An order under this section may be renewed in the circumstances in which an order may be made under subsection (1), before or after expiry, for one or more periods, each of which is not more than 30 days.

When to be executed

(5) Unless the order provides otherwise, everything that an order under this section authorizes must be done between 6 a.m. and 9 p.m.

Application without notice

(6) An order under this section may be issued or renewed on application without notice.

Application for dwelling

(7) An application for an order under this section authorizing entry to a dwelling shall specifically indicate that the application relates to a dwelling.

Other terms and conditions

(8) An order may contain terms and conditions that the justice considers advisable in the circumstances.

Identification

58 On request, a person who exercises a power of entry under this Act shall identify themselves as a person so authorized, either by the production of a copy of the authorizing document or in some other manner, and shall explain the purpose of the exercise of the power.

Restoration

59 (1) If a place is entered under section 34 or 55 for the purposes of an inspection, the person entering the place, in so far as is practicable, shall restore the property to the condition it was in before the entry.

Exception

(2) Subsection (1) does not apply if the thing requiring restoration was not constructed in accordance with, or was otherwise not in compliance with, all applicable laws.

Detention of copies, samples

60 A person who exercises a power under section 56 or 57 may detain copies or samples obtained under those sections for any period and for any purpose relating to enforcing this Act and the regulations.

Calling for assistance of member of police force

61 A person who enters a place to exercise a power of inspection and who is authorized by an order under section 57 to do anything set out in subsection 56 (1) or (7) or section 60 may take such steps and employ such assistance as is necessary to accomplish what is required, and may, when obstructed in so doing, call for the assistance of any member of the Ontario Provincial Police Force or the police force in the area where the assistance is required, and it is the duty of every member of a police force to render the assistance.

Confidentiality of information

62 (1) In this section,

“law enforcement proceeding” means a proceeding in a court or tribunal that could result in a penalty or sanction being imposed; (“procédure d’exécution de la loi”)

“peace officer” means a person or a member of a class of persons set out in the definition of “peace officer” in section 2 of the *Criminal Code* (Canada). (“agent de la paix”)

Secrecy and permissible disclosure

(2) A person entering a place pursuant to section 56 or 57 shall preserve secrecy with respect to any information obtained in respect of all matters that come to their knowledge in the course of any survey, examination, test or inquiry under this Act or the regulations and shall not communicate any such matters to any person except,

- (a) as may be required in connection with a proceeding under this Act or in connection with the administration of this Act and the regulations;
- (b) to the Minister, the Ministry or an employee or agent of the Ministry;
- (c) to a delegate or an employee or agent of the delegate;
- (d) to a peace officer, as required under a warrant, to aid an inspection, investigation or similar proceeding undertaken with a view to a law enforcement proceeding or from which a law enforcement proceeding is likely to result;
- (e) with the consent of the person to whom the information relates;
- (f) to the counsel of the person to whom the information relates;
- (g) to the extent that the information is required or permitted to be made available to the public under this Act or any other Act; or
- (h) under further circumstances that are prescribed.

Testimony in civil suit

(3) Except in a proceeding under this Act or the regulations, no person entering a place pursuant to section 56 or 57 shall be required to give testimony with regard to information obtained by them in the course of any survey, examination, test or inquiry under this Act or the regulations.

Successors and assigns

63 (1) A notice under section 20 or 46 and an order under section 38 is binding on the executor, administrator, administrator with the will annexed, guardian of property or attorney for property of the person to whom it was directed, and on any other successor or assignee of the person to whom it was directed.

Limitation

(2) If, pursuant to subsection (1), an order is binding on an executor, administrator, administrator with the will annexed, guardian of property or attorney for property, their obligation to incur costs to comply with the order is limited to the value of the assets they hold or administer, less their reasonable costs of holding or administering the assets.

Receivers and trustees

(3) A notice under section 20 or 46 and an order under section 38 that relates to property is binding on a receiver or trustee that holds or administers the property.

Limitation

(4) If, pursuant to subsection (3), an order is binding on a trustee, other than a trustee in bankruptcy, the trustee's obligation to incur costs to comply with the order is limited to the value of the assets held or administered by the trustee, less the trustee's reasonable costs of holding or administering the assets.

Exception

(5) Subsection (3) does not apply to an order that relates to property held or administered by a receiver or trustee in bankruptcy if,

- (a) within 10 days after taking or being appointed to take possession or control of the property, or within 10 days after the issuance of the order, the receiver or trustee in bankruptcy notifies the Minister that they have abandoned, disposed of or otherwise released their interest in the property; or
- (b) the order was stayed under Part I of the *Bankruptcy and Insolvency Act* (Canada) and the receiver or trustee in bankruptcy notified the person who made the order, before the stay expired, that they abandoned, disposed of or otherwise released their interest in the property.

Extension of period

(6) The Minister may extend the 10-day period for giving notice under clause (5) (a), before or after it expires, on such terms and conditions as the Minister considers appropriate.

Notice under subs. (5)

(7) Notice under clause (5) (a) or (b) must be given in the prescribed manner.

PART X OFFENCES

Obstruction, etc.

64 (1) No person shall hinder or obstruct any one or more of the following persons or entities in the performance of their duties under this Act or the regulations,

- (a) the Minister, the Ministry, the Agency or an employee or agent of the Ministry or the Agency; or
- (b) a delegate or an officer, employee or agent of a delegate.

False information

(2) No person shall give or submit false or misleading information, orally, in writing or electronically, in any statement, document or data in respect of any matter related to this Act or the regulations to,

- (a) the Minister, the Ministry, the Agency or an employee or agent of the Ministry or the Agency; or
- (b) a delegate or an officer, employee or agent of a delegate.

Same

(3) No person shall include false or misleading information in any document or data required to be created, stored or submitted under this Act.

Refusal to provide information

- (4) No person shall refuse to provide information required for the purpose of this Act or the regulations to,
- (a) the Minister, the Ministry, the Agency or an employee or agent of the Ministry or the Agency; or
 - (b) a delegate or an officer, employee or agent of a delegate.

Offences

65 (1) Every person who contravenes or fails to comply with section 64 is guilty of an offence.

Offence re orders

(2) Every person who contravenes or fails to comply with a stop-work order is guilty of an offence.

Limitation

(3) No proceeding under this section shall be commenced more than two years after the day on which evidence of the offence first came to the attention of a provincial offences officer within the meaning of the *Provincial Offences Act*.

Penalties

66 A person who is guilty of an offence under section 65 is liable on conviction,

- (a) in the case of an individual,
 - (i) for a first offence, to a fine of not more than \$50,000 plus not more than an additional \$10,000 for each day on which the offence continues after the day it commences, or
 - (ii) for a second or subsequent conviction for that offence, to a fine of not more than \$100,000 plus not more than an additional \$10,000 for each day on which the offence continues after the day it commences; or
- (b) in the case of a corporation,
 - (i) for a first offence, to a fine of not more than \$500,000 plus not more than an additional \$10,000 for each day on which the offence continues after the day it commences, or
 - (ii) for a second or subsequent conviction for that offence, to a fine of not more than \$1,000,000 plus not more than an additional \$10,000 for each day on which the offence continues after the day it commences.

**PART XI
MISCELLANEOUS**

Capital Investment Plan Act, 1993

67 Section 51 of the *Capital Investment Plan Act, 1993* does not apply to work undertaken under this Act by or on behalf of the Minister.

Providing a document

68 (1) Any notice, order or other document that is required to be provided to a person under this Act is sufficiently provided if it is,

- (a) delivered directly to the person;
- (b) left at the person's last known address, in a place that appears to be for incoming mail or with an individual who appears to be 16 years old or older;
- (c) sent by regular mail to the person's last known address;
- (d) sent by commercial courier to the person's last known address;
- (e) sent by email to the person's last known email address; or
- (f) given by other means specified by the regulations.

Deemed receipt

(2) Subject to subsection (3),

- (a) a document left under clause (1) (b) is deemed to have been received on the first business day after the day it was left;
- (b) a document sent under clause (1) (c) is deemed to have been received on the fifth business day after the day it was mailed;
- (c) a document sent under clause (1) (d) is deemed to have been received on the second business day after the day the commercial courier received it;

- (d) a document sent under clause (1) (e) is deemed to have been received on the first business day after the day it was sent; and
- (e) a document given under clause (1) (f) is deemed to have been received on the day specified by the regulations.

Failure to receive document

(3) Subsection (2) does not apply if the person establishes that he or she, acting in good faith, did not receive the document or received it on a later date because of a reason beyond the person's control, including absence, accident, disability or illness.

Non-application of the *Statutory Powers Procedure Act*

69 The *Statutory Powers Procedure Act* does not apply to,

- (a) any decision made,
 - (i) in respect of permits, notices or stop-work orders under Part V,
 - (ii) under a process for receiving and considering comments about a proposed expropriation under section 45,
 - (iii) in respect of a notice under Part VII, or
 - (iv) in respect of compensation under this Act; or
- (b) establishing a process for receiving and considering comments about a proposed expropriation under section 45.

Regulations, contracts and agreements

70 (1) The Lieutenant Governor in Council may, in order to facilitate the development, construction and operation of a sewage works under this Act, make regulations that prescribe any contract or agreement that relates to the York Region sewage works project or the Lake Simcoe phosphorus reduction project.

What regulation may contain

- (2) A regulation made under subsection (1) may,
 - (a) terminate the prescribed contract on a date provided for in the regulation;
 - (b) suspend all or part of the prescribed contract on the dates provided for in the regulation; and
 - (c) amend all or part of the prescribed contract as specified in the regulation.

Deemed termination, suspension, amendment

(3) A contract or agreement or part of a contract or agreement prescribed under subsection (1) is deemed to have been terminated on a date or dates provided for in the regulations, or, if the regulations so provide, is deemed to have been amended or suspended, as the case may be, as provided for in the regulations.

No compensation

(4) Unless provided for in the regulations, no compensation shall be paid to any person in connection with a termination, amendment or suspension under this section.

No cause of action, Crown, etc.

71 (1) No cause of action arises against the Crown, the Agency, any current or former member of the Executive Council or any current or former employee, officer or agent of or advisor to the Crown or the Agency as a direct or indirect result of,

- (a) the enactment, amendment or repeal of this Act;
- (b) anything done under Part III;
- (c) the making, amendment or revocation of a regulation under this Act;
- (d) the issuance, amendment or revocation of a permit or notice under Part V;
- (e) the issuance, amendment or revocation of a stop-work order under section 38;
- (f) the making, amendment or revocation of an order designating project land under section 52;
- (g) the enactment or repeal of the *York Region Wastewater Act, 2021*;
- (h) anything done or not done under the authority of or in reliance on the *York Region Wastewater Act, 2021*, whether before or after section 4 of that Act came into force; or
- (i) any representation or other conduct that is related, directly or indirectly, to the application for the Upper York Sewage Solutions Undertaking, whether made or occurring before or after section 4 of the *York Region Wastewater Act, 2021* came into force.

Proceedings barred

(2) No proceeding, including but not limited to any proceeding for a remedy in contract, restitution, unjust enrichment, tort, misfeasance, bad faith, trust or fiduciary obligation and any remedy under any statute, that is directly or indirectly based on or related to anything referred to in subsection (1) may be brought or maintained against any person referred to in that subsection.

Application

(3) Subsection (2) applies to any action or other proceeding claiming any remedy or relief, including specific performance, injunction, declaratory relief, any form of compensation or damages or any other remedy or relief, and includes any arbitral, administrative or court proceedings, but does not apply to an application for judicial review.

Retrospective effect

(4) Subsections (2) and (3) apply regardless of whether the claim on which the proceeding is purportedly based arose before, on or after the day this subsection came into force.

Proceedings set aside

(5) Any proceeding referred to in subsection (2) or (3) commenced before the day this subsection came into force shall be deemed to have been dismissed, without costs, on the day this subsection came into force.

No cause of action, certain delegates

72 (1) No cause of action arises against an entity to whom the Lieutenant Governor in Council delegates a duty or power, in whole or in part, pursuant to paragraphs 1, 2, and 3 of subsection 51 (1), or any current or former employee, director, officer, member of council or agent as a direct or indirect result of anything referred to in clause 71 (1) (d) or (e).

Proceedings barred

(2) No proceeding, including but not limited to any proceeding for a remedy in contract, restitution, unjust enrichment, tort, misfeasance, bad faith, trust or fiduciary obligation and any remedy under any statute, that is directly or indirectly based on or related to anything referred to in subsection (1) may be brought or maintained against any person referred to in that subsection.

Application

(3) Subsection (2) applies to any action or other proceeding claiming any remedy or relief, including specific performance, injunction, declaratory relief, any form of compensation or damages or any other remedy or relief, and includes any arbitral, administrative or court proceedings, but does not apply to an application for judicial review.

Delegate not a Crown agent

73 A delegate described in paragraph 1, 2 or 3 of subsection 51 (1) is not a Crown agent for any purpose.

Crown not liable for delegate's acts

74 No action or other proceeding shall be instituted against the Crown or any current or former Member of the Executive Council or employee, officer, agent or advisor of the Crown for any act of a delegate or an employee, director, officer, member of council, agent or advisor of a delegate in the execution or intended execution of a power or duty delegated under this Act or for an alleged neglect or default in the execution or intended execution of a power or duty delegated under this Act.

Protection from personal liability

75 (1) No action or other proceeding may be instituted against the following persons for any act done in good faith in the execution or intended execution of any duty or power under this Act or for any alleged neglect or default in the execution in good faith of such a duty or power:

1. Any current or former Member of the Executive Council or employee, officer, agent or advisor to the Crown.
2. Any current or former employee, director, officer, member of council, agent or advisor of a delegate.

Crown not relieved of liability

(2) Subsection (1) does not, by reason of subsection 8 (3) of the *Crown Liability and Proceedings Act, 2019*, relieve the Crown of liability in respect of a tort committed by a person mentioned in paragraph 1 of subsection (1) to which it would otherwise be subject.

Delegates

(3) Subsection (1) does not relieve a delegate of any liability to which it would otherwise be subject to in respect of an act or omission of a person mentioned in paragraph 2 of subsection (1).

Aboriginal or treaty rights

76 Section 71 does not apply to a cause of action that arises from any aboriginal or treaty right.

No compensation or damages

77 Except as otherwise provided under sections 24, 31, 35 and 48, no person is entitled to any compensation or damages for any loss related, directly or indirectly, to the enactment of this Act or for anything done or any actions taken under this Act.

Environmental Bill of Rights, 1993

78 Part II of the *Environmental Bill of Rights, 1993* does not apply to the issuance, amendment or revocation of an instrument related to or necessary for the construction of the York Region sewage works project and the Lake Simcoe phosphorus reduction project, despite it having been classified under a regulation made under that Act.

Ontario Water Resources Act, s. 57

79 Section 57 of the *Ontario Water Resources Act* does not apply in respect of the York Region sewage works project and the Lake Simcoe phosphorus reduction project.

Conflict with other legislation

80 In the event of a conflict between any provision of this Act or the regulations and any other Act or regulation in respect of the development, construction or operation of the projects required by Part III of this Act, the provision of this Act or the regulations shall prevail, despite anything in the other Act or regulation.

Regulation making powers re projects

81 (1) The Lieutenant Governor in Council may make regulations governing the development, construction and operation of,

- (a) the York Region sewage works project; and
- (b) the Lake Simcoe phosphorus reduction project.

Matters that may be included

(2) Without limiting the generality of subsection (1), a regulation made under that subsection may include,

- (a) requirements that a municipality and the Agency meet prescribed dates for completing all or part of the development, construction and operation of a project;
- (b) requirements that a municipality and the Agency report to the Ministry on anything related to a project;
- (c) requirements that a municipality and the Agency do anything the municipality has the power to do under this or any other Act for the purposes of developing, constructing and operating a project;
- (d) requirements that the project incorporate any prescribed thing or meet any prescribed criteria;
- (e) requirements that all or part of the project be within a specified area;
- (f) prohibitions preventing a municipality and the Agency from doing anything in respect of the project;
- (g) designations of which parts of the development, construction and operation of a project each municipality is responsible for;
- (h) designations of the share of the costs of developing, constructing and operating a project each municipality is responsible for;
- (i) requirements respecting the payment of costs to the Agency or to any other person or body specified by the regulations, including prescribing the amounts or the method of calculating the amounts to be paid, and governing the procedure for the payment;
- (j) the prescribing of any matter that the Lieutenant Governor in Council considers necessary or advisable to ensure that the Agency can effectively carry out its powers and duties under section 11;
- (k) the governance of the winding up of the Agency's role in a project and the transfer of any assets, liabilities, rights and obligations to a municipality.

Regulations, general

82 The Lieutenant Governor in Council may make regulations,

- (a) respecting anything that under this Act may or must be prescribed, done or provided for by regulation or in accordance with the regulations and for which a specific power is not otherwise provided;
- (b) defining or clarifying the meaning of any words or expressions used in this Act that are not defined in this Act;
- (c) clarifying or modifying the definition of any defined term whose definition is expressed as being subject to the regulations;
- (d) exempting any person or entity from a provision of this Act or the regulations and setting conditions for the exemption;
- (e) respecting and clarifying the application of this Act with respect to a delegate;

- (f) respecting the process of applying for and issuing permits, notices and orders;
- (g) respecting the inclusion of terms and conditions in permits and notices;
- (h) respecting the process for and payment of compensation under this Act, including,
 - (i) rules to be applied in determining the amount of compensation payable,
 - (ii) criteria that must be met or circumstances that must apply in order for compensation to be paid, and
 - (iii) the circumstances in which the Minister is required to make adjustments to the amount of compensation that would otherwise be required to be paid, which may include requiring the Minister to decrease the amount or prohibiting the Minister from paying any amount;
- (i) prescribing documents or data required to be created, stored and submitted by any person and the methods of creating, storing and submitting the documents and data;
- (j) prescribing the location at which documents or data must be created or stored;
- (k) providing for the inspection and examination of documents and data;
- (l) providing for the preparation and signing of documents by electronic means, the filing of documents by direct electronic transmission and the printing of documents filed by direct electronic transmission;
- (m) providing for forms and their use;
- (n) providing for the method of providing any document required to be provided given or served under this Act;
- (o) respecting transitional matters arising from the enactment of this Act;
- (p) providing for any other matters to carry out this Act.

Retroactivity

83 A regulation made under this Act is, if it so provides, effective with reference to a period before it is filed.

Adoption by reference

84 (1) A regulation may adopt by reference, in whole or in part, with such changes as the Lieutenant Governor in Council considers necessary, any document, including a code, formula, standard, protocol or procedure, and may require compliance with any document so adopted.

Rolling incorporation by reference

(2) The power to adopt by reference and require compliance with a document includes the power to adopt a document as it may be amended from time to time.

When adopted

(3) The adoption of an amendment to a document that has been adopted by reference comes into effect upon the Ministry publishing notice of the amendment in The Ontario Gazette or in the registry under the *Environmental Bill of Rights, 1993*.

PART XII AMENDMENTS TO THIS ACT

Amendments to this Act

85 (1) Subsection 44 (1) of this Act is amended by striking out “7 and 8” in the portion before clause (a) and substituting “7, 8 and 8.1”.

(2) Section 61 of this Act is repealed and the following substituted:

Calling for assistance of member of police service

61 A person who enters a place to exercise a power of inspection and who is authorized by an order under 57 to do anything set out in subsection 56 (1) or (7) or section 60 may take such steps and employ such assistance as is necessary to accomplish what is required, and may, when obstructed in so doing, call for the assistance of any member of the police service in the area where the assistance is required, and it is the duty of every member of a police service to render such assistance.

PART XIII REPEAL

Repeal

86 The *York Region Wastewater Act, 2021* is repealed.

**PART XIV
COMMENCEMENT AND SHORT TITLE**

Commencement

87 (1) Except as otherwise provided in this section, the Act set out in this Schedule comes into force on the day the *More Homes Built Faster Act, 2022* receives Royal Assent.

(2) Sections 7 to 10, subsection 11 (5) and section 14 come into force on a day to be named by proclamation of the Lieutenant Governor.

(3) Subsection 85 (1) comes into force on the later of the day subsection 44 (1) of this Act comes into force and the day section 2 of Schedule 5 to the *Accelerating Access to Justice Act, 2021* comes into force.

(4) Subsection 85 (2) comes into force on the later of the day section 61 of this Act comes into force and the day section 42 of Schedule 4 to the *Comprehensive Ontario Police Services Act, 2019* comes into force.

Short title

88 The short title of the Act set out in this Schedule is the *Supporting Growth and Housing in York and Durham Regions Act, 2022*.

Denise Holmes

From: Watson & Associates Economists Ltd. <info@watsonecon.ca>
Sent: Monday, October 31, 2022 9:49 AM
To: Watson & Associates Economists Ltd.
Subject: RE: Bill 23, More Homes Built Faster Act, 2022
Attachments: Letter to Clients -October 31, 2022.pdf

Good morning,

Further to our correspondence of October 27, 2022, we indicated that we would be providing further information on the changes arising from Bill 23, the More Homes Built Faster Act, 2022. Please find attached our letter with additional information.

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

Best regards,

Andrew Grunda, MBA, CPA, CMA
Principal



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From: Watson & Associates Economists Ltd. <info@watsonecon.ca>
Sent: Thursday, October 27, 2022 12:24 PM
To: Watson & Associates Economists Ltd. <info@watsonecon.ca>
Subject: Bill 23, More Homes Built Faster Act, 2022

Good afternoon,

On October 25, 2022, the Province of Ontario introduced *Bill 23, More Homes Built Faster Act, 2022* (attached) in support of the More Homes Built Faster: Ontario's Housing Supply Action Plan: 2022-2023. The Bill proposes to amend a number of Acts, including the *Development Charges Act, Planning Act, Conservation Authorities Act*, as well as others. If passed, the legislative amendments will have significant impacts on the way municipalities plan, process and fund development.

