



The Corporation of the Township of Huron-Kinloss

Staff Report

Report Title: Legislative Update – More Homes Built Faster Act (Bill 23)

Prepared By: Matt Farrell, Manager of Building and Planning/CBO

Department: Building and Planning

Date: Nov. 7, 2022

Report Number: BLDG-2022-11-22

File Number: L11 – BLDG22

Attachments: 234-2022-4624EN - Minister Letter to Municipal Clerk - all municipalities SIGNED

2022-10-28 More homes Built Faster Act Resources

ERO Postings More Homes Built Faster 2022

Aird Berlis LLP - Bill 23 Summary

Watson - Letter to Clients -October 31 2022

Recommendation:

That the Township of Huron-Kinloss Committee of the Whole hereby receives for information Report Number BLDG2022-11-22 prepared by Matt Farrell, Building and Planning Manager/CBO

Background:

On October 25, 2022, Ontario's Minister of Municipal Affairs introduced Bill 23, More Homes Built Faster Act, 2022 ("Bill 23") for first reading. As of October 26, 2022, the bill was brought forward for a second reading.

Bill 23 is intended to support Ontario's Housing Supply Action Plan, with a stated aim of increasing housing supply shortage and to move towards the goal of building 1.5 million homes over the next 10 years for all income levels across Ontario.

Discussion.

This legislation builds on previous legislative changes in 2022 (Bill 109) and follows up on the [Housing Affordability Task Force report](#) released in February 2022 and proposes to amend several Acts, including the Planning Act, Development Charges Act, Heritage Act, Building Code, Conservation Authorities Act. Some of the highlights include:

- Permit 'as of right' three residential units (ADUs – additional dwelling units) on each property in settlement areas on full municipal water and sewage services. A building permit would continue to be required – but no planning approvals.
- Eliminate site plan control approvals for residential developments with 10 or fewer units.
- Limit exterior design and landscape design permitted through site plan control.
- Third party (i.e. public) appeals eliminated on all planning applications.
- 29 municipalities in Ontario have been assigned housing targets adding up to 80% of 1.5 million new homes. Of the 29, only four municipalities (Ottawa, Kingston, London and Windsor) are located outside of the Greater Golden Horseshoe.
- Conservation Authorities scope will be limited to commenting only on development issues within their core mandate of flood protection and natural hazards. The Conservation Authority will no longer require a permit where development has been approved under the Planning Act. Conservation Authority fees will be frozen.
- Heritage designations would be streamlined at the municipal level. Additional criteria are proposed to list and designate individual properties and establish Heritage Conservation Districts in a future regulation.
- Development charges (DC) will be frozen retroactively to June 1, 2022 but allow for gradual increases over 5 years. A new development charge by-law will be in effect for 10 years.
- Housing is no longer an eligible DC expense. Background studies are no longer an eligible DC expense. These items will need to be funded from other sources of revenue.
- Parkland requirements for higher density residential developments are proposed to be reduced.
- Parks plan is required prior to passing a by-law under section 42 of the Planning Act.
- Parkland can be offered to the municipality prior to the issuance of a building permit by way of entering into an agreement. If the municipality refuses to accept the land offered, the decision, or lack of a decision can be appealed to the Tribunal by the developer. It is anticipated a future regulation will provide criteria will be introduced to assist the municipality and the Tribunal evaluate parkland being offered.
- Municipalities will be required to spend or allocate at least 60% of the revenue received from development charges, community benefit charges and parkland on an annual basis.
- Building Code changes are proposed to harmonize requirements for mid-rise wood frame construction with the National Building Code.
- Province proposes to reduce or eliminate planning roles of at least seven upper-tier municipalities (further details expected in 2023).

Many of the changes proposed in the current More Homes Built Faster Act are open for consultation through the Environmental Registry. A listing of the ERO postings and the associated commenting deadline is attached in a word document format.

Financial Impacts:

Changes proposed in the Bill may affect the Township's ability to collect certain Development Charges and Parkland Fees in the future.

Strategic Alignment / Link:

We are a prosperous community that continues to grow in a sustainable manner by investing in infrastructure.

Respectfully Submitted By:

Matt Farrell, Manager of Building and Planning/CBO

Report Approved By:

Mary Rose Walden, Chief Administrative Officer