We are preparing a summary of the proposed changes, which will be provided to you in the coming days. Subsequently, we will be providing our clients with our evaluation and perspectives on the legislative changes. These will also form the basis of our submission to the Province on the matter.

Upon receiving this, if you have any questions regarding Bill 23, we would be pleased to discuss them with you further at your convenience.

Best regards,

Andrew Grunda, MBA, CPA, CMA
Principal



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October 31, 2022

To Our Municipal and Conservation Authority Clients:

Re: Bill 23, More Homes Built Faster Act, 2022 – Changes to the *Development Charges Act, Planning Act, and Conservation Authorities Act*

Further to our correspondence of October 27, 2022, we indicated that we would be providing further information on the changes arising from Bill 23, the More Homes Built Faster Act, 2022. On behalf of our municipal and conservation authority clients, we are continuing to provide the most up to date information on the Bill's proposed changes to the *Development Charges Act (D.C.A.)*, *Planning Act*, and *Conservation Authorities Act*. As at the time of writing, the Ontario Legislature moved to closed debate on second reading of the Bill.

By way of this letter, we are providing a high-level summary of the proposed changes to the D.C.A., *Planning Act*, and *Conservation Authorities Act*, with some further commentary on the proposed planning changes for the Province. We will be providing a full evaluation and summary of the legislative changes to you in the coming days. We are also available to discuss how these changes may impact your organization at your convenience.

1. Changes to D.C.A.

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 development charges (D.C.s)
- Exemption for additional residential units in existing and new residential buildings – the following developments will be exempt from D.C.s.
 - 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.

Removal of Housing as an Eligible D.C. Service: Housing is removed as an eligible service. By-laws which include a charge for Housing Services can no longer collect for this service once s.s. 2(2) of Schedule 3 of the Bill comes into force.

New Statutory Exemptions: Affordable Units, Attainable Units, Inclusionary Zoning Units and Non-Profit Housing developments will be exempt from payment of D.C.

- **Affordable Rental Unit:** 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:** 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:** 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 which 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 D.C.
- **Non-Profit Housing:** Non-profit housing units are exempt from D.C. installment. Outstanding installment payments due after this section comes into force will also be exempt from payment of D.C.s.

Historical Level of Service: Currently the increase in need for service is limited by the average historical level of service calculated over the 10 years preceding the preparation of the D.C. background study. This average will be extended to the historical 15-year period.

Capital Costs: The definition of capital costs that are eligible for D.C. funding will 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 eligible capital costs.



Mandatory Phase-in of a D.C.: For all D.C. by-laws passed after June 1, 2022, the charge must be phased-in relative to the maximum charge that could be imposed under the by-law. The proposed phase-in for the first 5-years that the by-law is in force, is 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 s.s. 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 s. 26.2 of the Act (i.e., eligible site plan and zoning by-law amendment applications).

D.C. By-law Expiry: D.C. by-laws would expire 10 years after the day the by-law comes into force. This extends the by-laws life from 5 years currently. D.C. by-laws that expire prior to s.s. 6(1) of the Bill coming into force would not be allowed to extend the life of the by-law.

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

Rental Housing Discount: The D.C. payable for rental housing developments 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.

Maximum Interest Rate for Installments 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 s.9 of Schedule 3 of the Bill. This maximum interest rate provisions would apply to all installment payments and eligible site plan and zoning by-law amendment application occurring after s.9 of Schedule 3 of the Bill comes into force.

Requirement to Allocate Funds Received: Similar to the requirements for Community Benefit 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.

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 units under inclusionary zoning by-laws.

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

In-force Date of Changes: The mandatory exemptions for affordable and attainable housing come into force on a day to be named by proclamation of the Lieutenant Governor. All other changes come into force the day the Bill receives Royal Assent.

2. Changes to the Planning Act regarding Community Benefits Charges (C.B.C.)

New Statutory Exemptions: Affordable Units, Attainable Units, and Inclusionary Zoning Units will be exempt from C.B.C. These types of development are defined in the proposed amendments to the D.C.A. (see above). The exemption is proposed to be implemented by applying a discount to the maximum amount of the C.B.C. that can be imposed based on the proportionate share of floor area, as contained in s.s. 37(32) of the Act. For example, if the affordable, attainable and inclusionary zoning housing 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 the total land value (i.e., a reduction of 25% from the maximum C.B.C. of 4% of land value).

Incremental Development: Where development or redevelopment is occurring on a parcel of land with existing buildings or structures, the maximum C.B.C. would be calculated on the incremental development only. The amount of incremental development would be determined as the ratio of new development floor area to the total floor area. For example, if development of a 150,000 sq.ft. of building floor area is occurring 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 the total land value (i.e. the maximum C.B.C. of 4% of land value multiplied by $150,000/200,000$).



3. Changes to the Planning Act regarding Parkland Dedication

New Statutory Exemptions: Affordable Units, Attainable Units, and Inclusionary Zoning Units will be exempt from Parkland Dedication provision. Similar to the rules for C.B.C., these types of development are defined in the proposed amendments to the D.C.A. (see above). The exemption is proposed to be implemented by discounting the application of the standard parkland dedication requirements to the proportion of development excluding affordable, attainable and inclusionary zoning housing units. For example, if the affordable, attainable and inclusionary zoning housing units represent 25% of the total residential units of the development, then the standard parkland dedication requirements of the total land area would be multiplied by 75%.

Non-Profit Housing Exemption: Non-profit housing development, as defined in the D.C.A., would not be subject to parkland dedication requirements.

Additional Residential Unit Exemption: Exemption for additional residential units in existing and new residential buildings – the following developments will be exempt from parkland dedication:

- A second unit in a detached, semi-detached, or rowhouse if all buildings and structures ancillary cumulatively contain no more than one residential unit;
- A third unit in a detached, semi-detached, or rowhouse if no buildings or structures ancillary 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 structures ancillary contain any residential units.

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

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 net residential units where land is conveyed. Where the municipality imposes cash-in-lieu (CIL) of parkland requirements, the



amendments would reduce the amount from 1 ha per 500 dwelling units to 1ha 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 not be applicable to affordable and attainable residential units.
- 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.

Parks Plan: Currently a Parks Plan is required to include the alternative parkland dedication requirements in an Official Plan. This proposed to be revised to require a Parks Plan before passing a parkland dedication by-law under s.42 of the Act.

Identification of Lands for Conveyance: Owners will be allowed to identify lands to meet conveyance requirements, with regulatory criteria requiring the acceptance of encumbered and privately owned public space (POPs) as parkland dedication. Municipalities may enter into agreements with the owners of the land re POPs to enforce conditions, which may be registered on title. Suitability of land for parks and recreational purposes will be appealable to the Ontario Land Tribunal (O.L.T.).

Requirement to Allocate Funds Received: Similar to the requirements for C.B.C. and proposed for D.C.A., 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.

4. Changes to the Planning Act, and other Key Initiatives regarding Planning Matters

Provided below is a high-level summary of the proposed key changes impacting housing, growth management and long-range planning initiatives at the municipal level.

4.1 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. Further, 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, as summarized in Table 1 below. Key observations include:



- Of the 29 municipalities identified, 25 are within the Greater Golden Horseshoe (G.G.H.) region and four are located in other municipalities within Southern Ontario. Municipalities with the highest housing growth targets include the City of Toronto (285,000 new housing units by 2031), City of Ottawa (151,000 units) City of Mississauga (120,000 units) and City of Brampton (113,000).
- Collectively, the housing targets for the 29 municipalities total 1,229,000 new housing units, representing about 82% of Ontario's 1.5 million housing units needed over the next decade.
- The municipal housing targets do not provide details regarding housing form, density or structure type.
- The province is requesting that identified municipalities develop municipal housing pledges which provide details on how they will enable/support housing development to meet these targets through a range of planning, development approvals and infrastructure related initiatives.
- These pledges are not intended to replace current municipal plans and are not expected to impact adopted municipal population or employment projections.

Table 1: 2032 Housing Growth Target

Greater Golden Horseshoe (GGH) - Greater Toronto Hamilton Area (GTHA)	Greater Golden Horseshoe (GGH) Outer Ring	Non-GGH
Toronto (City): 285,000	Kitchener (City): 35,000	Ottawa (City): 151,000
Mississauga (City): 120,000	Barrie (City): 23,000	London (City): 47,000
Brampton (City): 113,000	Cambridge (City): 19,000	Windsor (City): 13,000
Hamilton (City): 47,000	Guelph (City): 18,000	Kingston (City): 8,000
Markham (City): 44,000	Waterloo (City): 16,000	
Vaughan (City): 42,000	St. Catharines (City): 11,000	
Oakville (Town): 33,000	Brantford (City): 10,000	
Richmond Hill (City): 27,000	Niagara Falls (City): 8,000	
Burlington (City): 29,000		
Oshawa (City): 23,000		
Milton: (Town): 21,000		
Whitby (Town): 18,000		



Ajax (Town): 17,000		
Clarington: 13,000		
Pickering (City): 13,000		
Newmarket (Town): 12,000		
Caledon (Town): 13,000		

4.2 Potential Changes to Provincial and Regional Planning Framework

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 which have planning responsibilities and those which 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.
- Future regulations would identify which official plans and amendments would not require approval by the Minister of Municipal Affairs and Housing (i.e., which lower-tier plans and amendments of the lower-tier municipality would need no further approval).
- The proposed changes could also potentially be applied to additional upper-tier municipalities in the future via regulation.

Creation of Supporting Growth and Housing in York and Durham Regions Act, 2022

Schedule 10 of the Bill presents the Supporting Growth and Housing in York and Durham Regions Act, 2022. The proposed Act would require York and Durham Regions to work together to enlarge and improve the existing York Durham Sewage System. Implementation of this proposal would accommodate growth and housing development in the upper part of York Region to 2051.

Review of Potential Integration of Place to Grow and Provincial Policy Statement (PPS)

The Ministry of Municipal Affairs and Housing (MMAH) is undertaking a housing-focused policy review of A Place to Grow and the Provincial Policy Statement.



The Government is reviewing the potential integration of the PPS and A Place to Grow 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.

Potential key elements of a new integrated policy instrument, as identified by the Government, include the following:

- **Residential Land Supply** – more streamlined and simplified policy direction regarding settlement area boundary expansions, rural housing and employment area conversions that better reflect local market demand and supply considerations to expand housing supply opportunities.
- **Attainable Housing Supply and Mix** - policy direction that provides greater certainty that an appropriate range and mix of housing options and densities to meet projected market-based demand and affordable housing needs of current and future residents can be developed. This includes a focus on housing development within Major Transit Station Areas (M.T.S.A.s) and Urban Growth Centres (U.G.S.) across the Province.
- **Growth Management** - policy direction that enables municipalities to use current and reliable information about the current and future population and employment to determine the amount and type of housing needed and the amount and type of land needed for employment. Policy direction should also increase housing supply through intensification in strategic areas, such as along transit corridors and major transit station areas, in both urban and suburban areas.
- **Environment and Natural Resources** - continued protection of prime agricultural areas which promotes Ontario's Agricultural System, while creating increased flexibility to enable more residential development in rural areas that minimizes negative impacts to farmland and farm operations. More streamlined policy direction regarding natural heritage, natural and human-made hazards, aggregates and with continued conservation of cultural heritage to also be considered.



- **Community Infrastructure** - increased flexibility for servicing new development (e.g., water and wastewater) encouraging municipalities to undertake long-range integrated infrastructure planning. A more coordinated policy direction is also to be considered that ensures publicly funded school facilities are part of integrated municipal planning and meet the needs of high growth communities.
- **Streamlined Planning Framework** – more streamlined, less prescriptive policy direction including a straightforward approach to assessing land needs, that is focused on outcomes that focus more on relevance and ease of implementation.

Review of Revocation of the Central Pickering Development Plan and the Parkway Belt West Plan

The Government of Ontario is proposing to revoke two existing provincial plans as a means to reduce regulatory burdens and remove barriers to expanding housing supply; including;

- Central Pickering Development Plan, under the Ontario Planning and Development Act, 1994; and
- Parkway Belt West Plan, 1978, under the Ontario Planning and Development Act, 1994.

4.3 Potential Changes to Expand/Support Rental and Affordable Housing Supply Opportunities

Potential Changes to Planning Act and Ontario Regulation 299/19: Addition of Residential Units

Schedule 9 of Bill 23 proposes amendments to the Planning Act (Subsection 34 (19.1) with amendments to Ontario Regulation 299/19: Additional Residential Units to support gentle intensification in existing residential areas. The proposed changes would:

- allow, “as-of-right” (without the need to apply for a rezoning) up to 3 units per lot in many residential areas, including those permitting residential uses located in settlement areas with full municipal water and sewage services. This includes encompassing up to 3 units in the primary building (i.e, triplex), or up to 2 units allowed in the primary building and 1 unit allowed in an ancillary building (e.g. garden suite).

Potential Changes to Inclusionary Zoning

Ontario Regulation 232/18 is the regulation to implement 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.

Affordable units are defined as those which are no greater than 80% of the average resale purchase price for ownerships units or 80% of the average market rent (A.M.R.) for rental units.

5. Changes to the Conservation Authorities Act

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. 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
- 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. Authorities would no longer be able to review applications with respect to natural heritage impacts.
 - With respect to natural heritage review requirements, the Province is proposing to integrate the Provincial Policy Statement, 2020 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 (see section 4.2 above).



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.

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).

6. Next Steps

We will continue to monitor the legislative changes and keep you informed. Further, there will be opportunities for municipalities to provide comments and/or written submissions through the provincial process. We note that there may be further questions and concerns which we may advance to the Province after our detailed review of this Bill and potential regulation(s).

Yours very truly,

WATSON & ASSOCIATES ECONOMISTS LTD.



234-2022-4624

October 25, 2022

Good afternoon,

On October 25, 2022, our government released [More Homes Built Faster: Ontario's Housing Supply Action Plan 2022-2023](#) that proposes bold and transformative action to get 1.5 million homes built over the next 10 years.

Details about the range of measures in our plan can be found in the [news release here](#).

The More Homes Built Faster Plan proposes policies and tools that reflect recommendations from the [Housing Affordability Task Force Report](#) and builds on [More Homes, More Choice](#) and the [More Homes for Everyone Plan](#). Our plan also draws on many elements from AMO's 2022 A Blueprint for Action: An Integrated Approach to Address the Ontario Housing Crisis and ROMA's 2022 Task Force Report on Attainable Housing and Purpose-Built Rentals. These changes are providing a solid foundation to address Ontario's housing supply crisis over the long term and will be supplemented by continued action in the future.

Our government has also introduced the More Homes Built Faster Act, 2022, and is seeking feedback on the changes proposed under the legislation and associated regulations. Additionally, various housing and land use policy reviews – including a housing-focused policy review of A Place to Grow and the Provincial Policy Statement, with a theme of supporting rural and northern housing – are being undertaken to identify and remove barriers to getting more homes built. These and other related consultations can be found through the [Environmental Registry of Ontario and the Ontario Regulatory Registry](#).

We encourage you share this information with senior staff in the municipality and to inform the newly elected head of council and council members. Our government is building a strong foundation for action that will continue to ensure Ontario is a prosperous and growing province – and the best place in the world to call home. We look forward to continued collaboration with our municipal partners to get more homes built faster.

Sincerely,

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

Steve Clark
Minister

c. The Honourable Michael Parsa, Associate Minister of Housing
Kate Manson-Smith, Deputy Minister
Ryan Amato, Chief of Staff, Minister's Office
Joshua Paul, Assistant Deputy Minister, Housing Division
Municipal Chief Administrative Officers

Plan # 11.2.7
NOV 10 2022

**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 ON M7A 2J3
Tél. : 416 585-7000



November 4, 2022

Dear Clerks, CAOs, and Conservation Authority Administrators:

As you are aware, on October 25, 2022 the government introduced the [More Homes Built Faster](#) plan, which takes bold action to advance our plan to address the housing crisis by building 1.5 million homes over the next 10 years. The government is taking further action to support this goal by launching a consultation on proposed changes to the Greenbelt that would support our municipal partners to plan for responsible growth and help build housing faster and in a targeted manner, while leading to an overall expansion of the Greenbelt.

Ontario is expected to grow by more than two million people by 2031, with approximately 1.5 million people living in the Greater Golden Horseshoe Region.

To accommodate that growth and support the building of more homes, MMAH is seeking feedback on proposed amendments to the Greenbelt Plan, the Greenbelt Area boundary regulation (O. Reg. 59/05) and the Oak Ridges Moraine Conservation Plan in order to:

- Remove/redesignate lands from the Greenbelt Plan and Oak Ridges Moraine Conservation Plan that would be suitable for residential development; and
- Add a portion of the **Paris Galt Moraine area**, designated as Protected Countryside with a Natural Heritage System.

The proposed strategic removal of lands from the Greenbelt Area was considered in the context of the objectives and policies of the Greenbelt Plan and the requirement in the Greenbelt Act, 2005 that the total amount of land within the Greenbelt Area shall not be reduced. The area of the Paris Galt Moraine lands that are proposed to be added would be in addition to the proposed 13 Urban River Valley areas that were consulted upon previously in March 2022 (see [ERO Posting 019-4485](#)). The total lands proposed to be added would be greater than the area of the lands proposed for removal from the Greenbelt Plan under this proposal.

For more information on this proposal and the consultation, please visit the following links where you will find information including a description of the proposed amendments to the Greenbelt Plan, Greenbelt boundary regulation, Oak Ridges Moraine Conservation Plan, and the associated maps.

- [ERO 019-6216 Proposed amendments to the Greenbelt Plan](#)
- [ERO 019-6217: Proposed amendments to the Greenbelt Area boundary regulation O. Reg. 59/05](#)
- [ERO 019-6218: Proposed redesignation of land under the Oak Ridges Moraine Conservation Plan O. Reg. 140/02](#)

Plan# 11.2.8
NOV 10 2022

The comment period on the Environmental Registry of Ontario will close on December 5, 2022.

The government is building a strong foundation for action that will continue to ensure Ontario is a prosperous and growing province – and the best place in the world to call home. The Province looks forward to continued collaboration with municipal partners to get more homes built faster.

Sincerely,



Steve Clark

Minister

- c. Kate Manson-Smith, Deputy Minister, Municipal Affairs and Housing
Sean Fraser, Assistant Deputy Minister, Municipal Affairs and Housing



The Corporation of **THE TOWNSHIP OF MELANCTHON**

Date: November 10, 2022
To: Mayor White and Members of Council
From: Silva Yousif – Senior Planner
Subject: Planning Application Review Process - More Homes for Everyone Act, 2022

Recommendation:

That the Staff Report of Silva Yousif, Senior Planner be received and that:

Council direct Staff to bring forward for approval by Council a By-law to establish mandatory pre-application consultation requirements in respect of planning applications submitted to the Township.

Council direct Staff to bring forward for approval by Council amendments to the Township By-law 3-2019, as amended, to prescribe a tariff of fees for planning matters, changes to address the additional changes to application review requirements and establish a fee refund process.

Council direct Staff to bring forward for approval by Council amendments to the Township Official Plan 2014, as amended, to prescribe all changes to address the additional changes to application review requirements, Site Plan control requirements and approval process with accordance to Bill 109.

Background:

Bill 109, the More Homes for Everyone Act, was introduced on March 30, 2022 and received Royal Assent on April 14, 2022. Schedule 19 of the Bill proposes to make changes to the Planning Act, and a number of other Provincial Acts such as the New Home Construction Licensing Act, 2017.

These legislative change appears to be an attempt to, among other goals, incentivize the timely processing of applications to bring housing to market and increase transparency, the proposed changes to the land use planning system would directly impact all 444 municipalities in Ontario.

The legislation is based in large part on the premise that reduced housing affordability is a function primarily of an increase in population and the lack of housing supply. The



The Corporation of THE TOWNSHIP OF MELANCTHON

legislation is targeted at reducing "red tape", accelerating the development application review timelines and streamlining the approvals process.

The Act introduced a number of new Planning Act requirements which have financial, legal and other implications for Township decision-making regarding planning applications, such as: Application process timelines, fee refund, site plan control requirement and approval process.

Comments and Considerations:

The planning approval process is a fundamentally iterative process whereby the community, applicants Township divisions, external agencies and provincial Ministries collaborate in partnership to find solutions and work to avoid adjudicated outcomes. Staff have concerns with respect to the implications of the amendments and the subsequent consequences that many of the amendments will create, therefore in order for the Township Staff to streamline the development review process and provide opportunity for public input, within the time assigned under MOU #CTD 22-11-10, a number of changes to the Township's planning application review process are proposed as below:

Mandatory Pre-Application Consultation

Landowners, developers and builders should be aware that after November 1, 2022, OPA, ZBLA, SPA and Subdivision applications will not be accepted, and the time periods under the Planning Act will not commence, unless the pre-application consultation process has been completed. These changes are part of the ongoing review of the Townships' development process being undertaken by the Planning Staff to implement improvements to the development review process and foster better collaboration between the Township divisions and between development applicants and commenting agencies.

Development Planning Inquires

Landowners, developers and builders should be aware that after November 1, 2022, all inquiries related to development planning, Severance, Consent, MV, and other development planning inquires in general, must be submitted via email first. This will help staff to conduct an initial review, evaluate and advice further actions required to move the development proposal forward.

Fees By-Law

The Township By-law 3-2019 should be reviewed an amended to reflect application review requirements and establish a fee refund process as per schedule below



Amount of refund	Days following application of no decision on zoning/Zoning & OPA/failure to approve site plan
50%	90 days (Zoning), 120 days (Zoning & OPA), 60 days (site plan)
75%	150 days (Zoning), 180 days (Zoning & OPA), 90 days (site plan)
100%	180 days (Zoning), 240 days (Zoning & OPA), 120 days (site plan)

Site Plan Control Process

A new complete application process for site plan applications is also contained in Bill 109. further amendment to the Township Official Plan may be required and therefore the timing for implementation of the 60 day approval or fee refund proposal following submission of a complete application is of concern.

Municipalities have a responsibility to be transparent to the public. This Bill does not recognize the time and cost associated with that responsibility. Staff believe Bill 109 will alter how decisions are made with respect to development applications and has the potential to delay approvals and result in more appeals to the OLT, thus, further review to the Township Official Plan and procedural By-Laws related to Bill 109 must be conducted in a timely manner.

Financial Impact:

Compliance costs to implement the changes would include further to, fee refunds if decision-making timelines not being met; the time to update the processes, including delegation by-laws, and related applications, websites, guidance materials, and technical zoning by-law processes, other administration items that might involve Staff time along with Consultant cost to streamline the approval process are establishing check lists, creating By-right approvals, updating Township OP and ZBL and identifying process to help re allocate and reassign resources.



The Corporation of **THE TOWNSHIP OF MELANCTHON**

Summary/ Options:

Council may:

1. Take no further action.
2. Receive this Report for information and that Council Direct Staff to take actions as per the Staff Report of Silva Yousif, Senior Planner Recommendation
3. Direct Staff in another manner Council deems appropriate

Conclusion:

Option #2 is recommended.

Respectfully

A handwritten signature in black ink, appearing to be "Silva Yousif".

Prepared By

Silva Yousif
Sr. Planner

A handwritten signature in black ink, appearing to be "Denise B. Holmes".

Submitted By

Denise B. Holmes
CAO/Clerk

CENTRE DUFFERIN RECREATION COMPLEX

BOARD OF MANAGEMENT

Minutes of the Regular meeting held August 24, 2022 via ZOOM

Attendance:	Lindsay Wegener	Shelburne
	Dan Sample	Shelburne
	Geer Harvey	Shelburne
	Chris Gerrits	Amaranth
	Heather Foster	Amaranth
	Melinda Davie	Mono
	Margaret Mercer	Melancthon
	Darren White	Melancthon
	Kim Fraser	Facility Administration Manager
	Marty Lamers	Facility Maintenance Manager
	Emily Francis	Recreation Program Coordinator

Absent: Steve Anderson

Meeting called to order by Board Chair, Chris Gerrits at 6:30pm.
A quorum was present.

Land Acknowledgement:

Chair, Chris Gerrits read the land acknowledgement

Declaration of Pecuniary Interests:

Chair, Chris Gerrits stated that if any member of the board had a disclosure of pecuniary interest that they could declare the nature thereof now or at any time during the meeting.

Agenda:

MOTION #1 – Moved by D. Sample seconded by H. Foster. Be it resolved we approve the agenda dated August 24, 2022 as circulated and amended. Carried

Discussion & Approval of Minutes of Previous Meeting July 27, 2022:

MOTION #2 – Moved by D. White seconded by M. Davie. That the minutes of the CDRC Board of Management regular board meeting held virtually on July 27, 2022 be approved as circulated and presented. Carried

Correspondence:

- Email from Grand Valley Minor Hockey Association requesting consideration for short-term ice rental until Grand Valley ice surface repairs are completed for 2-4 weeks.

MOTION #3 – Moved by H. Foster seconded by D. Sample. That correspondence is received and placed on file. Carried

Bd Comm #1

NOV 10 2022

Financial Report:

After review of the CDRC financial reports and accounts, the following motion was presented.

MOTION #4 – Moved by M. Davie seconded by D. Sample. That the CDRC Board of Management receive the financial reports and paid accounts in the amount of \$77,570.54, as presented by the Facility Administration Manager. Carried

CDRC 2022 Draft Budget was presented for further review and discussion and explanation for the additional COVID related funds was provided. The Town of Shelburne will advance funds for the capital roof expenditures.

MOTION #5 – Moved by M. Mercer seconded by H. Foster. Be it resolved that the 2022 CDRC draft budget distributed at the August 24, 2022 board meeting with a deficit and municipal contribution of \$446,920 that includes a municipal Covid contribution of \$100,000 be adopted. And that a copy of the budget be sent to all member municipalities. Carried

Facility Administration Manager and Recreation Program Coordinator Reports:

See Schedule A

See Schedule B

MOTION #6 – Moved by M. Davie seconded by M. Mercer. That we receive the reports from the Facility Administration Manager and the Recreation Program Coordinator. Carried

Facility Maintenance Manager’s Report:

See Schedule C

MOTION #7 Moved by D. White seconded by D. Sample. That we receive the report from the Facility Maintenance Manager. Carried

Confirmation by By-law:

MOTION #8 – Moved by M. Davie seconded by D. Sample. Be it resolved that leave be given for the reading and enacting of by-law #07-2022 being a by-law to confirm certain proceedings of the CDRC Board of Management for its regular board meeting held August 24, 2022. Carried

Adjournment:

MOTION #9- Moved by H. Foster seconded by M. Davie. That we now adjourn at 6:52pm to meet again on September 28, 2022 at 6:30pm, or at the call of the chair. Carried

Secretary - Treasurer

Chairperson

Dated

SCHEDULE 'A'

Facility Administration Managers Report – August 24, 2022

General Information:

- Continual day-to-day administrative duties that include phone calls and walk-in inquiries, invoicing and collections, payables and disbursements, rental contracts, bookings, monitoring the rental schedule and payroll administration.
- Ongoing, receiving and responding to various facility rental booking requests.
- Provided requested data information to the Shelburne Parks & Rec Master Plan consultant
- Received a request to provide user data information from the Melancthon Recreation Task Force
- Working on ice schedules and contracts
- Will be completing the Canada Summer Jobs payment claim report

Old Business:

-

New Business:

-

Kim Fraser
Facility Administration Manager

SCHEDULE 'B'

Submitted By: Recreation Program Coordinator Emily Francis
 To: CDRC Board of Management
 Date: Wednesday August 24, 2022
 Subject: Recreation Program Coordinator Report

August Overview

- Continuing to assist with day-to-day operations including phone inquiries, email inquiries etc. Completing daily invoices for summer 2022 programs.
- Continuing to make updates to the CDRC information on the Town of Shelburne website and actively creating graphics and posting on the CDRC social media.
- The outdoor pool at this time, will be closing on Friday September 2, 2022 and the last day of day camp is scheduled for Thursday September 1, 2022.
- **Beginning to look at Fall/Winter program options and staffing requirements**
 - Would like to bring back the Trick or Treat Drive Thru on Saturday October 29, 2022
 - PA Day Camp: Monday October 24 and Friday November 25
 - Winter Break Day Camp: Monday January 2 – Friday January 5, 2022
 - Saturday Morning Pickleball
 - Public Skate (including Adult Skate and Parent/Tot)
 - Home Alone Safety for Kids: Date to be determined
 - Red Cross Babysitting Course: Date to be determined
- Free family swim on Thursday August 25th from 1:30-2:30pm sponsored by Early On Dufferin
- Working on preparing an end of season report about the outdoor pool and day camp operations.

Program	Registrations as of April 27th, 2022	Registrations as of August 24, 2022
Week 1: Hello Summer	64	63
Week 2: Nature Unleashed	65	66
Week 3: Passport to Fun	62	65
Week 4: CDRC Athletes	65	66
Week 5: Super Science	66	66
Week 6: Artrageous	62	62
Week 7: Mystery Week	59	60
Week 8: Backyard Shenanigans	62	67
Week 9: Splashtacular	45	43
Junior Lifeguard Camp	21	27
Leaders in Training	4	10
Junior Leaders	12	16

Swim Program	2019	2022 (as of August 24, 2022)
June Swim Lessons	3	65
Session 1 (Total enrolled)	127	213
Session 2 (total	185	184

enrolled)		
Session 3 (Total enrolled)	149	186
Session 4 (Total enrolled)	131	174
Bronze Star	3	10
Bronze Medallion	11	14
Bronze Cross	7	15

SCHEDULE 'C'

Facility Maintenance Managers Report – August 24, 2022

GENERAL INFORMATION

Pool maintenance and daily facility cleaning.

Grass trimming.

Touch up paint in arena where we can, t paint after we cool arena.

Finished removing unused air duct (old smoke eater from the 80s) scrap metal to Shelburne Iron

WDG public health pool inspection report AUG 16, 2022, 1 concern of cyanuric acid levels not recorded weekly.

Roof Site visit Aug 21,2022 T Hamilton contractor Fire chief and SBA scheduled to remove gravel August 25, 2022, with industrial vacuum and begin roof removal August 29, 2022, approx. 18 to 20 days weather dependent.

Heritage music festival went well.

Working on a draft updated capital and capital maintenance budget 10-year plan.

Ice plant's oil change and conditioner prep, clean out condenser tank.

Plant to be turned on August 30, 2022

Marty Lamers

Facility Maintenance Manager

CORPORATION OF THE TOWNSHIP OF MELANCTHON

The Township of Melancthon Heritage Advisory Committee held an electronic meeting September 14th, 2022 at 5:30 p.m. The following members were present: Chair Margaret Mercer, Vice-Chair McIntosh, Councillor James McLean, and Member Webber, also present was Kaitlin Chessell, Heritage Advisory Committee Secretary. Member Fawcett was absent. Chair Mercer called the meeting to order at 5:32 p.m.

Land Acknowledgement

Chair Mercer shared the Land Acknowledgement Statement.

Additions/Deletions/Approval of Agenda

Moved by McIntosh, Seconded by Webber that the agenda be approved as circulated. Carried.

Approval of Draft Minutes

Moved by McLean, Seconded by Webber that the minutes of the Heritage Advisory Committee held on May 11th, 2022 be approved as circulated. Carried.

Moved by McIntosh, Seconded by Webber that the minutes of the Heritage Advisory Committee held on June 1st, 2022 be approved as circulated. Carried.

Business Arising from Minutes

None.

Declaration of Pecuniary Interest or Conflict of Interest

No declaration declared at this time.

General Business

1. Heritage Plaque Program

The Heritage Advisory Committee reviewed all of the plaque samples that Shelburne Memorials had provided to us, and all agreed on the plaque design that is attached for the Heritage Plaque Program. The Committee discussed that they would like to launch the plaque program on October 1, 2022, and applications will be accepted until December 1, 2022. The Committee is hoping to receive three or more applications by the deadline as we receive a discount from Shelburne Memorials on the plaques if we order three or more at a time. The Committee would like to advertise the plaque program on the township website, the newsletter, the digital sign, and the Township's Facebook page. The applicants would bring their completed application with all

requirements to the township office for submission and pay the \$100 fee and then the applications would go to the Heritage Advisory Committee for review and approval.

Recommendations:

The Heritage Advisory Committee recommends to Council that we approve the plaque layout from Shelburne Memorials attached for the Township of Melancthon Heritage Plaque Program.

The Heritage Advisory Committee recommends to Council that we roll out the Township of Melancthon Heritage Plaque Program on October 1, 2022, with the deadline for applications being December 1, 2022.

2. Walking/Driving Tour

No update at this time.

3. Site Visit at Museum

In discussion with Dufferin County Museum staff, it was suggested that the Heritage Committee plan a date and time to go to the Dufferin County Museum to meeting with staff and learn how to do research. We were advised that the staff at the museum is there as a resource but not there to our research for us. It was discussed that this is something the Committee can decide after the Election. The Committee decided that they would like to do a walking tour of Horning’s Mills for our next meeting in October.

4. Updates from Members of the Committee

The Committee discussed that Melancthon turns 170 in 2023.

5. Other/Addition

None.

Delegations

None.

Recommendations to Council

Recommendations are outlines above.

Public Question Period

None.

Confirmation Motion

Moved by McIntosh, Seconded by McLean that all actions of the Members and Officers of the Heritage Advisory Committee with respect to every matter addressed and/or adopted by the Board on the above date are hereby adopted, ratified and confirmed; and each motion, resolution and other actions taken by the Board Members at the meeting held on the above date are hereby adopted, ratified and confirmed. Carried.

Adjournment

6:24 p.m. - Moved by McIntosh, Seconded by Webber that we adjourn this Heritage Advisory Committee meeting to meet again at the Horning's Mills Hall for a walking tour on October 12th, 2022 at 5:00 p.m. or at the Call of the Chair. Carried.

CHAIR

SECRETARY



Grand River Conservation Authority

Summary of the General Membership General Meeting – October 28, 2022

To GRCA/GRCF Boards and Grand River watershed municipalities - Please share as appropriate.

Action Items

The Board approved the resolutions in the following reports as presented in the agenda:

- GM-10-22-84 - Financial Summary
- GM-10-22-83 - Brant Shop Construction Award Recommendation

Information Items

The Board received the following reports as information:

- GM-10-22-81 - Budget 2023 Draft 1
- GM-10-22-80 - Budget 2023 Draft 1 - General Municipal Levy Apportionment
- GM-10-22-77 Cash and Investment Status – September 2022
- GM-10-22-85 - Environmental Contamination - River Road/Birkett Lane, Brantford and 810 Clyde Road, Cambridge
- GM-10-22-78 - Development, Interference with Wetlands and Alterations to Shorelines Regulation
- GM-10-22-79 - Dam Safety Maturity Matrices - Evaluation of GRCA's Dam Safety Program

Correspondence

The Board received the following correspondence:

- Canadian Society of Soil Science re: 24th World Congress of Soil Science.

Source Protection Authority

The General Membership of the GRCA also acts as the Source Protection Authority Board. No meeting of the Source Protection Authority was held.

For full information, please refer to the [October 28 Agenda Package](#). Complete agenda packages and minutes of past meetings can be viewed on our [online calendar](#). The draft minutes of this meeting will be posted on our online calendar within 30 days of the meeting date, in accordance with the Conservation Authorities Act.

You are receiving this email as a GRCA board member, GRCF board member, or a Grand River watershed member municipality. If you do not wish to receive this monthly summary, please respond to this email with the word 'unsubscribe'.

BdComm #3
NOV 10 2022

CORPORATION OF THE TOWNSHIP OF MELANCTHON

The Township of Melancthon Roads Sub-Committee held an electronic meeting June 7, 2022, at 3:00 p.m. The following members were present: David Besley, Chair, James McLean and Bill Neilson. Also present were: Craig Micks, Public Works Superintendent, Sarah Culshaw, Treasurer, Kaitlin Chessell, Roads Sub-Committee Secretary and Denise Holmes, CAO/Clerk. Chair Besley called the meeting to order at 3:04 p.m.

Land Acknowledgement

Chair Besley shared the Land Acknowledgement Statement.

Additions/Deletions/Approval of Agenda

Moved by Neilson, Seconded by McLean that the agenda be approved as amended. Carried.

Additions:

177 Main Street Stairs

Poulton Place Update

Declaration of Pecuniary Interest or Conflict of Interest

No declaration declared at this time.

Approval of Draft Minutes

Moved by Neilson, Seconded by McLean be it resolved that the minutes of the Roads Sub-Committee meeting held on April 13th, 2022, be approved as circulated. Carried.

Business Arising from Minutes

None.

Correspondence Items

None.

General Business

1. Update from Public Works Superintendent

Craig Micks, Public Works Superintendent advised the Committee that they will be finishing the resurfacing gravel today and will maybe be adding gravel to the 8th Line

SW once the bridge project is completed. They are going to be starting calcium next week and working on grading the roads that need done now that gravel is completed and have been working on servicing the trucks on the rainy days. Member McLean asked Craig when the line painting was going to be happening in Horning's Mills so that we can get the ped-zone signs installed and Craig advised that they are hoping to paint the lines next week so that the signs can be installed at the end of June or the first week of July. Member Neilson asked Craig if he has enough manpower in the Public Works Department and Craig advised they are currently down one employee, but he is going to wait until the fall to hire.

2. Bridge 11 Update

The Committee discussed that from the photos it looks like everything went well with the project. The final invoice has not come in for it yet, but they just need to install the guard rails and are hoping to have it reopened tomorrow night.

3. Community Safety Zones Discussion – Request from Council

The Committee discussed that some of the community safety zone signs are not far enough out of town in the Hamlets now that they are expanding. Denise advised that a By-law was established to create these community safety zones, and she would have to check if the distances would allow for us to move them or if the By-law would have to be changed. Denise pulled the By-laws and the By-law for Corbetton is by the distance from 2nd Line SW so Craig will have to check if the sign can be moved or if the By-law needs to be updated and the sign in Horning's Mills on River Road can be moved out to the Townline as that is what the By-law states. Craig was directed to bring this information back at next meeting.

4. Reduced Loads By-law (need to come up with wording for the No Heavy Trucks Roads with regards to reduced loads)

The Committee discussed that the OPP had advised us that our Reduced Loads By-law was not enforceable, and they had concerns regarding signage as we had no heavy truck signs with the reduced loads signs which is for the trucks that have no other way in to a property. It was discussed that these trucks could be asking for an exemption to the By-law, or we could take one of the signs down. Craig advised that the trucks would have to drive on a half loads road to get to the no heavy truck road and therefore should only be hauling half loads. Staff was directed to reach out to other local municipalities and see how they handle this.

5. Sign to be Installed on River Road with number of motorcycle accidents on the sign

The Roads Sub-Committee had a discussion regarding the placement of the "Motorcycle Accident Sign" and "Speed Kills Signs" as we want to place them in strategic spots so

that drivers will see them. The Committee decided that there are a couple different spots in Horning's Mills that the "Motorcycle Accident Sign" could be impactful and it would be helpful to have a second sign.

Recommendation:

The Roads Sub-Committee recommends to Council that we order a 2nd Motorcycle Accident Sign.

6. Other/Additions

1. 177 Main Street Stairs

The Roads Sub-Committee discussed that the stairs appear to be on the road allowance, but they should be treated the same as a driveway culvert, and the owner installs it and it is the responsibility of the land owner to maintain this. Staff advised that they have looked in the property file and no agreement between the Township and the Landowner for the installation of the stairs was in the file.

Recommendation:

The Roads Sub-Committee recommends to Council that we advise the property owner that we will not be taking responsibility for the stairs at 177 Main Street, Melancthon that are on the road allowance

2. Poulton Place Update

Denise advised that she has reached out to Vanharten for an update on the Survey.

7. Unfinished Business

1. OPP Report – Accident Data Locations

Member Neilson spoke to this as he advised he was at the last Police Service Board meeting, and they reported the accidents in Melancthon from January to March of 2022. He advised there had been 42 occurrences in Melancthon only 9 of which were on Township Roads. He also advised that the reporting is difficult to figure out accident locations, as they do not distinguish the 2nd Line's and the 4th Line's.

Delegations

None.

Recommendations to Council

Recommendations have been outlined above.

Public Question Period

None.

Confirmation Motion

Moved by McLean, Seconded by Neilson that all actions of the Members and Officers of the Roads Sub-Committee with respect to every matter addressed and/or adopted by the Sub-Committee on the above date are hereby adopted, ratified and confirmed; and each motion, resolution and other actions taken by the Sub-Committee Members at the meeting held on the above date are hereby adopted, ratified and confirmed.

Carried.

Adjournment

3:55 p.m. - Moved by McLean, Seconded by Neilson that we adjourn this Roads Sub-Committee meeting to meet again at the Call of the Chair. Carried.

CHAIR

SECRETARY

CORPORATION OF THE TOWNSHIP OF MELANCTHON

The Township of Melancthon Roads Sub-Committee held a special electronic meeting and on-site on July 20, 2022, at 9:00 a.m. The following members were present: David Besley, Chair, James McLean (9:25 a.m.) and Bill Neilson. Also present were: Craig Micks, Public Works Superintendent, Sarah Culshaw, Treasurer (for Zoom portion), and Kaitlin Chessell, Roads Sub-Committee Secretary.

9:00 a.m. On-Site at 192 Main Street, Melancthon – Regarding Church Street Drainage

The Roads Sub-Committee met with Kurt the owner of 192 Main Street, Melancthon to discuss the issue with the water run off from Church Street after we paved it last year. Kurt advised the Committee that the gutter we installed is not large enough to contain the water flowing down the hill and it all ends up washing out gravel onto his yard. He also advised that where we laid grass seed last year has just grown up in weeds. The Committee discussed that we could maybe install a small berm along the road allowance to stop the water or a curb could be installed from 24 Church Street down to Kurt's laneway which is off Church Street as well.

10:00 a.m. Electronic Meeting

Call to Order

Chair Besley called the meeting to order at 10:10 a.m.

Land Acknowledgement

Chair Besley shared the Land Acknowledgement Statement.

Additions/Deletions/Approval of Agenda

Moved by McLean, Seconded by Neilson that the agenda be approved as circulated. Carried.

Declaration of Pecuniary Interest or Conflict of Interest

No declaration declared at this time.

General Business

1. 192 Main Street, Melancthon – Regarding Church Street Drainage On-Site Discussion

The Roads Sub-Committee directed Craig to get a quote for the installation of a curb from 24 Church Streets driveway to Kurt's driveway. The Committee is hoping to have

1

BdComm # 5

NOV 10 2022

the quote in time to have a quick meeting before the August 11th Council meeting to have a recommendation put forward.

2. Poulton Place

The Committee reviewed the Survey and decided it might be easier to go out to Poulton Place and see where the survey stakes are and decide if there is enough room to allow for a turn around. The Committee proceeded to Poulton Place following the meeting and looked at the property, they decided that there was lots of room to create the turnaround. Some trees would need to be removed and some residents would need to remove their belongings from the road allowance to allow for the creation of the road. Craig was directed to get an updated quote for the turnaround installation, which would include the ditching, culvert installation and bringing the road up to grade.

Recommendations to Council

None.

Confirmation Motion

Moved by McLean, Seconded by Neilson that all actions of the Members and Officers of the Roads Sub-Committee with respect to every matter addressed and/or adopted by the Sub-Committee on the above date are hereby adopted, ratified and confirmed; and each motion, resolution and other actions taken by the Sub-Committee Members at the meeting held on the above date are hereby adopted, ratified and confirmed.
Carried.

Adjournment

10:20 a.m. - Moved by Neilson, Seconded by McLean that we adjourn this Roads Sub-Committee meeting to meet again at the Call of the Chair. Carried.

CHAIR

SECRETARY

CORPORATION OF THE TOWNSHIP OF MELANCTHON

The Township of Melancthon Roads Sub-Committee held a Special Electronic meeting on August 10, 2022, at 2:00 p.m. The following members were present: David Besley, Chair, James McLean and Bill Neilson. Also present were: Craig Micks, Public Works Superintendent, Sarah Culshaw, Treasurer, and Kaitlin Chessell, Roads Sub-Committee Secretary.

Call to Order

Chair Besley called the meeting to order at 2:00 p.m.

Land Acknowledgement

Chair Besley shared the Land Acknowledgement Statement.

Additions/Deletions/Approval of Agenda

Moved by McLean, Seconded by Neilson that the agenda be approved as circulated. Carried.

Declaration of Pecuniary Interest or Conflict of Interest

No declaration declared at this time.

General Business

1. 192 Main Street, Melancthon – Quote for Curb Installation

The Roads Sub-Committee had a discussion regarding the placement of a curb along Church Street to stop water from washing out the lawn of 192 Main Street. We received a quote from C&G Concrete for \$24,144.00 to install the curb and if we would like it done in 2022 it would need to be completed in the next month, as the company is booked up until December. Sarah Culshaw, Treasurer was directed to obtain financials for the reserve accounts to advise Council on where we can take this money from as it was not accounted for in the 2022 budget.

Recommendation:

The Roads Sub-Committee recommends to Council that we accept the quote from C&G Concrete and proceed with the curb installation on Church Street in 2022 from reserve funds.

2. Poulton Place – Quote for Road Upgrades

The Committee reviewed the quote to upgrade the road from Demmans Excavating and staff was directed to send letters to the six property owners on Poulton Place to see if they are interested in splitting the cost of the road upgrades to make there lots buildable. The sections in the Township of Melancthon’s Official Plan regarding Road Policies are also to be sent with the letters. It was also discussed that if the six landowners wanted to meet onsite to discuss the proposal, we could set something up.

Recommendations to Council

Recommendation has been outlined above.

Confirmation Motion

Moved by McLean, Seconded by Neilson that all actions of the Members and Officers of the Roads Sub-Committee with respect to every matter addressed and/or adopted by the Sub-Committee on the above date are hereby adopted, ratified and confirmed; and each motion, resolution and other actions taken by the Sub-Committee Members at the meeting held on the above date are hereby adopted, ratified and confirmed.
Carried.

Adjournment

2:33 p.m. - Moved by Neilson, Seconded by McLean that we adjourn this Roads Sub-Committee meeting to meet again at the Call of the Chair. Carried.

CHAIR

SECRETARY

CORPORATION OF THE TOWNSHIP OF MELANCTHON

The Township of Melancthon Roads Sub-Committee held a On-site meeting on September 8, 2022, at 1:00 p.m. The following members were present: James McLean and Bill Neilson. Also present were: Craig Micks, Public Works Superintendent, and Kaitlin Chessell, Roads Sub-Committee Secretary. Chair Besley was absent.

1. Meet at 117103 2nd Line SW at 1pm. Amanda Sexton, Representative from Enbridge Gas will be in attendance to discuss the installed concrete pillars in the Township Road Allowance.

The Roads Sub-Committee attended the roadside at 117103 2nd Line SW to meeting with Amanda Sexton, Representative for Enbridge Gas. Enbridge has installed concrete bollards in the Township Road Allowance to protect an emergency shut off for the gas lines across the road. The concrete bollards are a liability to the Township as they are less than five feet off the road, and someone could easily hit them. Enbridge advised us that these were installed because the owner of the property whose entrance is right next to the valve keeps hitting it and they could not come up with a resolution with the property owner. We discussed the possibility of them paving a small patch off the roadside and around the shut off valve to make it flush with the asphalt and then the valve wouldn't be able to be hit. Enbridge has sent over an email with a few photos which I have attached with their proposal for the asphalt patch.

Recommendation:

The Roads Sub-Committee recommends to Council that we accept Enbridge Gas's proposal to install an asphalt pad around the emergency gas shut off at 117103 2nd Line SW per there specifications and remove the concrete bollards.

2. Church Street, Horning's Mills to discuss the work completed with curb installation

The Committee was happy with the curb installation and the work that had been completed. Craig advised that it has not been grass seeded yet, but he is hoping to get that done in the next couple of days.

3. Mill Lane, Horning's Mills to discuss the installation of Eh!tel fibre lines over the culvert on Mill Lane

The Roads Sub-Committee attended Mill Lane to look at a culvert as Eh!tel would like to run a fiber line over the culvert to give internet access to 153 Mill Lane. The CEO has sent over an agreement that we need to sign that states that Eh!tel will bear all costs that are requires to relocate or expose the fiber duct in the case of Melancthon needing

to complete work on the Culvert. Eh!tel has also confirmed that they register all fiber lines with Ontario One Call so that when we request locates for road work we will be able to see Eh!tel's fiber lines. A copy of the agreement is attached.

Recommendation:

The Roads Sub-Committee recommends to Council that we sign the agreement from Eh!tel and allow them to run there fiber lines across the culvert on Mill Lane to give access to 153 Mill Lane.

CHAIR

SECRETARY

CORPORATION OF THE TOWNSHIP OF MELANCTHON

The Township of Melancthon Roads Sub-Committee held a Special Electronic meeting on September 14, 2022, at 1:00 p.m. The following members were present: David Besley, Chair, James McLean and Bill Neilson. Also present were: Craig Micks, Public Works Superintendent, Sarah Culshaw, Treasurer, and Kaitlin Chessell, Roads Sub-Committee Secretary. Chair Besley called the meeting to order at 1:01 p.m.

Land Acknowledgement

Chair Besley shared the Land Acknowledgement Statement.

Additions/Deletions/Approval of Agenda

Moved by Neilson, Seconded by McLean that the agenda be approved as circulated. Carried.

Declaration of Pecuniary Interest or Conflict of Interest

No declaration declared at this time.

General Business

1. Engineering Report for Poulton Place from Glenn Clarke, RJ Burnside and Associates

Craig Micks, Public Works Superintendent advised that he would like the quote from RJ Burnside's was broken down a little more so that we were able to see much each item of work is. Staff was directed to reach out to Chris Knechtel and have him send over a breakdown of the \$190,000 so that Craig can go through it and try to cut the costs down. The Committee is hoping that we are able to do the road work for somewhere around \$100,000. The Committee also discussed the landowners paying for the road upgrades and how we should discuss the progress with Council at tomorrow's meeting.

Recommendations to Council

None.

Confirmation Motion

Moved by McLean, Seconded by Neilson that all actions of the Members and Officers of the Roads Sub-Committee with respect to every matter addressed and/or adopted by the Sub-Committee on the above date are hereby adopted, ratified and confirmed; and

each motion, resolution and other actions taken by the Sub-Committee Members at the meeting held on the above date are hereby adopted, ratified and confirmed.
Carried.

Adjournment

1:33 p.m. - Moved by Neilson, Seconded by McLean that we adjourn this Roads Sub-Committee meeting to meet again at the Call of the Chair. Carried.

CHAIR

SECRETARY

Denise Holmes

From: noreply@salesforce.com on behalf of Ag Info <ag.info.omafra@ontario.ca>
Sent: Monday, October 17, 2022 5:41 PM
To: Denise Holmes
Subject: Letter from the Deputy Chief Veterinarian for Ontario
Attachments: AI Info Sheet-Bilingual_pdf.html

Ministry of Agriculture,
Food and Rural Affairs

1 Stone Road West, 5th Floor
Guelph, Ontario N1G 4Y2
Tel: 519-826-3577
Fax: 519-826-4375

Ministère de l'Agriculture, de
l'Alimentation et des Affaires rurales

1, rue Stone ouest, 5e étage
Guelph (Ontario) N1G 4Y2
Tél. : 519 826-3577
Télééc. : 519-826-4375



Office of the Chief Veterinarian for Ontario (OCVO)

October 17, 2022

Greetings:

Cases of highly pathogenic avian influenza (H5N1) in domestic poultry continue to be confirmed across Ontario by the Canadian Food Inspection Agency (CFIA).

While the CFIA leads the disease response for highly pathogenic avian influenza and may impose permitting requirements in defined areas of the province, I am writing to inform you and your members of the action that the province is taking to help limit the spread of the virus.

On my advice and recommendation as Deputy Chief Veterinarian for Ontario, the Minister of Agriculture, Food and Rural Affairs is extending the Minister's Order under the *Animal Health Act, 2009*, for the purpose of limiting the commingling of birds from different locations in Ontario to reduce the likelihood of disease transmission in domestic birds by limiting direct contact. Commingling events pose a real and significant risk to domestic poultry, especially during the current migration period. This Order applies province wide.

Effective since September 23, 2022, this Order will now continue through to November 21, 2022. The Order temporarily prohibits events where birds commingle, such as bird shows, bird sales and swaps, portions of fairs where birds are exhibited, sport and educational displays where birds are brought from multiple locations, vaccination gatherings for birds from multiple locations, and prohibits the movement of birds to those events. Temporarily reducing direct contact between birds from different locations will limit the spread of avian influenza and protect flock health. This Order may be further extended if required.

I also strongly encourage your members to maintain strict biosecurity measures to help reduce the risk of introducing avian influenza to their birds.

Avian influenza is not a threat to food safety but impacts domesticated and wild birds. Ontario poultry and eggs are safe to eat when, as always, proper handling and cooking takes place. People working with poultry should take additional precautions and are strongly encouraged to follow all public health guidelines and maintain strict biosecurity.

For more information on the Minister's Order, please visit [OMAFRA's Avian Influenza webpage](#).

I continue to monitor this quickly developing situation and may implement further measures as part of the response to this disease.

I appreciate your cooperation in working together to enhance biosecurity and reduce the spread of avian influenza.

Sincerely,

Original signed by

Paul Innes, DVM
Deputy Chief Veterinarian for Ontario



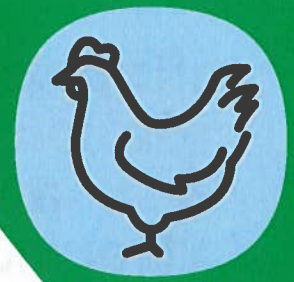
Foodland
ONTARIO
ONTARIO
Terre nourricière

Good things grow in Ontario
À bonne terre, bons produits

Ministry Headquarters: 1 Stone Road West, Guelph, Ontario N1G 4Y2
Bureau principal du ministère: 1 Stone Road West, Guelph (Ontario) N1G 4Y2



Avian Influenza: Preventing Transmission Animal Health Control Area Order



WHAT IS AVIAN INFLUENZA?

Avian influenza (AI) is a highly contagious viral disease that affects domestic and wild birds. Wild birds, especially waterfowl, are natural reservoirs of AI viruses.

SIGNS OF AVIAN INFLUENZA (H5N1):

- The earliest signs of infection in chickens are a loss of appetite and a decrease in egg production.
- Clinical signs: coughing and gasping for air, diarrhea, lack of energy, tremors or lack of coordination, swelling of the skin under the eyes, congestion of wattles and comb.
- Domestic poultry have no natural immunity and experience nearly 100% mortality when infected.
- High concentrations of domestic birds facilitate transmission.

PROTECTING BIRD HEALTH

- Keep domestic birds away from wild birds.
- Wear separate clothing and footwear inside and outside of bird housing.
- Dedicate one person for bird care and not other outdoor tasks.

Permit and Movement Control Permissions

The Canadian Food Inspection Agency (CFIA) is the lead for highly pathogenic AI and has declared several outbreaks and control zones. Birds, their products, by-products and other materials cannot be moved into, out of, within, or through primary control zones except by permission. Learn more about the CFIA's permit and permissions on its website <https://inspection.canada.ca>

NEW: MINISTER'S ORDER AND REGULATIONS UNDER THE ANIMAL HEALTH ACT, 2009

To reduce the spread in Ontario an Animal Health Control Area Order has been issued to temporarily prohibit any bird commingling events including sales, shows, races and auctions. This Minister's Order took effect September 23, 2022, and ends on November 21, 2022, but may be extended if required.

To learn more about the Minister's Order visit: ontario.ca/avianinfluenza

REPORTING SICK BIRDS

To report a sick or dead wild bird, please call the Canadian Wildlife Health Cooperative at **1-866-673-4781**.

To report a sick domestic bird, please contact your veterinarian or the local CFIA District Office.

Influenza aviaire : Arrêté sur la création d'une zone de contrôle de la santé animale pour prévenir la transmission



QU'EST-CE QUE L'INFLUENZA AVIAIRE?

L'influenza aviaire (IA) est une maladie virale très contagieuse qui touche les oiseaux domestiques et sauvages. Les oiseaux sauvages, en particulier la sauvagine, sont des réservoirs naturels des virus de l'IA.

SIGNES DE L'INFLUENZA AVIAIRE (H5N1) :

- Les signes précoces d'une infection chez les poulets sont une perte d'appétit et une diminution de la production d'œufs.
- Signes cliniques : toux et halètements, diarrhée, manque d'énergie, tremblements ou manque de coordination, gonflement de la peau sous les yeux, congestion des margeolles et de la crête.
- La volaille domestique n'a pas d'immunité naturelle et présente un taux de mortalité avoisinant 100 % lorsqu'elle est infectée.
- Des concentrations élevées d'oiseaux domestiques facilitent la transmission.

PROTÉGER LA SANTÉ DES OISEAUX

- Gardez les oiseaux domestiques à l'écart des oiseaux sauvages.
- Ne pas porter les mêmes vêtements et chaussures à l'intérieur et à l'extérieur des nichoirs.
- Désignez une personne pour soigner les oiseaux et aucune autre tâche extérieure.

Permis et permissions de contrôle des déplacements

L'Agence canadienne d'inspection des aliments (ACIA) est responsable de l'IA hautement pathogène et a déclaré plusieurs éclosions et zones de contrôle. Les oiseaux, leurs produits, sous-produits et autres matières ne peuvent pas être déplacés vers, hors, dans ou à travers les zones de contrôle primaire sans autorisation. Renseignez-vous sur les permis et permissions délivrés par l'ACIA sur son site Web : <https://inspection.canada.ca>

NOUVEAUTÉ : ARRÊTÉ MINISTÉRIEL ET RÉGLEMENTATION AUX TERMES DE LA LOI DE 2009 SUR LA SANTÉ ANIMALE

Afin de réduire le risque de propagation en Ontario, un arrêté établissant une région de contrôle de la santé animale a été adopté pour interdire temporairement les rassemblements d'oiseaux, y compris les ventes, les expositions, les courses et les ventes aux enchères. L'arrêté du ministre est entré en vigueur le 23 septembre 2022 et prendra fin le 21 novembre 2022, mais pourra être prolongé au besoin.

Pour en savoir plus sur l'arrêté du ministre, visitez : [Ontario.ca/grippeaviaire](https://ontario.ca/grippeaviaire)

SIGNALER DES OISEAUX MALADES

Pour signaler un oiseau sauvage malade ou mort, veuillez communiquer avec le Réseau canadien pour la santé de la faune au **1 866 673-4781**.

Pour signaler un oiseau domestique malade, veuillez communiquer avec votre vétérinaire ou le bureau de district de l'ACIA pour votre région.

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 ON M7A 2J3
Tél. : 416 585-7000



234-2022-3540

August 10, 2022

Dear Head of Council:

As Ontarians face the rising cost of living and a shortage of homes, our government was re-elected with a strong mandate to help more Ontarians find a home that meets their needs.

Our government also made an election promise to build 1.5 million new homes for the people of Ontario over the next 10 years to address the housing supply crisis.

I am pleased to inform you that our government introduced the proposed Strong Mayors, Building Homes Act on August 10, 2022, that, if passed, would make changes to the *Municipal Act, 2001*, *City of Toronto Act, 2006*, and the *Municipal Conflict of Interest Act*. These amendments would empower mayors in the City of Toronto and City of Ottawa to deliver on shared provincial-municipal priorities and get more homes built faster.

If passed, the proposed changes impacting the City of Toronto and City of Ottawa are intended to take effect on November 15, 2022, which is the start of the new municipal council term. Other growing municipalities could follow at a later date.

If you have any comments or feedback regarding these proposed changes, you may submit them to the Ministry of Municipal Affairs and Housing at: StrongMayors@ontario.ca.

Sincerely,

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

Steve Clark
Minister

Info #2

NOV 10 2022

Denise Holmes

From: BPS Support Team <bpssupport@ontario.ca>
Sent: Tuesday, October 18, 2022 4:29 PM
To: Denise Holmes
Subject: Proposed amendments to O. Reg. 507/18 : Energy Reporting and Conservation and Demand Management Plans

Good afternoon Denise,

I am writing to inform you of a posting the Ministry of Energy has placed on the Environmental Registry of Ontario regarding proposed amendments to O.Reg. 507/18 (Broader Public Sector (BPS): Energy Reporting and Conservation and Demand Management Plans) made under the Electricity Act, 1998. It can be accessed at this link: Environmental Registry of Ontario. The ministry is seeking comments on the posting which will be open for comments for 45 days and will close on December 1, 2022. A reminder memo will be sent a week before the posting closes. The ministry would value your organization's feedback on the proposed amendments.

The proposed amendments would streamline reporting and tracking of energy use by moving required energy reporting from the current SharePoint 2013 platform (that has reached the end of its life) to the widely used ENERGY STAR Portfolio Manager electronic reporting system. Further changes would: allow reporting of energy consumption and greenhouse gas emissions data on the previous calendar year (as opposed to the current two years prior scenario); phase in reporting to the previous year with 2023 requiring reporting for one year (2021 energy data) and 2024 requiring reporting for two years (2022 and 2023 energy data); and updating prescriptive elements of the regulation.

Should the proposed amendments be approved, they would be implemented in 2023.

In addition to seeking comments through the Environmental Registry, the ministry will be scheduling engagement sessions on the proposed amendments. Further information will follow on the timing of these sessions.

Thank you for your continued support for energy conservation in Ontario's broader public sector organizations.

Bonjour Denise,

Je vous écris pour vous informer d'un affichage publié par le ministère de l'Énergie sur le Registre environnemental de l'Ontario concernant les modifications proposées au Règlement de l'Ontario 507/18 (Secteur parapublic : Rapports sur l'énergie et plans de conservation de l'énergie et de gestion de la demande) apportées en vertu de la Loi de 1998 sur l'électricité. Il peut être consulté en suivant ce lien : Registre environnemental de l'Ontario. Le Ministère sollicite des commentaires sur l'affichage qui sera ouvert aux commentaires pendant 45 jours jusqu'au 1 décembre 2022. Une note de rappel sera envoyée une semaine avant la clôture de l'affichage. Le Ministère apprécierait les commentaires de votre organisation sur les modifications proposées.

Les modifications proposées simplifieraient la production de rapports et le suivi de la consommation d'énergie en transférant les rapports obligatoires sur la consommation d'énergie de la plateforme

actuelle SharePoint 2013 (qui a atteint la fin de sa durée de vie) au système de rapports électroniques ENERGY STAR Portfolio Manager largement utilisé. D'autres modifications permettraient d'introduire progressivement la production de rapports sur les données relatives à la consommation d'énergie et aux émissions de gaz à effet de serre pour l'année civile précédente (au lieu de deux années civiles dans le passé) et de mettre à jour les éléments normatifs du règlement.

Si les modifications proposées sont approuvées, elles seront mises en œuvre en 2023.

En plus de solliciter des commentaires par l'entremise du Registre environnemental, le Ministère organisera des séances de participation sur les modifications proposées. De plus amples renseignements sur le calendrier de ces séances suivront.

Nous vous remercions de votre soutien continu aux économies d'énergie dans les organisations du secteur parapublic de l'Ontario.

ONTARIO REGULATION 507/18

made under the

ELECTRICITY ACT, 1998

Made: December 12, 2018

Filed: December 14, 2018

Published on e-Laws: December 14, 2018

Printed in The Ontario Gazette: December 29, 2018

BROADER PUBLIC SECTOR: ENERGY REPORTING AND CONSERVATION AND DEMAND MANAGEMENT PLANS

Definitions

1. In this Regulation,

"municipal service board" means,

(a) a municipal service board or joint municipal service board established or continued under the *Municipal Act, 2001*,

(b) a city board or joint city board established or continued under the *City of Toronto Act, 2006*, or

(c) a joint board established in accordance with a transfer order made under the *Municipal Water and Sewage Transfer Act, 1997*;
("commission de services municipaux")

"post-secondary educational institution" means a university in Ontario, a college of applied arts and technology in Ontario or another post-secondary educational institution in Ontario, if the university, college or institution receives an annual operating grant;
("établissement d'enseignement postsecondaire")

"public hospital" means,

(a) a hospital within the meaning of the *Public Hospitals Act*, or

(b) the University of Ottawa Heart Institute/Institut de cardiologie de l'Université d'Ottawa; ("hôpital public")

"school board" means a board within the meaning of the *Education Act*. ("conseil scolaire")

Application

2. Sections 4, 5 and 6 apply only to public agencies prescribed by section 3.

Public agencies

3. The following are prescribed as public agencies for the purposes of sections 25.35.2 and 25.35.3 of the Act:

1. Every municipality.
2. Every municipal service board.
3. Every post-secondary educational institution.
4. Every public hospital.

5. Every school board.

Energy conservation and demand management plans

4. (1) A public agency shall prepare, publish, make available to the public and implement energy conservation and demand management plans or joint plans in accordance with section 25.35.2 of the Act and with this Regulation.

(2) An energy conservation and demand management plan is composed of two parts as follows:

1. A summary of the public agency's annual energy consumption and greenhouse gas emissions for its operations.
2. A description of previous, current and proposed measures for conserving and otherwise reducing the amount of energy consumed by the public agency's operations and for managing the public agency's demand for energy, including a forecast of the expected results of current and proposed measures.

Summary of annual energy consumption and greenhouse gas emissions

5. (1) Subject to subsections (2) and (4), a summary of the public agency's annual energy consumption and greenhouse gas emissions must include a list of the energy consumption and greenhouse gas emissions for the year with respect to each of the public agency's operations that are set out in Table 1 of this Regulation for the type of public agency to which the public agency belongs and that are conducted in buildings or facilities the public agency owns or leases that,

- (a) are heated or cooled and in respect of which the public agency is issued the invoices and is responsible for making the payments for the building or facility's energy consumption; or
- (b) are related to the treatment of water or sewage, whether or not the building or facility is heated or cooled, and in respect of which the public agency is issued the invoices and is responsible for making the payments for the building or facility's energy consumption.

(2) If only part of a building or facility where an operation is conducted is heated or cooled, the public agency's summary referred to in subsection (1) must only include energy consumption and greenhouse gas emissions for the part of the building or facility where the operation is conducted that is heated or cooled.

(3) The public agency's summary referred to in subsection (1) must be prepared using the form entitled "Energy Consumption and Greenhouse Gas Emissions Reporting" that is available from the Ministry and must include the following information and calculations for each of the public agency's operations:

1. The address at which the operation is conducted.
2. The type of operation.
3. The total floor area of the indoor space in which the operation is conducted and, in cases where subsection (4) applies, the total indoor floor area of the building or facility in which the operation is conducted.
4. A description of the days and hours in the year during which the operation is conducted and, if the operation is conducted on a seasonal basis, the period or periods during the year when it is conducted.
5. The types of energy purchased for the year and consumed in connection with the operation.
6. The total amount of each type of energy purchased for the year and consumed in connection with the operation.
7. The total amount of greenhouse gas emissions for the year with respect to each type of energy purchased and consumed in connection with the operation.
8. The greenhouse gas emissions and energy consumption for the year from conducting the operation, calculating,
 - i. the annual mega watt hours per mega litre of water treated and distributed, if the operation is a water works,
 - ii. the annual mega watt hours per mega litre of sewage treated and distributed, if the operation is a sewage works, or

iii. per unit of floor space of the building or facility in which the operation is conducted, in any other case.

(4) If a public agency conducts, in the same building or facility, more than one operation set out in Table 1 for the type of public agency to which the public agency belongs, it shall allocate the total amount of energy purchased and consumed for the year to the operation that occupies the most indoor floor area in the building or facility, and if more than one operation occupies the same amount of indoor floor area, may allocate the total amount of energy to any one of them.

(5) In preparing its annual Energy Consumption and Greenhouse Gas Emissions Reporting form, a public agency may exclude its energy consumption and greenhouse gas emissions relating to its temporary use of an emergency or back-up generator in order to continue operations.

(6) On or before July 1 in each year, every public agency shall submit to the Minister, publish on its website and intranet site, if it has either or both, and make available to the public in printed form at its head office the public agency's Energy Consumption and Greenhouse Gas Emissions Reporting form for operations conducted in the year following the year to which the last annual form related.

(7) The following information, if applicable, must also be submitted, published and made available to the public with every Energy Consumption and Greenhouse Gas Emissions Reporting form:

1. If the operation is a school operated by a school board,

- i. the number of classrooms in temporary accommodations at the school during the year, and
- ii. whether there is an indoor swimming pool in the school.

2. If the public agency is a public hospital, whether a facility operated by the public hospital is a chronic or acute care facility, or both.

Energy conservation and demand management measures

6. (1) Every public agency shall publish on its website and intranet site, if it has either or both, and make available to the public in printed form at its head office,

(a) the information referred to in subsection 25.35.2 (3) of the Act with respect to each of the public agency's operations set out in Table 1 of this Regulation for the type of public agency to which the public agency belongs;

(b) the information referred to in paragraph 2 of subsection 4 (2) of this Regulation with respect to each of the public agency's operations set out in Table 1 of this Regulation for the type of public agency to which the public agency belongs; and

(c) the following information:

(i) information on the public agency's annual energy consumption during the last year for which complete information is available for a full year,

(ii) the public agency's goals and objectives for conserving and otherwise reducing energy consumption and managing its demand for energy,

(iii) the public agency's proposed measures under its energy conservation and demand management plan,

(iv) cost and saving estimates for its proposed measures,

(v) a description of any renewable energy generation facility operated by the public agency and the amount of energy produced on an annual basis by the facility,

(vi) a description of,

(A) the ground source energy harnessed, if any, by ground source heat pump technology operated by the public agency,

(B) the solar energy harnessed, if any, by thermal air technology or thermal water technology operated by the public agency, and

(C) the proposed plan, if any, to operate heat pump technology, thermal air technology or thermal water technology in the future,

(vii) the estimated length of time the public agency's energy conservation and demand management measures will be in place, and

(viii) confirmation that the energy conservation and demand management plan has been approved by the public agency's senior management.

(2) In addition to publishing and making available the required information with respect to the operations mentioned in clauses (1) (a) and (b), a public agency may also publish information with respect to any other operation that it conducts.

(3) On or before July 1, 2019 and on or before every fifth anniversary thereafter, every public agency shall publish on its website and intranet site, if it has either or both, and make available to the public in printed form at its head office all of the information that is required to be published and made available under subsection (1), the Energy Consumption and Greenhouse Gas Emissions Reporting form that is required to be submitted and published on or before July 1 of that year and the following information:

1. A description of current and proposed measures for conserving and otherwise reducing energy consumption and managing its demand for energy.
2. A revised forecast of the expected results of the current and proposed measures.
3. A report of the actual results achieved.
4. A description of any proposed changes to be made to assist the public agency in reaching any targets it has established or forecasts it has made.

Commencement

7. This Regulation comes into force on the later of the day section 2 of the *Green Energy Repeal Act, 2018* comes into force and the day this Regulation is filed.

TABLE 1

Column 1 Item	Column 2 Type of public agency	Column 3 Operation
1.	Municipality	<ol style="list-style-type: none"> 1. Administrative offices and related facilities, including municipal council chambers. 2. Public libraries. 3. Cultural facilities, indoor recreational facilities and community centres, including art galleries, performing arts facilities, auditoriums, indoor sports arenas, indoor ice rinks, indoor swimming pools, gyms and indoor courts for playing tennis, basketball or other sports. 4. Ambulance stations and associated offices and facilities. 5. Fire stations and associated offices and facilities. 6. Police stations and associated offices and facilities. 7. Storage facilities where equipment or vehicles are maintained, repaired or stored. 8. Buildings or facilities related to the treatment of water or sewage. 9. Parking garages.
2.	Municipal service board	<ol style="list-style-type: none"> 1. Buildings or facilities related to the treatment of water or sewage.

3.	Post-secondary educational institution	<ol style="list-style-type: none"> 1. Administrative offices and related facilities. 2. Classrooms and related facilities. 3. Laboratories. 4. Student residences that have more than three storeys or a building area of more than 600 square metres. 5. Student recreational facilities and athletic facilities. 6. Libraries. 7. Parking garages.
4.	School board	<ol style="list-style-type: none"> 1. Schools. 2. Administrative offices and related facilities. 3. Parking garages.
5.	Public hospital	<ol style="list-style-type: none"> 1. Facilities used for hospital purposes. 2. Administrative offices and related facilities.

Français



TOWNSHIP OF EAST GARAFRAXA
065371 DUFFERIN COUNTY ROAD 3 • UNIT 2
EAST GARAFRAXA • ON • L9W 7J8
T: 226-259-9400 • TOLL FREE: 877-868-5967 • F: 1-226-212-9812
www.eastgarafraxa.ca

October 18, 2022

Minister of Municipal Affairs and Housing
777 Bay Street 17th Floor
Toronto ON M7A 2J3

Email: Steve.Clark@pc.ola.org

Attention: The Honourable Steve Clark

Re: Town of Wasaga Beach – Strong Mayors, Building Homes Act

The Council of the Township of East Garafraxa, at the regular Electronic Council meeting held on September 27, 2022 passed the following resolution:

**MOVED BY STIRK , SECONDED BY BANFIELD
BE IT RESOLVED THAT**

Council do hereby support the Town of Wasaga Beach resolution dated August 18, 2022 regarding the Strong Mayors, Building Homes Act in response to the Ministry of Municipal Affairs and Housing correspondence dated August 10, 2022;

And further that Council directs staff to send a letter of support to the Minister of Municipal Affairs and Housing.

CARRIED

A copy of the Town of Wasaga Beach correspondence regarding the Strong Mayors, Building Homes Act is enclosed for your reference.

Trusting you find this satisfactory.

Yours truly,

Susan M. Stone, AMCT
CAO
Township of East Garafraxa
SMS:sp

Enclosure

cc: Association of Municipalities of Ontario (AMO) (amo@amo.on.ca)
All Dufferin Municipalities

Info #4
NOV 10 2022



30 LEWIS STREET
WASAGA BEACH, ONTARIO
CANADA L9Z 1A1
www.wasagabeach.com

August 19, 2022

The Honourable Steve Clark
Minister of Municipal Affairs and Housing
777 Bay Street
17th Floor
Toronto ON
M7A 2J3

Dear Minister Clark:

Re: Strong Mayors, Building Homes Act

Please be advised that the Council of the Town of Wasaga Beach, during their August 18, 2022 Council meeting adopted the following resolution:

"That Council receive the letter dated August 10, 2022 from the Ministry of Municipal Affairs and Housing pertaining to Strong Mayors, Building Homes Act, for information;

And further that a letter be sent to the Minister of Municipal Affairs and Housing outlining these proposed powers are not appropriate and to outline other ways for the province to institute housing and other matters, and that the motion be circulated to all Ontario municipalities."

The Town of Wasaga Beach Council does not support the Strong Mayors, Building Housing Act as the proposed changes will not demonstratively speed up the construction of housing and will erode the democratic process at the local level where members of Council have to work together to achieve priorities. What is needed to speed up construction of housing is greater authority for local municipalities to approve development without final clearances from outside agencies after they have been given reasonable time to provide such clearances.

Your favourable consideration of this matter is appreciated.

Should you have any questions, please contact me at mayor@wasagabeach.com or (705) 429-3844 Ext. 2222.

Yours sincerely,

Nina Bifulchi
Mayor

c. Members of Council
All Ontario Municipalities

Administration: (705) 429-3844
Fax: 429-6732
Planning: 429-3847

Building: 429-1120
By-Law: 429-2511
Parks & Rec: 429-3321

Arena: 429-0412
Public Works: 429-2540
Fire Department: 429-5281

Denise Holmes

From: Michelle Hargrave <mhargrave@dufferincounty.ca>
Sent: Wednesday, October 19, 2022 11:02 AM
To: sstone@eastgarafraxa.ca; Jessica Kennedy; Carolina Khan; Fred Simpson; Nicole Martin; Meghan Townsend; svangerven (svangerven@townofgrandvalley.ca); Jennifer Willoughby; Denise Holmes; premier@ontario.ca; minister.edu@ontario.ca; june.pollard@ugdsb.on.ca; amy.villeneuve@ugdsb.on.ca; lynne.mcinnis@ugdsb.on.ca; tori.west@ugdsb.on.ca; Angela Alies; stephanie.mcnabb@ugdsb.on.ca; cathy.hill@ugdsb.on.ca; amanda.creed@ugdsb.on.ca; krystyna.gazo@ugdsb.on.ca; heather.loney@ugdsb.on.ca; amy.villeneuve@ugdsb.on.ca
Cc: Tracey Atkinson; rknechtel@mulmur.ca
Subject: FW: Township of Mulmur Resolution: Primrose Elementary School
Attachments: Primrose Elementary School Motion October 5 2022.pdf

Good Morning,

At it's regular meeting on October 13, 2022, Dufferin County Council passed the following resolution:
THAT Council supports the resolution from the Township of Mulmur, dated October 6, 2022, regarding water supply issues at Primrose Elementary School.

The Township of Mulmur's resolution is attached.

Thank you,
Michelle Hargrave

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

From: Roseann Knechtel <rknechtel@mulmur.ca>
Sent: Thursday, October 6, 2022 4:35 PM
To: Michelle Dunne <mdunne@dufferincounty.ca>; sstone@eastgarafraxa.ca; ikennedy@eastgarafraxa.ca; Carolina Khan <ckhan@orangeville.ca>; Fred Simpson <fred.simpson@townofmono.com>; Nicole Martin <nmartin@amaranth.ca>; Meghan Townsend <mtownsend@townofgrandvalley.ca>; svangerven (svangerven@townofgrandvalley.ca) <svangerven@townofgrandvalley.ca>; Jennifer Willoughby <jwilloughby@shelburne.ca>; Denise Holmes1 <dholmes@melancthontownship.ca>; premier@ontario.ca; minister.edu@ontario.ca; june.pollard@ugdsb.on.ca; amy.villeneuve@ugdsb.on.ca; lynne.mcinnis@ugdsb.on.ca; tori.west@ugdsb.on.ca; angela.alies@ugdsb.on.ca; stephanie.mcnabb@ugdsb.on.ca; cathy.hill@ugdsb.on.ca; amanda.creed@ugdsb.on.ca; krystyna.gazo@ugdsb.on.ca; heather.loney@ugdsb.on.ca; amy.villeneuve@ugdsb.on.ca
Subject: Township of Mulmur Resolution: Primrose Elementary School

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the contents to be safe.

Good Afternoon,

Please see attached resolution passed by Mulmur Council on October 5, 2022 regarding the Primrose Elementary School.

Have a great day,

Roseann Knechtel, BA, MMC | Deputy Clerk / Planning Coordinator

Township of Mulmur | 758070 2nd Line East | Mulmur, Ontario L9V 0G8

Phone 705-466-3341 ext. 223 | Fax 705-466-2922 | rknechtel@mulmur.ca

Join our email list to receive important information and keep up to date on the latest Township news.

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NOTICE OF DECISION
Under Section 17 and 22 of the *Planning Act R.S.O. 1990, C.P. 13 as amended*
TOWNSHIP OF Mulmur
OFFICIAL PLAN AMENDMENT NO. 4

Subject: Amendment 4 to the Official Plan for the Township of Mulmur

County File No.: Mulmur OPA 4

Date of this notice: October 13, 2022

Last date of appeal: November 2, 2022

TAKE NOTICE that on October 13, 2022 the County of Dufferin made a decision to **APPROVE Amendment 4** to the Official Plan for the Township of Mulmur, as adopted by the Township of Mulmur on October 5, 2022, and modified as per Schedule A of County By-law 2021-19.

Purpose and effect of this Amendment:

The purpose of OPA No. 4 to the Township of Mulmur Official Plan is to

- Provide a new vision for Mulmur to become a Garden Township in section 3;
- Reorganization of sections 4 (Vision and Guiding Principles) and 5 (General Development Policies) to group similar subject matter;
- Update the definition of Rural Character to reflect community comments and Planning Advisory Committee input;
- Remove the Niagara Escarpment Plan policies and mapping and replace with a general over-arching policy;
- Update Scenic Resources and Features to a new viewshed policy that focuses on the lands outside of the Niagara Escarpment and also protect dark-sky to reflect community comments;
- Update the on-farm diversified policies to reflect the Ontario Implementation Guidelines and Planning Advisory Committee input;
- Update the requirements for a complete application to create a more usable format and more exhaustive list of possible study requirements
- Allow delegation of approval authority for minor zoning application to staff;
- Update Part C, Implementation and D, Interpretation to reflect current tools and legislation; and
- Remove duplication and simplify the policies.

Land Affected

The amendment affects all lands within the Township of Mulmur.

Other applications affecting the subject lands:

N/A

For additional information:

Copies of the Township of Mulmur OPA 4, as well as background information and the details of the decision, will be available for inspection at the County's municipal offices on an appointment basis (see contact information at the end of this notice). For further assistance, please contact

Info #6

NOV 10 2022

Michelle Dunne, Clerk, County of Dufferin, by phone: 519-941-2816 Ext. 2504, or email: clerk@dufferincounty.ca.

When the decision will become final:

The decision of the County of Dufferin is final if a notice of appeal is not received on or before the last day for filing a notice of appeal.

When and how you may appeal:

Take notice that an appeal to the Local Planning Appeal Tribunal in respect to all or part of this Official Plan Amendment may be made by filing a notice of appeal with the Clerk, attention Michelle Dunne, 30 Centre Street, Orangeville, ON L9W 2X1, within 20 days of this notice.

A notice of appeal, referring to the Subject information and File Number at the top of this notice, must be received in writing at the address at the end of this notice no later than 4:30 pm on the last date of appeal shown at the top of this notice. The notice of appeal must:

- 1) be filed with The Corporation of the County of Dufferin, the approval authority, to the address below,
- 2) set out the specific part of the proposed official plan or plan amendment to which the appeal applies,
- 3) set out the reasons for appeal, and
- 4) be accompanied by the fee required by the Local Planning Appeal Tribunal payable to "Minister of Finance".

If you wish to appeal to the Ontario Lands Tribunal (OLT) an appeal form is available from the LPAT website at <https://olt.gov.on.ca>.

Who can file an appeal:

As per Section 17(36) of the *Planning Act*, only the Minister, the applicant, and a person or public body who, before the amendment was adopted, made oral submissions at a public meeting or written submissions to the council, may appeal the decision of the approval authority.

As per Section 8 of Ontario Regulation 543/06, only individuals, corporations, or public bodies may appeal a decision of the approval authority to the Local Planning Appeal Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filled in the name of an individual who is a member of the association or the group on its behalf.

No person or public body shall be added as a party to the hearing of the appeals unless, before the plan was adopted, the person or public body made oral submissions at a public meeting or written submissions to the council or, in the opinion of the Local Planning Appeal Tribunal, there are reasonable grounds to add the person or public body as a party.

Dated: Oct 14, 2022



Rebecca Whelan, Deputy Clerk, County of Dufferin

The Corporation of the County of Dufferin

30 Centre Street

Orangeville, ON L9W 2X1

Telephone: 519.941.2816 ext. 2504

Facsimile: 519.941.4565



NOTICE OF DECISION TO REFUSE AN OFFICIAL PLAN AMENDMENT

TAKE NOTICE that the Council of the Municipality of Grey Highlands has refused an application to amend its Official Plan on October 5, 2022, under Section 22 of the Planning Act, as amended.

AND TAKE NOTICE that a person or public body may appeal to the Ontario Land Tribunal in respect of the requested amendment by filing with the Clerk a notice of appeal setting out the reasons for the appeal and the specific part of the requested amendment to which the appeal applies. The notice of appeal must be accompanied by the fee required by the Ontario Land Tribunal. Last date for filing an appeal: November 9, 2022.

PURPOSE AND EFFECT OF PROPOSED OFFICIAL PLAN AMENDMENT

The proposed official plan amendment (file no. OP04.2022) requested changes to the definition of "small scale" as it relates to on-farm diversified uses (OFDUs). The application sought to increase the maximum permitted area of structures related to OFDUs from 250 m² to 750 m², and to allow OFDUs on lots between 10 ha and 20 ha.

Council refused the application on the basis that a comprehensive change to an Official Plan policy should only be entertained through a scheduled comprehensive review initiated by the Municipality.

The decision of Council is final if a notice of appeal is not received on or before the last day for filing a notice of appeal.

A person or public body that requested an amendment to the official plan of the Municipality of Grey Highlands may appeal the refusal of the requested amendment to the Ontario Land Tribunal in respect of all or any part of the requested amendment by filing a notice of appeal with the Clerk of the Municipality of Grey Highlands at 206 Toronto Street South, Unit 1, Markdale, ON, N0C 1H0.

No person or public body shall be added as a party to the hearing of the appeal unless, before the requested official plan amendment was refused, the person or public body made oral submissions at a public meeting, if any, or written submissions to the council or, in the opinion of the Ontario Land Tribunal, there are reasonable grounds to add the person or public body as a party. O. Reg. 543/06, s. 12.

DATED at the Municipality of Grey Highlands, this 20th day of October 2022

Matt Rapke, Senior Planner

Municipality of Grey Highlands, P.O. Box 409, Markdale, ON N0C 1H0

planning@greyhighlands.ca

www.greyhighlands.ca

To request this information in an alternative format or to obtain additional assistance in acquiring the information needed email communications@greyhighlands.ca or call 519-986-2811 ext. 111.

Info # 7
NOV 10 2022



NOTICE OF DECISION (REVISED)
Under Section 17 and 22 of the *Planning Act R.S.O. 1990, C.P. 13 as amended*
TOWNSHIP OF EAST GARAFRAXA
OFFICIAL PLAN AMENDMENT NO. 9

Subject: Amendment 9 to the Official Plan for the Township of East Garafraxa	County File No.:	East Garafraxa OPA 9
	Date of this notice:	October 24, 2022
	Last date of appeal:	November 14, 2022

TAKE NOTICE that on October 13, 2022 the County of Dufferin made a decision to **APPROVE Amendment 9** to the Official Plan for the Township of East Garafraxa, as adopted by the Township of East Garafraxa on July 19, 2022, as per County By-law 2022-44.

Purpose and effect of this Amendment:

The purpose of OPA No. 9 to the Township of East Garafraxa Official Plan is to assist the Township in its ability to process planning applications in a timely manner to enable the Township to provide decisions within the statutory timelines of the Planning Act as amended by the More Homes for Everyone Act, 2022.

Land Affected

The amendment affects all lands within the Township of East Garafraxa.

Other applications affecting the subject lands:

N/A

For additional information:

Copies of the Township of East Garafraxa OPA 9, as well as background information and the details of the decision, will be available for inspection at the County's municipal offices on an appointment basis (see contact information at the end of this notice). For further assistance, please contact Michelle Dunne, Clerk, County of Dufferin, by phone: 519-941-2816 Ext. 2504, or email: clerk@dufferincounty.ca.

When the decision will become final:

The decision of the County of Dufferin is final if a notice of appeal is not received on or before the last day for filing a notice of appeal.

When and how you may appeal:

Take notice that an appeal to the Local Planning Appeal Tribunal in respect to all or part of this Official Plan Amendment may be made by filing a notice of appeal with the Clerk, attention Michelle Dunne, 30 Centre Street, Orangeville, ON L9W 2X1, within 20 days of this notice.

A notice of appeal, referring to the Subject information and File Number at the top of this notice, must be received in writing at the address at the end of this notice no later than 9 am on the last date of appeal shown at the top of this notice. The notice of appeal must:

Info # 8

NOV 10 2022

- 1) be filed with The Corporation of the County of Dufferin, the approval authority, to the address below,
- 2) set out the specific part of the proposed official plan or plan amendment to which the appeal applies,
- 3) set out the reasons for appeal, and
- 4) be accompanied by the fee required by the Local Planning Appeal Tribunal payable to "Minister of Finance".

If you wish to appeal to the Ontario Lands Tribunal (OLT) an appeal form is available online at <https://olt.gov.on.ca>.

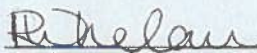
Who can file an appeal:

As per Section 17(36) of the *Planning Act*, only the Minister, the applicant, and a person or public body who, before the amendment was adopted, made oral submissions at a public meeting or written submissions to the council, may appeal the decision of the approval authority.

As per Section 8 of Ontario Regulation 543/06, only individuals, corporations, or public bodies may appeal a decision of the approval authority to the Local Planning Appeal Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

No person or public body shall be added as a party to the hearing of the appeals unless, before the plan was adopted, the person or public body made oral submissions at a public meeting or written submissions to the council or, in the opinion of the Local Planning Appeal Tribunal, there are reasonable grounds to add the person or public body as a party.

Dated: Oct 24, 2022



Rebecca Whelan, Deputy Clerk, County of Dufferin

The Corporation of the County of Dufferin

30 Centre Street

Orangeville, ON L9W 2X1

Telephone: 519.941.2816 ext. 2504

Facsimile: 519.941.4565

Denise Holmes

From: Meghan Townsend <mtownsend@townofgrandvalley.ca>
Sent: Thursday, October 20, 2022 3:16 PM
To: Ray Osmond; Denyse Morrissey; Denise Holmes; Tracey Atkinson; Susan Stone; nmartin@amaranth.ca; Mark Early
Cc: terry.r.ward@opp.ca
Subject: FW: Proposal for OPP Detachment Board - Dufferin Detachment ** IMPORTANT
Attachments: Proposal for OPP Detachment Board - Dufferin - October 20-2022.pdf; Dufferin_Grand Valley Submission (Sept-15-2021).pdf

Importance: High

Good afternoon everyone,

I am in receipt of the email below with attachments.

Per the letter ("Proposal") I have responded to acknowledge receipt of their plans. They did not like the exclusion of Provincial Appointees and adjusted the numbers on each board accordingly. However, they did not dismiss our idea of 4 different boards.

Please review, share with your councils/boards if you feel appropriate.

I have no further information but if you have any questions, I can reach out to seek answers.

Regards,

Meghan Townsend, MPS, BSc, Dipl.M.A.
CAO/Clerk-Treasurer | Town of Grand Valley

From: Sukhdeo, Devendra (SOLGEN) <Devendra.Sukhdeo@ontario.ca>
Sent: October 20, 2022 2:18 PM
To: Meghan Townsend <mtownsend@townofgrandvalley.ca>
Cc: Reading, Joanna (SOLGEN) <Joanna.Reading@ontario.ca>
Subject: Proposal for OPP Detachment Board - Dufferin Detachment ** IMPORTANT
Importance: High

Good Afternoon Meghan,

Please see the attached letter from the Ministry of the Solicitor General regarding your proposal for the Dufferin OPP detachment board framework.

The Ministry has highlighted some matters in your proposal for your detachment's attention.

I have also enclosed the proposal for your reference.

As we continue the work required to implement the OPP Detachment Board framework, we would greatly appreciate if you could contact the Ministry to provide an update on these matters or resubmit a proposal, if necessary at your earliest possible convenience.

If you are opting to resubmit a proposal: Please use the online proposal submission form, which can be accessed by clicking [HERE](#).

If there are any issues accessing this form or if you have any questions or concerns regarding the proposal process for your detachment, please contact us immediately.

Best regards,

Dev

Devendra Sukhdeo (He/Him) | Policy Analyst

Public Safety and Policing Policy Unit | Community Safety and Intergovernmental Policy Branch

Strategic Policy, Research and Innovation Division

Ministry of the Solicitor General

Mobile: 437-991-2947

Email: devendra.sukhdeo@ontario.ca

Please let me know if you have accommodation needs or require alternate formats.

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Ministry of the Solicitor General

Strategic Policy, Research
and Innovation Division

Community Safety and
Intergovernmental Policy Branch

25 Grosvenor Street
9th Floor
Toronto ON M7A 1Y6

Ministère du Solliciteur général

Division des politiques stratégiques,
de la recherche et de l'innovation

Direction des politiques relatives à
la sécurité communautaire et aux
affaires intergouvernementales

25, rue Grosvenor
9^e étage
Toronto ON M7A 1Y6



October 20, 2022

Meghan Townsend
Chief Administrative Officer
Town of Grand Valley
mtownsend@townofgrandvalley.ca

Dear Meghan Townsend,

Thank you for submitting your proposal related to the detachment board framework for the Dufferin Ontario Provincial Police (OPP) detachment to the Ministry of the Solicitor General (the Ministry).

The Ministry is currently working with municipalities and First Nations to finalize incomplete proposals by November 30, 2022. Upon reviewing your proposal, the Ministry would like to bring the following matter(s) to your attention:

- Currently, your proposal does not meet minimum requirements to have 20% provincial representation.
- Due to the composition requirements set out for boards, your proposed 5-member composition for the first detachment board and 6-member composition for the second, third and fourth detachment boards would require a minimum of 1 additional provincial appointee to meet the minimum 20% representation requirement.

Please note: This correction has been made to the proposal on your behalf for a total of **6 members** for the first detachment board and **7 members** for the second, third and fourth detachment boards. As such, no further action on this proposal is required at this time; however, please confirm your acknowledgement to these changes with my staff in order for your proposal to be approved.

The Ministry is working towards an in-force date for the *Community Safety and Policing Act, 2019* (CSPA) between fall 2023 and winter 2024. The in-force window will narrow and be communicated over the coming months, along with more information on next steps. We understand that municipalities and First Nations require time to plan for implementation of OPP detachment boards and will work to ensure that sufficient time is provided between proclamation and the in-force date of the CSPA.

Please contact Joanna Reading, Team Lead, Public Safety and Policing Policy Unit for assistance or if you have any questions about your detachment proposal at Joanna.Reading@Ontario.ca.

Sincerely,

Sarah Caldwell
A/Assistant Deputy Minister

Below is a summary of your responses

[Download PDF](#)

Ontario Provincial Police (OPP) Detachment Board Proposal Form

Purpose

Municipalities and First Nation Communities in an OPP Detachment are being asked to collaborate and develop a proposal indicating the composition of their OPP detachment board(s).

Please Note: Individual responses will remain confidential and made available only to ministry staff responsible for the dissemination of the form and analysis of results.

Objectives

To determine the composition of each OPP detachment board.

To determine the number of OPP detachment boards.

Please complete and submit your proposal form by **June 7, 2021**.

Please select which OPP detachment you are filling this form on behalf of.

Dufferin 

Please select which Municipality/First Nation is responding on behalf of the detachment.

Grand Valley 

Have you received approval to provide a coordinated response to the ministry on behalf of all the Municipalities/First Nations within the OPP detachment?

Yes

No

How many Municipalities/First Nations are receiving OPP policing from the detachment (including your Municipality/First Nation)?

Please select all the Municipalities/First Nations that will be participating on the OPP detachment board (including your Municipality/First Nations).

Addington Highlands

East Ferris

Leeds and the Thousand Islands

Point Edward

Adelaide Metcalfe

East Garafraxa

Limerick

Port Hope

Adjala-Tosorontio

East Hawkesbury

Long Lac #58 First Nation

Powassan

Admaston/Bromley

East Zorra-Tavistock

Loyalist

Prescott

Alberton

Edwardsburgh/Cardinal

Lucan Biddulph

Prince Edward Co

Alderville First Nation

Elizabethtown-Kitley

Macdonald, Meredith & Aberdeen Add'l

Quinte West

Alfred and Plantagenet

Elliot Lake

Machar

Rainy River

Algonquin Highlands

Emo

Machin

Ramara

Algonquin's of
Pikwakanagan First
Nation (Golden
Lake)

Englehart

Madawaska Valley

Red Lake

Alnwick/Haldimand

Enniskillen

Madoc

Red
Rock

Amaranth

Espanola

Magnetawan

Red Rock Indian
Band

Animbiigoo
Zaagi'igan
Anishinaabek First
Nation (Lake
Nipigon Ojibway)

Essa

Malahide

Renfrew

Armour

Essex

Manitouwadge

Rideau Lakes

Armstrong

Ewanturel

Marathon

Russell

Arnprior

Faraday

Markstay-Warren

Ryerson

Arran-Elderslie

Fauquier-Strickland

Marmora and Lake

Sables-Spanish
Rivers

Ashfield-Colborne-
Wawanosh

Flying Post First
Nation

Matachewan

Sagamok
Anishnawbeck
First Nation

Asphodel-Norwood

Fort Frances

Mattawa

Saugeen First
Nation

Assiginack

French
River

Mattawan

Schreiber

Athens

Front of
Yonge

Mattice-Val Cote

Seguin

Anishnawbek First Nation (Whitefish Lake) Frontenac Islands McDougall Selwyn

Atikokan Gauthier McDowell Lake First Nation Serpent River First Nation

Augusta Georgian Bay McGarry Severn

Baldwin Georgian Bluffs McKellar Shuniah

Bancroft Gillies McMurrich/Monteith Sioux Lookout

Bayham Goderich McNab/Braeside Sioux Narrows-Nestor Falls

Beaverhouse Lake First Nation Gordon/Barrie Island Meaford Smooth Rock Falls

Beckwith Gore Bay Melancthon South Algonquin

Biigtigong
Nishnaabeg First
Nation

**Grand
Valley**

Merrickville-Wolford

South Bruce

Billings

Gravenhurst

Michipicoten First
Nation

South Bruce
Peninsula

Bingwi Neyaashi
Anishinaabek (Sand
Point)

Greater
Madawaska

Middlesex Centre

South Frontenac

Bkejwanong
Territory (Walpole
Island)

Greater Napanee

Midland

South Huron

Black River-
Matheson

Greenstone

Minden
Hills

South
River

Blandford-Blenheim

Grey
Highlands

Missanabie Cree First
Nation

Southgate

Blind
River

Haldimand
Co

Mississauga First
Nation (Blind River)

Southwest
Middlesex

- | | | | |
|--|---|--|---|
| <input type="checkbox"/> Bluewater | <input type="checkbox"/> Haliburton County | <input type="checkbox"/> Mississaugas of the
New Credit First
Nation | <input type="checkbox"/> South-West
Oxford |
| <input type="checkbox"/> Bonfield | <input type="checkbox"/> Hamilton | <input type="checkbox"/> Mississippi Mills | <input type="checkbox"/> Southwold |
| <input type="checkbox"/> Bonnechere Valley | <input type="checkbox"/> Harley | <input type="checkbox"/> Mohawks of the Bay
of Quinte
(Tyendinaga) | <input type="checkbox"/> Spanish |
| <input type="checkbox"/> Bracebridge | <input type="checkbox"/> Harris | <input checked="" type="checkbox"/> Mono | <input type="checkbox"/> Springwater |
| <input type="checkbox"/> Brant
Co | <input type="checkbox"/> Hastings
Highlands | <input type="checkbox"/> Montague | <input type="checkbox"/> St.
Charles |
| <input type="checkbox"/> Brethour | <input type="checkbox"/> Havelock-Belmont-
Methuen | <input type="checkbox"/> Moonbeam | <input type="checkbox"/> St. Clair |
| <input type="checkbox"/> Brighton | <input type="checkbox"/> Hawkesbury | <input type="checkbox"/> Moose Deer Point
First Nation | <input type="checkbox"/> St. Joseph |
| <input type="checkbox"/> Brockton | <input type="checkbox"/> Head, Clara and
.. | <input type="checkbox"/> Moosonee | <input type="checkbox"/> Stirling-Rawdon |

—
 Brooke-Alvinston

— Maria
 Hearst

—
 Morley

—
 Stone Mills

Bruce Mines

Henvey Inlet First Nation

Morris-Turnberry

Strong

Brudenell, Lyndoch and Raglan

Hiawatha First Nation

Mulmur

Sundridge

Burk's Falls

Highlands East

Munsee-Delaware First Nation

Tarbutt & Tarbutt Additional

Burpee and Mills

Hilliard

Muskoka Lakes

Tay

Caldwell First Nation

Hilton

Nairn and Hyman

Tay Valley

Caledon

Hilton Beach

Namaygoosisagagun First Nation

Tecumseh

Calvin

Hornepayne

Neebing

Tehkummah

Carleton Place

Hornepayne First Nation

New Tecumseth

Temagami

Carling

Horton

Newbury

Temagami First Nation (Bear Island)

Carlow/Mayo

Howick

Nipigon

Temiskaming Shores

Casey

Hudson

Nipissing

Terrace Bay

Casselman

Huntsville

Norfolk Co

Thames Centre

Central Elgin

Huron East

North Algona Wilberforce

The Archipelago

Central Frontenac

Huron Shores

North Caribou Lake
First Nation
(Weagamow/Round
Lake)

The Blue
Mountains

Central Huron

Huron-Kinloss

North Frontenac

The
Nation

Central Manitoulin

Ignace

North
Grenville

The North
Shore

Centre
Hastings

Ingersoll

North Huron

The Town of the
Blue Mountains

Chamberlain

Iroquois Falls

North Kawartha

Thessalon

Champlain

James

North Middlesex

Thessalon First
Nation

Chappleau

Jocelyn

North
Perth

Thornloe

Northeastern

Chapple Johnson Manitoulin and The Islands Tillsonburg

Charlton and Dack Joly Northern Bruce Peninsula Tiny

Chatsworth Kapuskasing Norwich Trent Hills

Chippewas of Georgina Island First Nation Kawartha Lakes O'Connor Trent Lakes

Chippewas of Nawash Unceded First Nation (Cape Croker) Kearney Oil Springs Tudor and Cashel

Chippewas of the Thames First Nation Kenora Ojibway Nation of Saugeen First Nation (New Saugeen) Tweed

Chisholm Kerns Ojibways of Batchewana Tyendinaga

Clarence-Rockland Kiashke Zaaging Anishinaabek First Nation (Gull Bay) Oneida of the Thames First Nation United Counties of Stormont, Dundas and Glengarry

Clearview

Killaloe, Hagarty and Richards

Opatatika

Val Rita-Harty

Cobalt

Killarney

Orangeville

Wahta Mohawks
(Mohawks of Gibson)

Cochrane

Kincardine

Orillia

Wapekeka First Nation

Cockburn Island

Kingsville

Oro-Medonte

Warwick

Coleman

Kirkland Lake

Otonabee-South Monaghan

Wasaga Beach

Collingwood

Kitchenuhmaykoosib
Innuwug First Nation
(Big Trout Lake)

Papineau-Cameron

Wawa

Conmee

Koocheching First Nation

Parry Sound

Wawakapewin First Nation

Cramahe

La
Vallee

Pays Plat First
Nation

Wellington
County

Curve Lake First
Nation

Lac Des Mille Lacs
First Nation

Pelee

West Elgin

Dawn-Euphemia

Laird

Pembroke

West Nipissing

Dawson

Lake of
Bays

Penetanguishene

West
Perth

Delaware Nation
(Moravian of the
Thames First
Nation)

Lake of The
Woods

Perry

Westport

Deseronto

Lakeshore

Perth

White
River

Dorion

Lambton Shores

Perth East

Whitesand First
Nation

Douro-Dummer Lanark Highlands Petawawa Whitestone

Drummond-North Elmsley Larder Lake Petrolia Whitewater Lake

Dubreuilville Latchford Pickle Lake Whitewater Region

Dutton Dunwich Laurentian Hills Pikangikum First Nation Wollaston

Dysart et al Laurentian Valley Plummer Additional Zorra

Ear Falls Leamington Plympton-Wyoming

Please list the population size of each Municipality/First Nation within the detachment (including your Municipality/First Nation)?

(i.e., Municipality 1 - 50,000;

Municipality 2 - 75,000)

From 2016 Census: Orangeville – 28,900 Shelburne – 8,126 Amaranth – 4,079 Grand Valley – 2,956 East Garafraxa – 2,579 Melancthon – 3,008 Mono – 8,609 Mulmur – 3,478

Please indicate the number of OPP detachment board(s) that are going to be established within the OPP detachment.

4

Provide a rationale as to why more than one OPP detachment board is required.

Orangeville is the largest urban municipality in Dufferin County with its own unique challenges. Additionally, the Town has only recently transitioned to the OPP for policing services. Therefore, it is desired that they maintain their own detachment board. Shelburne is the other urban area in Dufferin County, and they also only recently completed the process of transitioning policing to the OPP. Due to the newness of this arrangement, and the urban nature of the Town, it is desired that they maintain their own detachment board. The other two groups of municipalities share common issues of rural communities with small urban areas. Two boards will allow the boards to be of reasonable size while allowing all municipalities to be represented by both elected and public members. It is the position of the Dufferin County municipalities that provincial appointees bring nothing to their role that is not already covered by community members appointed by municipalities. We agree with AMO on this position and therefore have not included provincial appointees in our proposed board compositions.

Please list the number of Municipalities/First Nations that are included (including your Municipality/First Nation) within each OPP detachment board.

(i.e., Detachment Board 1: 5;

Detachment Board 2: 4)

Detachment Board 1: 1 Detachment Board 2: 1 Detachment Board 3: 3 Detachment Board 4: 4

Please list all of the Municipalities/First Nations that are included within each detachment board (including your Municipality/First Nation).

(i.e., Detachment Board 1: Municipality 1, Municipality 2;

Detachment Board 2: Municipality 3, Municipality 4)

1 – Town of Orangeville 2 – Town of Shelburne 3 – Townships of Melancthon and Mulmur and the Town of Mono 4 – Townships of Amaranth and East Garafraxa and the Town of Grand Valley

Please list the population size of each Municipality/First Nation within each detachment (including your Municipality/First Nation)?

(i.e., Detachment Board 1: Municipality 1 - 100,000, Municipality 2 - 50,000;

Detachment Board 2: Municipality 3 - 25,000, Municipality 4 - 75,000)

1:Orangeville 28,900 2:Shelburne 8,126 3:Melancthon 3,008, Mono 8,609, Mulmur 3,478 4:Amaranth 4,079, Grand Valley 2,956, East Garafraxa 2,579

Please list the number of board member seats(**councils + community reps + provincial reps**)that each detachment board will be comprised of?

(i.e., Detachment Board 1: 5;

Detachment Board 2: 7)

1: 5 2: 6 3: 6 4: 6

Please indicate the number of seat(s) that would be allocated to each Municipality/First nation that is represented on each detachment board (including your Municipality/First Nation).

(i.e., Detachment Board 1: Municipality 1 - 5, Municipality 2 - 3;

Detachment Board 2: Municipality 1 - 2, Municipality 2 - 3)

1: Orangeville 5 2: Shelburne 6 3: Melancthon 2, Mono 2, Mulmur 2 4: Amaranth 2, Grand Valley 2, East Garafraxa 2

Has a municipality/First Nation forfeited their seat(s) on the board(s)?

No

Please indicate the number of community representatives within each detachment board.

(i.e., Detachment Board 1: 5;

Detachment Board 2: 7)

1: 3 2: 3 3: 3 4: 3

Please list any administrative resources/infrastructures (i.e. **recordkeeping, administrative costs, meeting space, etc.**) required to support the establishment of each detachment board.

Orangeville and Shelburne to provide their own administration. For the other boards, the respective councils shall determine from among them which municipality shall provide staff for secretary and treasury functions and the cost sharing arrangements for their respective boards.

Are there any additional comments you would like to add for the Ministry's consideration regarding this proposal?

Please note that the Town of Shelburne was not listed in the 'pick list' of municipalities. It is the position of the Dufferin County municipalities that provincial appointees bring nothing to their role that is not already covered by community members appointed by municipalities. We agree with AMO on this position and therefore have not included provincial appointees in our proposed board compositions.



Denise Holmes

From: Caroline Mach <forestmanager@dufferinmuseum.com>
Sent: Saturday, October 22, 2022 8:41 AM
To: Caroline Mach
Subject: Dufferin County Outdoor Recreation Plan

New Routes: Dufferin County Outdoor Recreation Plan **Refresh | Regrow | Recreate**

County Council approved the [outdoor recreation plan](#) for the County Forest and Rail Trail at its meeting on October 13, 2022.

If you have questions about the plan, you can contact me by replying to this email or at 519-941-1114 x 4011 or c/o Museum of Dufferin, 936029 Airport Road, Mulmur, ON L9V 0L3.

If you wish to be added to our email notification list so you can keep up to date on County Forest news, go to <http://eepurl.com/RtadP>.

Dufferin County Forest

The Dufferin County Forest consists of fourteen tracts that together form a 1,066 hectare (2,636 acre) forested area owned and managed by the County of Dufferin. The Forest serves important functions in terms of erosion and water control, natural heritage protection, biodiversity, wildlife habitat, recreational opportunities, and support of the rural economy through timber production and employment opportunities.

Dufferin County Rail Trail

The Dufferin County Rail Trail is the 38.1 km Dufferin portion of the former rail corridor running from Orangeville, through Amaranth, Shelburne and Melancthon, to Dundalk.

Caroline Mach, R.P.F. (she/her) | County Forest Manager | Public Works Department | County of Dufferin
519-941-1114 ext. 4011 | forestmanager@dufferinmuseum.com | 936029 Airport Rd., Mulmur, ON L9V 0L3 | [sign up for our email newsletter](#)

Usual office hours are Tuesday-Saturday 9-5.

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The County of Dufferin accepts no liability for any damage caused by any virus transmitted by this email. The Corporation of the County of Dufferin, 55 Zina Street, Orangeville, Ontario. www.dufferincounty.ca

REFRESH | REGROW | RECREATE

NEW ROUTES

Dufferin County Outdoor Recreation Plan



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Introduction

In 2022, in concert with a review of the recreational use policy for the Dufferin County Forest, the County expanded the public input and review process and subsequent documents to include the County-owned vacant rail corridor, the Dufferin Rail Trail. In addition, besides addressing permitted and restricted uses, the outdoor recreation plan addresses other aspects of public use, including infrastructure, signs, interpretive and educational features, and communications. With regard to the County Forest, much of this information was brought in from the recently completed five-year operating plan (2021-2026) and informed by the current public input and review process. For the Rail Trail, these sections were informed by past experience with the Rail Trail and the County Forest, as well as the current public input and review process.

The Dufferin County Forest consists of fourteen tracts that together form a 1,066 hectare (2,636 acre) forested area owned and managed by the County of Dufferin (map on next page). The Forest serves important functions in terms of erosion and water control, natural heritage protection, biodiversity, wildlife habitat, recreational opportunities, and support of the rural economy through timber production and employment opportunities. A Recreational Use Policy/By-Law for the County Forest was passed in 2017. Several amendments have been made to the policy/by-law since then, most of them minor in nature. This is the first full-scale public review of the policy/by-law since its initial creation. The items other than permitted and restricted uses are discussed in the Five-Year Operating Plan and Twenty-Year Management Plan for the Forest.

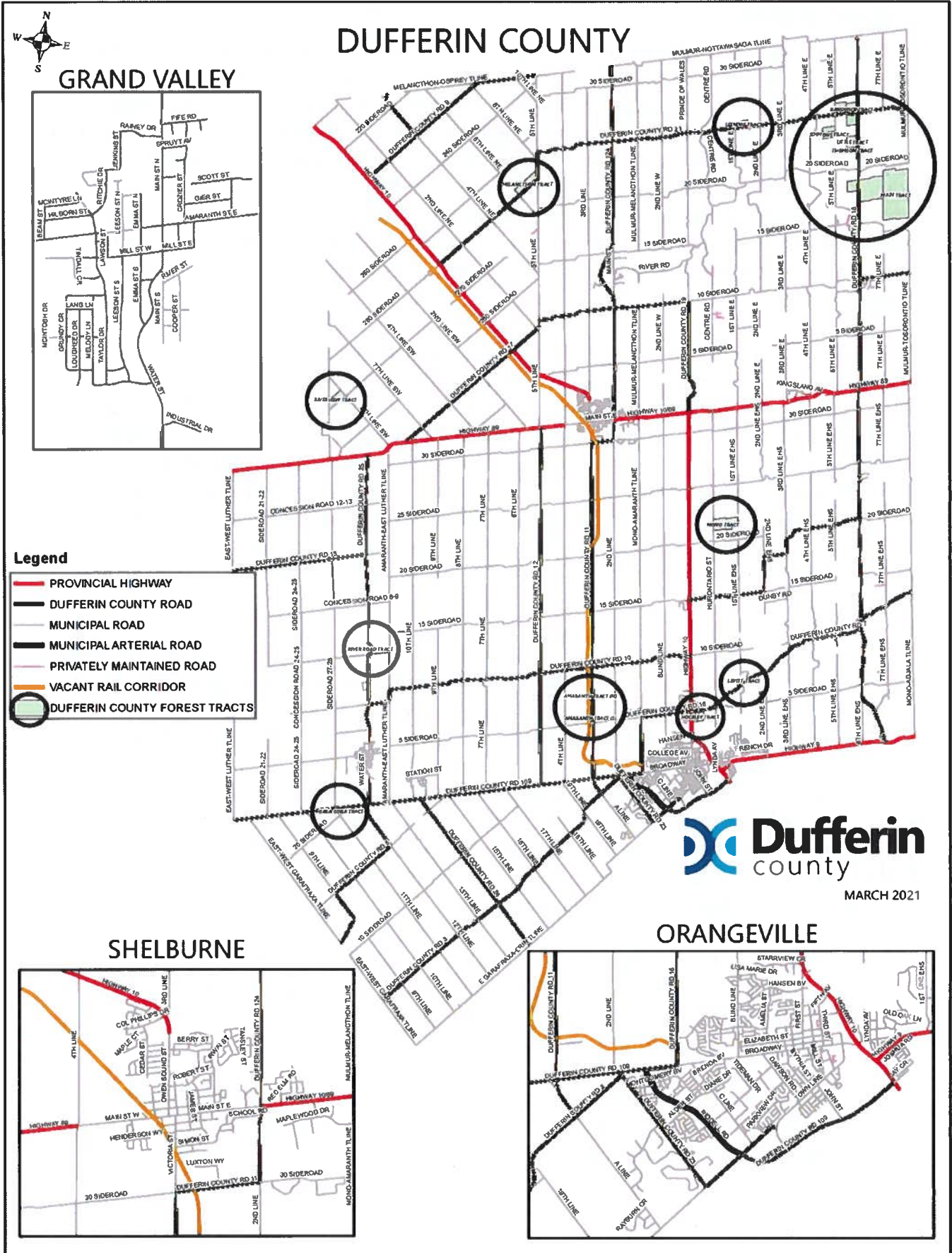
The Dufferin Rail Trail is the 38.1 km Dufferin portion of the former rail corridor running from Orangeville, through Amaranth, Shelburne and Melancthon, to Dundalk (map on next page). Historically there have been agreements in place with the local ATV and snowmobile clubs for use of the trail. There are no other documents related to use or management of the Rail Trail.

While considering the limits of available natural and human resources, and putting environmental sustainability at the forefront, the County is committed to making both the Rail Trail and the County Forest available to as diverse a group of users as possible. In consultation with the County's Tourism Division, the promotion of the Rail Trail and the County Forest will be focused on the residents of Dufferin County.

The implementation of this plan will require the participation and co-operation of the residents of Dufferin County, the users of the Rail Trail and County Forest, volunteers, and the following County Divisions: Climate Change, Transportation – Operations, Tourism, Economic Development, Museum of Dufferin, and Forestry.

A number of the actions outlined in this plan (in particular with regards to infrastructure and signs) have cost impacts beyond current budgets. Without further budgetary commitments by County Council they will not be implemented.

New Routes: Dufferin County Outdoor Recreation Plan



Communications

- Establish social media accounts for Rail Trail/County Forest.
- Add Rail Trail information to the County website.
- Distribute information about the Rail Trail/County Forest through related local businesses.
- Look into development of an app for the Rail Trail/County Forest and/or providing content to existing trail-related apps.
- Improve the Main Tract trail map to make it more user-friendly through graphic design and information about trail distances, difficulty etc.
- Improve printed information products through better graphic design.
- Communicate key information through radio ads.
- Continue to communicate key information through local newspapers.
- Continue to communicate information through County website.
- Launch information campaign such as "Slow and Say Hello" (www.safetrailsmarin.org) to increase awareness amongst various users and user groups

Rail Trail

Infrastructure & Maintenance

- The surface of the rail trail will be maintained in such a manner as to facilitate permitted uses.
- Consideration will be given to year-round parking areas at Orangeville and Shelburne.
- Portable toilets will be placed at suitable locations in Orangeville and Shelburne.

Signs

- Distance markers will be posted from both Orangeville (going north) and Dundalk (going south).
- Pictographic signs indicating permitted/prohibited trail uses.
- Signs describing historical significance of particular areas/locations with a particular focus on Indigenous history.
- Signs acknowledging Indigenous history and current presence on the land ("land acknowledgement").
- Road name and road crossing signs will be posted at road crossings.
- Speed limit signs for motorized users.
- Signs will be maintained and replaced as needed.
- Best efforts will be made to balance the need for signs without littering the environment with them.

Interpretive Features/Education

- Signs describing history and significance of the area, with a focus on Indigenous history.
- Signs describing flora and fauna.
- Guided interpretation walks.

Permitted/Prohibited Uses

1. Generally Accepted Uses

- Unless otherwise restricted in this policy and associated by-law, generally accepted outdoor recreational activities are permitted on the Dufferin Rail Trail.

2. Parking

- Parking is permitted only in designated areas.

3. Dogs

- Dogs must be under control or on-leash at all times while on the Rail Trail.

4. Safety

- The use of audio devices that impair your awareness of other users is not permitted on the Rail Trail.
- Helmets are required for anyone cycling, horseback riding, or using a motorized vehicle on the Rail Trail.

5. Respect for Property

- Discarding of garbage, including yard or garden waste, on the Rail Trail is not permitted.
- Willful damage to any structures on the Rail Trail is not permitted.

County Forest

Infrastructure & Maintenance

- The surfaces of the trails and roads will be maintained in such a manner as to facilitate permitted uses.
- Consideration will be given to a year-round parking area, information kiosk, and portable toilets at the Mono Tract.
- Portable toilets will be placed at the Main Tract.
- The main parking area at the Main Tract will be maintained year-round.
- Consideration will be given to establishing a source of non-potable water (primarily for horses and dogs) at the Main Tract.
- Consideration will be given to establishing a second information kiosk at the event field at the Main Tract.

Signs

- Red dots inside the perimeter of all of the forest properties as described in the *Trespass to Property Act*.
- Signs at all County Forest entrances prominently displaying the County Forest website address and/or a QR code to link to the website.

New Routes: Dufferin County Outdoor Recreation Plan

- Pictographic signs indicating permitted/prohibited trail uses.
- Signs describing historical significance of particular areas/locations with a particular focus on Indigenous history.
- Signs acknowledging Indigenous history and current presence on the land (“land acknowledgement”).
- For the Main Tract, “you are here” style maps.
- At the Mono Tract, increase signs to increase awareness amongst various users and user groups.
- Signs will be maintained and replaced as needed.
- Best efforts will be made to balance the need for signs without littering the environment with them.

Interpretive Features/Education

- Signs describing history and significance of the area, with a focus on Indigenous history.
- Guided interpretation walks.
- Development of school programs related to forest history, local flora and fauna, importance of the natural environment etc.
- Development of wetland interpretive trail at Melancthon Tract and/or Thomson Tract.

Permitted/Prohibited Uses

1. Indigenous Peoples

- This policy does not limit or supersede any recognized rights of Indigenous Peoples.

2. Generally Accepted Uses

- Unless otherwise restricted in this policy and associated by-law, generally accepted outdoor recreational activities are permitted in the Dufferin County Forest.

3. Main Permitted and Restricted Activities by Land Use Classes

- Appendix A shows the main permitted and restricted activities divided according to the land use classes in *Our Forest, Our Future: Dufferin County Forest Operating Plan 2021-2026* (Table 8, pg. 27).

4. Trails

- Users must stay on established trails at all times while in the Dufferin County Forest.

5. Motorized Vehicles

- Motorized vehicles, other than snowmobiles and vehicles used for game retrieval, are not permitted in the Dufferin County Forest.
- Pedal-assist electric bicycles (Class 1) are permitted where cycling is permitted.
- Wheelchairs and medical scooters are designed for people who have limited mobility because of a medical condition or injury. They are considered as pedestrians under the *Highway Traffic Act*, no matter their source of power. Therefore, there are no restrictions on their use in the Dufferin County Forest.

6. Parking

- Parking is permitted only in designated areas.

7. Hunting, Fishing, Trapping

- In general, hunting is not permitted in all tracts of the Dufferin County Forest, please refer to Appendix A for tracts where hunting is permitted.
- There is no hunting or discharge of firearms allowed in any Dufferin County Forest between June 1 and September 30.
- Patterning/sighting of firearms is not permitted in the Dufferin County Forest.
- Between October 1 and May 31, hunting and discharge of firearms are permitted only on the tracts as listed in Appendix A and within the seasons and other restrictions and requirements as determined by the Ontario Ministry of Natural Resources and Forestry.
- Only temporary portable tree stands are permitted. Tree stands may be in place in the Forest only from October 1 of a given year until the following May 31.
- Hunters are required to purchase a permit from the County for hunting in the Dufferin County Forest. The permit will be valid from October 1 of a given year until the following May 31. If deemed necessary, the County may restrict the number of permits issued.
- All hunters must be members in good standing of a recognized organization that provides a minimum of \$5 million liability insurance for its members while they are engaged in hunting activities and are required to present proof of membership prior to obtaining a permit to hunt in the Dufferin County Forest.
- Fishing is permitted only within seasons and other restrictions and requirements as determined by the Ontario Ministry of Natural Resources and Forestry. However, there are no significant fishing opportunities in the Dufferin County Forest.
- Trapping is permitted only within the seasons and other restrictions and requirements as determined by the Ontario Ministry of Natural Resources and Forestry and only at the following tracts: Melancthon, Riverview, and Amaranth South. Trapping areas will be assigned on a first come, first serve basis, renewable annually at the County's discretion. All trappers are required to present proof of membership in the Ontario Fur Managers Federation prior to being granted permission to trap.

8. Snowmobiling

- Snowmobiling in the Dufferin County Forest is permitted on designated Ontario Federation of Snowmobile Clubs (OFSC) trails only. Snowmobilers must display a current OFSC trail permit and follow all OFSC rules/regulations while using the designated trails in the Dufferin County Forest.

9. Foraging

- In order to conserve the natural environment, users are not permitted to disturb, cut, kill, remove or harm any plant, tree or natural object in the Dufferin County Forest,

including for the purposes of foraging.

10. Dogs

- Dogs must be under control or on-leash at all times within the Dufferin County Forest.

11. Safety

- The use of audio devices that impair your awareness of other users is not permitted in the Dufferin County Forest.
- Helmets are required for anyone cycling, horseback riding, or snowmobiling in the Dufferin County Forest.

12. Campfires/Cooking

- Campfires are not permitted in the Dufferin County Forest. The use of portable cooking stoves may be restricted due to weather conditions.

13. Respect for Property

- Discarding of garbage, including yard or garden waste, in the Dufferin County Forest is not permitted.
- Willful damage to any structures in the Dufferin County Forest is not permitted.

14. Drones

- Use of drones in the Dufferin County Forest is not permitted without prior authorization from the County Forest Manager or his/her designate.

15. Mansfield Outdoor Centre

- The County of Dufferin has a long-standing exclusive land use agreement with the Mansfield Outdoor Centre for lease of designated trails in the south part of the Main Tract for cross-country skiing/fat biking between December 1 of a given year and March 31 of the following year. The agreement will be renewed annually at the County's discretion.
- Organized recreational events taking place at the Mansfield Outdoor Centre that wish to make use of trails in the Main Tract of the Dufferin County Forest will be subject to the same requirements as any other organized recreational event.

16. Organized Recreational Events

- Non-profit groups wishing to hold an event/tour for more than 30 people in the Dufferin County Forest will be required to obtain a County Forest Event Permit. For-profit/commercial groups of any size wishing to hold an event/tour in the Dufferin County Forest will be required to obtain a County Forest Event Permit (Appendix B) or have a use agreement in place with the County of Dufferin.

New Routes: Dufferin County Outdoor Recreation Plan

- A single event can extend over only one Friday-Monday period. Consecutive events by the same group will not be permitted.
- Groups are advised to inquire as to date availability for events as soon as possible (at least three months in advance of event date) to avoid disappointment. In order to minimize conflicts, only one event per tract per day will be granted an event permit.
- Groups participating in forest stewardship activities such as trail building, trail maintenance, and garbage removal are not required to have an event permit for such activities.
- Access to the open area at the Main Tract for overnight stays/event staging will be limited to groups holding organized recreational events having a valid County Forest Event Permit.
- There will be no camping permitted in the Dufferin County Forest other than as part of an event for which there is a valid County Forest Event Permit.
- Event dates for the following calendar year can be reserved starting on November 1 of the current year.
- Virtual events will not be subject to the requirements of organized recreational events.

17. Separation of Trail Uses

- The County Forest Manager or his/her designate will work with stakeholders to establish separate designated trails in the Main Tract for user groups. Trail maps will be distributed to users through a variety of means and signs will indicate designated trails in the Main Tract.

18. Fees

- Fees for recreational use of the Dufferin County Forest will be established in the County's fees by-law and will be available on the County website and by request.

19. Forest Management

- Forest management activities will be conducted so as to minimize impacts on designated recreational trails.

20. Dufferin County Forest Advisory Team

- The County will establish a team made up of five residents of Dufferin County and one member of the Infrastructure and Environmental Services Committee. The team will meet at least once annually to discuss the management of the Dufferin County Forest. The purpose of the team will be to ensure that the interests of stakeholders in the Dufferin County Forest are represented and effectively communicated to the County of Dufferin. Representation will be solicited from the general public to coincide with the new term of County Council, or as required to replace or add members. The Terms of Reference for the Dufferin County Forest Advisory Team are in Appendix C.

Appendix A: Main Permitted and Restricted Activities by Dufferin County Forest Land Use Class

Tract & Compartments	Land Use Class	Area (ha)	Hiking/Running/Nature Appreciation	Skiing/Snowshoeing	Fat (Winter) Mtn Biking	Mtn Biking
Amaranth (42a), Laurel Wetland Complex	natural	12	y	y	n	n
Amaranth (43b, 43c), Farmington Swamp	natural	10	y	y	y	y
Amaranth (43a)	managed	2	y	y	y	y
Gara-Gore (44a)	managed	15	y	y	y	y
Hockley (49), Orangeville Wetland Complex	natural	20	y	y	y	y
Leening (50)	natural	8	y	y	n	n
Levitt (51)	natural	4	y	y	n	n
Little (48)	natural	47	y	y	n	n
Main (7-10, 12-19, 21a, 22, 23a, 23b, 24b, 24c, 25b, 25c)	managed	316	y	y	y	y
Main (11, 20a, 21b, 23c, 24a, 25a, 26-30, 31a, 31d), Oak Ridges South Slope Forest	natural	266	y	y	y	y
Main (31b, 31c)	natural	24	y	y	y	y
Melancthon (32a, 32b, 32c, 33a, 33b, 33d)	managed	12	y	y	y	y
Melancthon (33a, 33c, 33d, 34a, 35a), Melancthon 1	natural	48	y	y	y	y
Mono (39-40, 46)	managed	68	y	y	y	y
Randwick (1-4c, 5-6)	managed	115	y	y	y	y
Randwick (4d), Walker's Creek Wetland	natural	2	y	y	y	y
River Road (45)	managed	3	y	n	n	n
Riverview (36, 37b, 37c, 37d, 37e, 38a, 38b)	managed	27	y	y	y	y
Riverview (37a, 38c, 38d), Melancthon 2	natural	13	y	y	y	y
Simmons (47)	managed	42	y	y	y	y
Thomson	managed	12	y	y	n	n

New Routes: Dufferin County Outdoor Recreation Plan

Tract & Compartments	Land Use Class	Area (ha)	Horseback Riding	Hunting	OFSC Trails	Other Motorized Vehicles
Amaranth (42a), Laurel Wetland Complex	natural	12	n	n	n	n
Amaranth (43b, 43c), Farmington Swamp	natural	10	y	y (except June 1-Sept 30)	n	n
Amaranth (43a)	managed	2	y	y (except June 1-Sept 30)	n	n
Gara-Gore (44a)	managed	15	y	y (except June 1-Sept 30)	n	n
Hockley (49), Orangeville Wetland Complex	natural	20	n	n	n	n
Leening (50)	natural	8	n	n	n	n
Levitt (51)	natural	4	n	n	n	n
Little (48)	natural	47	n	n	n	n
Main (7-10, 12-19, 21a, 22, 23a, 23b, 24b, 24c, 25b, 25c)	managed	316	y	n	y	n
Main (11, 20a, 21b, 23c, 24a, 25a, 26-30, 31a, 31d), Oak Ridges South Slope Forest	natural	266	y	n	n	n
Main (31b, 31c)	natural	24	y	n	n	n
Melancthon (32a, 32b, 32c, 33a, 33b, 33d)	managed	12	y	y (except June 1-Sept 30)	n	n
Melancthon (33a, 33c, 33d, 34a, 35a), Melancthon 1	natural	48	y	y (except June 1-Sept 30)	n	n
Mono (39-40, 46)	managed	68	y	n	y	n
Randwick (1-4c, 5-6)	managed	115	y	y (except June 1-Sept 30)	y	n
Randwick (4d), Walker's Creek Wetland	natural	2	y	y (except June 1-Sept 30)	n	n
River Road (45)	managed	3	n	n	n	n
Riverview (36, 37b, 37c, 37d, 37e, 38a, 38b)	managed	27	y	y (except June 1-Sept 30)	y	n
Riverview (37a, 38c, 38d), Melancthon 2	natural	13	y	y (except June 1-Sept 30)	n	n
Simmons (47)	managed	42	y	y (except June 1-Sept 30)	n	n
Thomson	managed	12	n	n	n	n

Appendix B: County Forest Event Permit Application

Applications must be submitted **at least 90 days prior to the event.**

Submit to: County of Dufferin
Corporate Services – Clerk’s Office
55 Zina Street
Orangeville ON L9W1E5
Phone 519-941-2816
Fax 519-941-4565
info@dufferincounty.ca

Once submitted, you will receive confirmation of receipt. Applications will be reviewed by the Clerk’s Office and the County Forest Manager. You will be contacted regarding your permit status within 30 days.

Once issued, the County Forest Event Permit must be available for viewing at all times during the event.

Please note that acceptance of your application is in no way approval or confirmation of your request.

The following documentation is required before the permit will be issued:

1. Completed and signed application
2. The signed Terms and Conditions page
3. The signed Hold and Save Harmless and Indemnity Agreement
4. Proof of Insurance in the minimum amount of \$5 million dollars liability showing the Corporation of the County of Dufferin as an additional insured and including a provision for cross liability for insurance against all damages or claims for damages or liability
5. An event description
6. An event route map

NOTE: Your event description must be approved by the County prior to being used to promote the event.

Fee Schedule (as per By-Law 2015-41):

Application Fee: \$50 plus 13% HST

Per Person Event Fee: \$2/Person Attending the Event plus 13% HST

Application fee is due upon permit approval. Permits will be issued following payment of fee.

Per Person Event fee is due following the event.

If several events are substantially the same, you may submit one application form listing all event dates. However, separate application and per person event fees will still be required for each event. An event can extend over only one Friday-Monday period. Consecutive events by the same group will not be permitted.

COUNTY FOREST EVENT PERMIT APPLICATION

Applicant Information

Applicant Name:

Organization/Group:

Mailing Address:

Email Address:

Phone Number:

Event Information

Name of Event:

Date: From: _____ To: _____

Number of Participants:

Type of Event:	For Profit	Non Profit		
Intended Use:	Camping	Cross Country Skiing	Hiking	
(Check all that apply)	Horseback Riding	Mountain Biking	Snowshoeing	
	Other:			

Forest Tract Requested:

Brief Description of Event:

Description of Route Markings:

Print Name:

Signature: _____ Date: _____

<u>For Office Use Only</u>	
Received By:	Date Received:
Reviewed By County Forest Manager:	Date Reviewed:
Event Description Approved	Special Permission Letter from Forest Manager
# of Participants Confirmed	Application Fee Received
Proof of Insurance Received	Indemnity Agreement Received
Event Route Map Received	Terms & Conditions Signed
	Permit Issued – Permit #:

COUNTY FOREST EVENT PERMIT APPLICATION

Terms and Conditions

- The user is responsible for complying with regulations set out in By-law 2017-39 and the Dufferin County Forest Recreational Use Policy (Policy No. 4-6-1).
- The user's event description must be approved by the County prior to being used to promote the event.
- A single event can extend over only one Friday-Monday period. Consecutive events by one group will not be permitted.
- The user is responsible for all costs relating to maintaining the property for use made of it during the event. The County has no obligation to maintain or repair the trails and/or bridges on the property for the benefit of the user. The user is responsible for ensuring that the event route is passable prior to, and following, the event.
- The user is prohibited from cutting any trees, branches or brush without prior written approval from the County Forest Manager or designate.
- The user agrees that any cutting or other damages, that in the opinion of the County Forest Manager or designate, has been caused by the users shall be rectified at the user's expense upon written notice by the County.
- The route of the event must follow the route set out in the permit application.
- No new trails may be created for the event without prior written approval from the County Forest Manager or designate.
- The user is responsible for posting signage on all trails and/or bridges or other signage as requested by the County. Any signs for the event may be posted no sooner than two weeks prior to the event date and must be removed no later than two weeks after the event. If the user is holding multiple events in a calendar year that use the same route(s), event signage may remain in place until two weeks after the final event of the calendar year.
- All trails and/or bridges on the property must remain open to the public for other permitted uses and the public shall be allowed to use them without being charged a fee by the user.

New Routes: Dufferin County Outdoor Recreation Plan

- Upon completion of the event, the user will restore the property to a state, which in the opinion of the County Forest Manager or designate, is as good as or better than the original condition prior to the event.
- The County reserves the right to cancel an event permit in case of predicted severe weather.
- In order to reduce the chances of introduction of invasive species, no firewood is to be brought in to the camping area from outside the Main Tract.
- For events that include participants staying overnight/camping, at least one portable toilet must be provided for the use of participants.
- The user agrees to comply with all applicable municipal, provincial, federal and other laws, statutes, ordinances and requirements.
- The County may refuse to issue or revoke the permit if the user does not provide the necessary supporting documentation or fails to comply with By-law 2017-39 and the Dufferin County Forest Recreational Use Policy.
- The County of Dufferin reserves the right to add any conditions as required. If conditions are not being adhered to, the County of Dufferin may stop, suspend or cancel the event.

As the organizer and person responsible for the event, I have read, understand and agree to abide by the rules and the conditions set forth by these above terms and conditions.

Print Name:

Signature:

Date:

COUNTY FOREST EVENT PERMIT APPLICATION

Save and Hold Harmless and Indemnity Agreement

The User, _____, agrees to indemnify, save harmless, and waive all rights against the County of Dufferin from and against all suits and claims for loss, damage, accident, death, or injury of any nature or kind whatsoever arising out of or connected with the use and maintenance of the property or any preparation or construction of or on the property by the user, its members, employees, agents, or any other person using the property.

Print Name:

Signature:

Date:

Appendix C: Terms of Reference – Dufferin County Forest Advisory Team

Purpose:

The purpose of the Dufferin County Forest Advisory Team (DCFAT) is to:

- provide community input and advice to County staff regarding the Dufferin County Forest Management Plan and Dufferin County Forest Recreational Use Policy and;
- assist County staff in communicating plan and policy revisions.

Dufferin County Forest Goal:

To protect the quality and integrity of ecosystems in the Dufferin County Forest, including air, water, land and biota; and, where quality and integrity have been diminished, to encourage restoration or remediation to healthy conditions; while providing a variety of social and economic benefits to the public.

Assumptions:

- recreational pursuits in the forest are a privilege, not a right;
- the Dufferin County Forest is not parkland, preserve or for single-use, however, some areas may not be suitable for all activities and;
- the Dufferin County Forest is owned and managed by the Corporation of the County of Dufferin, and is not Crown land.

Criteria for Analysis of Recreational Activities/Events:

- activity must have minimal environmental impact;
- activity must not have significant impact upon other forest users;
- activity must be compatible with forest management activities;
- activity must not pose significant liability concerns to the County and;
- activity should not require significant County staff intervention for administration or policing.

Membership:

Representation will be solicited from the general public to coincide with the new term of County Council, or as required to replace or add members. Five members will be selected according to the following criteria:

- commitment to advancing the purpose of the Dufferin County Forest Advisory Team;
- interest and respect for a broad range of issues regarding the management of the Dufferin County Forest;
- respect for the procedures agreed to by the members;
- willingness to serve as a volunteer on the Advisory Team;
- aged 18 or over; and
- resident of Dufferin County.

In addition, one member of the Infrastructure and Environmental Services Committee will be appointed to the Dufferin County Forest Advisory Team.

Structure:

The Advisory Team will meet at least once annually to discuss items relevant to its purpose. The County Forest Manager or his/her designate will attend all meetings and assist as required. The Advisory Team may choose to obtain feedback from recreational users and the broader public when deemed necessary.



**TRITON
ENGINEERING
SERVICES
LIMITED**

Consulting Engineers

105 Queen Street West, Unit 14
Fergus
Ontario N1M 1S6
Tel: (519) 843-3920
Fax: (519) 843-1943
Email: info@tritoneng.on.ca

ORANGEVILLE • FERGUS • HARRISTON

November 2, 2022

Township of Melancthon
157101 Highway 10
MELANCTHON, Ontario
L9V 2E6

ATTENTION: Denise B. Holmes
CAO/Clerk
dholmes@melancthontownship.ca

RE: Township of Southgate
Dundalk Wastewater Treatment Facility
Class Environmental Assessment
Notice of Public Information Centre
Our File: W4609A

Dear Ms. Holmes,

You are invited to the first virtual and in person *Public Information Centre (PIC)* for the above noted project to provide an update regarding the on-going Dundalk Wastewater Treatment Facility, Class Environmental Assessment (Class EA). Formal notice of this information centre has been included. Details for the invite are as follows:

Monday, November 14th, 2022 – Friday, November 18th, 2022
Virtually (online)

Township of Southgate's website
<https://www.southgate.ca/Modules/News/en>

Thursday, November 17th, 2022
Public Information Centre and Open House
Frank Macintyre Building, 250 Owen Sound Street, Dundalk, Ontario
Drop-In format between 3:00 P.M. and 7:00 P.M.

Project Background

The Township of Southgate owns and operates the Dundalk Wastewater Treatment Facility (WWTF) located at 752051 Ida Street, south of Dundalk. The facility generally consists of four (4) wastewater lagoons followed by filtration. The facility discharges to the Foley Drain and ultimately to the Grand River. Proposed growth in Dundalk will result in allocation of the remaining reserve capacity of the facility to future development. As a result, further commitment toward growth and infilling cannot be realized until additional wastewater treatment capacity is made available.

The Township of Southgate has commenced with a Schedule C Class Environmental Assessment (Class EA) under Ontario's Municipal Class Environmental Assessment (October 2000 as amended in 2007, 2011, 2015). This assessment will evaluate the existing WWTF, and alternative solutions to address the wastewater treatment capacity issue. Based on this, options concerning the reduction of inflow to the system, implementation of water conservation measures, expansion and optimization of the existing facility, and construction of a mechanical facility are being considered and evaluated, leading to the selection of a preferred collection and treatment strategy. A general location plan of the existing WWTF property is contained on the attached *Notice of Public Information Centre* for your reference.

The Problem Statement for this project is as follows:

"The Township of Southgate is committed to delivering responsive and cost-effective municipal services that provide for the economic, social and environmental well-being of its ratepayers now and in the future. Proposed growth in the Dundalk urban centre will result in the allocation of the remaining reserve capacity of the Dundalk wastewater treatment facility to residential development. As a result, further commitment toward growth and infilling cannot be realized until additional wastewater capacity is made available. The objective of this Class Environmental Assessment is to consider cost effective sewage collection and treatment alternatives for the Dundalk urban centre that will minimize environmental impacts and provide additional wastewater treatment capacity."

Purpose of Public Consultation

The purpose of this Public Information Centre is to update all stakeholders, approval agencies and Indigenous communities on the progress of the project, discuss the evaluation of alternative solutions, and invite you to provide your comments and feedback on the information presented. From Monday, November 14th to Friday, November 18th, 2022, you will be able to view background information and materials regarding the project on the Township's website as noted. You may also choose to attend the Drop-In PIC and Open House on Thursday, November 17th, 2022, details as noted.

We look forward to receiving your comments and should you have any questions regarding this public consultation, please contact the undersigned. In your response, please confirm your preferred method for receiving future correspondence as it relates to this project.

Respectfully,

Triton Engineering Services Limited



Dustin C. Lyttle, P. Eng.
Project Manager

Encl. Notice of Public Information Centre

cc: Jim Ellis, Public Works Manager, Township of Southgate



Township of Southgate
Class Environmental Assessment
Dundalk Wastewater Treatment Capacity
Notice of Virtual and Drop-In Public Information Centre

Project Background:

The Township of Southgate owns and operates the Dundalk Wastewater Treatment Facility (WWTF) located at 752051 Ida Street, south of Dundalk. The facility generally consists of four (4) wastewater lagoons followed by filtration. The facility discharges to the Foley Drain and ultimately to the Grand River. Proposed growth in Dundalk will result in allocation of the remaining reserve capacity of the facility to future development. As a result, further commitment toward growth and infilling cannot be realized until additional wastewater treatment capacity is made available.

The Study Process:

The Township initiated a Class Environmental Assessment (Class EA) in order to evaluate alternative solutions to address the wastewater treatment capacity concerns and to establish a preferred option. The project is being planned under Schedule C of the Municipal Class Environmental Assessment (October 2000, as amended in 2007, 2011, 2015).



Public Information Centre (PIC) No. 1:

Consultation with the public, key stakeholders, indigenous groups and regulatory agencies is an important component of the Class EA Process. The purpose of this PIC is to solicit feedback and input on the Study, as well as provide an overview of the Study process and to discuss the evaluation of alternative solutions and the preliminary preferred alternative. The Virtual Public Open House will provide background and display information materials inviting public response and be open for comments from Monday, November 14th to Friday, November 18th, 2022. This virtual consultation platform can be accessed online through the Township's website at <https://www.southgate.ca/Modules/News/en>

A Public Information Centre and Open House will be held on Thursday, November 17th, 2022, drop-in format, and will include information regarding the alternatives considered and the steps the Township is taking towards a Preferred Alternative. This open house will be held at the Frank Macintyre Building, 250 Owen Sound Street, Dundalk, Ontario between 3:00 p.m. and 7:00 p.m.

How to Contact:

If you have any questions, comments, require further information, and/or would like to be added to the project contact list, please contact both of the following:

Jim Ellis, Public Works Manager
Township of Southgate
185667 Grey County Road 9
Dundalk, ON
NOC 1B0
Phone: 519-923-2110 x250
Fax: 519-923-9262
Email: jellis@southgate.ca

Dustin Lyttle, P.Eng
Triton Engineering Services Limited
105 Queen Street, Unit 14
Fergus, ON
N1M 1S6
Phone: 519-843-3920 x222
Fax: 519-843-1943
Email: dlyttle@tritoneng.on.ca

Information collected will be used in accordance with the Freedom of Information and Protection of Privacy Act. With the exception of personal information, all comments will become part of the public record. This Notice first issued on **November 2nd, 2022.**



REPORT TO COUNCIL

TO: Mayor White and Members of Council
FROM: Denise B. Holmes, CAO/Clerk
MEETING DATE: November 10, 2022
SUBJECT: Accessibility Report 2022 Municipal Election

PURPOSE

The purpose of this Report is to comply with Section 12.1(3) of the *Municipal Elections Act* regarding the identification, removal and prevention of barriers that affect electors and candidates with disabilities.

BACKGROUND AND DISCUSSION

As a requirement of the Municipal Elections Act, 1996, s. 12.1(2) the Clerk, within 90 days after voting day, shall submit a Report to Council pertaining to the identification, removal and prevention of barriers that affect Electors and Candidates with disabilities. Accessibility was a major consideration during every aspect of the Election, and the attached appendix indicates actions taken to make the voting process more inclusive.

FINANCIAL IMPACT

There is no financial impact.

RECOMMENDATION

This Report is for the information of Council.

Respectfully submitted,

Denise B. Holmes, CAO/Clerk

Info # 12.
NOV 10 2022

APPENDIX - ACCESSIBLE ELECTIONS REPORT

Identification of Barriers

The following actions were taken to identify barriers that affect electors and candidates with disabilities:

1. Consider various disabilities to identify potential barriers in the election process.
2. Assessed past election administration policies, identifying the likelihood of our practice creating a risk to the accessibility of candidates and electors, then identified the impact of the risk and developed measures to mitigate or minimize the risk.

Removal and Prevention of Barriers

The following actions were taken to remove and prevent barriers that affect electors and candidates with disabilities:

- Township Council on April 26, 2021 approved a Report by the CAO to use Vote By Telephone/Internet as the alternative method of Voting and on May 20, 2021 passed the By-law to authorize Vote by Telephone/Internet with services provided by Intelivote. This clearly removed any barriers that would be associated with the Election as people were able to vote in the comfort of their own home. The Township recognized the many other benefits of electronic voting, including: the large number of non-resident electors, eliminated the need for proxies and advance poll voting and voting places, it provided voters with an extended period of time to vote, a Voter Information Letter was provided to every qualified elector and was mailed directly to each elector or provided directly at the Township Office.
- The Township dedicated a separate section on the website for Election Information and posted information there regularly. The information was in clear, simple language. Information was also posted on the office bulletin board, in the local newspapers and through MailChimp (a subscription based information tool) and the Township of Melancthon's Facebook Page. The website also assisted in educating the electors of the voting method and included a tutorial on the Vote By Telephone and Internet.
- Candidates were provided with a "Candidate Information Package" containing useful information on the Municipal Election. A copy of the Voters List was provided to the Candidates, upon request, as well as the information regarding maximum campaign expenses.
- as per Section 5 of the Customer Service Accessibility Policy, dated January 1, 2010, if candidates and electors required alternative formats for documents and

forms, this could be provided to them at their request, in a manner that was mutually agreed upon.

- Electors were able to confirm that they were on the Voters List by email, telephone or attending at the office.
- The Township sent out an Information Brochure to residents in Melancthon Township via Canada Post on September 26, 2022 in an accessible font.
- When the Voter Information Letters were mailed to each elector, it contained the following: a Personal Identification Number (PIN), a telephone access number and internet address for voting, the number for the Voter Help Centre (Melancthon Township Office) and a list of the candidates for office.
- The Township also provided an accessible Voter Help Centre at the Municipal Office for those electors who required assistance or just wanted to come out and vote. The Returning Officer, Assistant Returning Officer and Election Assistants were available at the Voter Help Centre to answer any questions the Electors had and all were sworn to an Oath of Secrecy. Instructions to vote were also available on the Township website.
- Electors could vote 24 hours per day from 10:00 a.m. on Friday, October 14, 2022 until 8:00 p.m. on Monday, October 24, 2022 by using a touch tone phone or via the internet. The Voter Help Centre was open extended hours on Monday, October 24, 2022 for Electors to either come in to vote or call if they required assistance.
- Allowed for the use of service animals and support persons at the Voter Help Centre as Service Animals and Support persons are allowed as per the Township of Melancthon Customer Service Accessibility Policy dated January 1, 2010.
- The Township provided a process for an elector to be assisted by a support person, a friend or a Deputy Returning Officer at the Voter Help Centre. The support person would take an Oral Oath of Secrecy.
- All Election Staff, dealing with the Electors, had received the Accessible Customer Service Training.
- The Township has a Policy in place for temporary disruptions of services and is provided in the Township of Melancthon Customer Service Accessibility Policy, dated January 1, 2010.
- On September 7, 2022, the Township made available on its Election page on the Township website, the 2022 Municipal Election Accessibility Plan which promotes a barrier free election.



Administration Centre: 400 Clyde Road, P.O. Box 729 Cambridge, ON N1R 5W6
Phone: 519-621-2761 Toll free: 1-866-900-4722 Fax: 519-621-4644 www.grandriver.ca

Township of Melancthon Clerk's Office
Please forward if received in error

By Email: dholmes@melancthontownship.ca

October 3, 2022

Dear Municipal Clerks:

Please note that the appointment of Guy Guardhouse as the representative(s) of the Townships of Amaranth, East Garafraxa, Southgate and Melancthon and the Town of Grand Valley will expire on Until new appointment.

As it is an election year, it is understood that some challenges with timing of appointments may occur. Our November and December meeting dates are November 25, and December 16. To ensure representation from your municipality at each meeting, members should be appointed as soon as possible.

When making new appointments please be aware that *Section 14(4.1) of the Conservation Authorities Act, R.S.O.1990 (the Act)* provides as follows:

A member shall be appointed for a term of up to four years, as may be determined by the council that appoints the member.

This does not preclude a municipality from re-appointing the same member for a further term. Additionally, *Section 14(4.2) of the Act* reads:

A member's term begins at the first meeting of the authority after his or her appointment and expires immediately before the first meeting of the authority after the appointment of his or her replacement.

The Act now requires that the municipality ensure that at least 70 per cent of its appointees are selected from among the members of council. Details and exceptions can be found in *Section 14(1.1) and 14(1.2) of the Act*.

Please advise as to the effective and expiry dates of your new appointment as soon as possible. Should you have any questions or concerns regarding this email, please contact Karen Armstrong, Deputy CAO & Secretary Treasurer at karmstrong@grandriver.ca.

Kind regards,

Eowyn Spencer, Executive Assistant
www.grandriver.ca | Phone: 519-621-2763 x.2200 | espencer@grandriver.ca

Denise Holmes

From: Eowyn Spencer <espencer@grandriver.ca>
Sent: Wednesday, November 2, 2022 10:59 AM
To: Denise Holmes
Subject: Grand River CA Reminder - Appointment of Members

Township of Melancthon Clerk's Office By Email: dholmes@melancthontownship.ca
Please forward if received in error

This is an automatic reminder. Please take appropriate action or ignore if you have already been in contact with the GRCA.

Greetings,

Please accept this reminder that the appointment of Guy Guardhouse as the representative(s) of the Townships of Amaranth, East Garafraxa, Southgate and Melancthon and the Town of Grand Valley is set until new a new appointment is made. This is an automatic reminder, and no immediate action is required, as Mr. Gardhouse remains appointed until we are advised otherwise.

As it is an election year, it is understood that some challenges with timing of appointments may occur. Our November and December meeting dates are November 25, and December 16. To ensure representation from your municipality at each meeting, members should be appointed as soon as possible.

Appointments to the GRCA Board expire on November 15, 2022. The November meeting of the GRCA Board is scheduled for November 25 at 9:30 a.m. If your council is able to make appointments prior to that date, that would be greatly appreciated.

If that is not possible and your current member is an elected official, if you could request that your council extend your current member(s) appointment(s) until December 31, that would be a workable alternative for us to meet quorum at meetings until year-end. Notification of the council resolution is required for our records. If you have any questions, please let me know.

Please advise as to the effective and expiry dates of your new appointment(s) as soon as possible.

If you have any questions, please let me know.

Eowyn Spencer
Executive Assistant
Grand River Conservation Authority

400 Clyde Road, PO Box 729
Cambridge, ON N1R 5W6
Office: 519-621-2763 ext. 2200
Toll-free: 1-866-900-4722

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