



## Staff Report

**Report Title: 2023 January Legislative Update CLK-2023-01-07**

**Prepared By: Jennifer White, Manager of Legislative Services/Clerk**

**Department: Legislative Services**

**Date: Jan. 16, 2023**

**Report Number: CLK-2023-01-7**

**File Number: C11 – CLK 23**

**Attachments:**

Amo End of Year Housing Update; MMAH HoC Housing Regulations Letter; Bruce County Housing Forum Poster;  
County of Bruce Correspondence, implementation of Bill 23 & Bill 109; Minister Direction of Fees; MNRF update on Legislative and regulation changes; SVCA and MVCA correspondence update on Bill 23 implementation;  
MNRF Bill 46 Carbon Storage notification.

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**Recommendation:**

THAT the Township of Huron-Kinloss Committee of the Whole hereby receives for information Report CLK-2023-01-07, prepared by Jennifer White, Clerk;

AND FURTHER THAT Committee of the Whole support the County taking on the role of natural heritage review for planning applications in principle with a memorandum of understanding to be brought forward for Council consideration when developed.

**Background:**

This report provides Council with an overview of Legislative changes which may impact the finances, operation or residents of Huron-Kinloss.

**Discussion:**

**Housing Update**

Housing policy, legislation and regulations have been fluid and dynamic over the past few months, with Bill 23 receiving Royal Assent and different elements of this Bill and Bill 109 coming into force at different times.

correspondence to the Head of Council, identifies some of the key changes in the most recently passed legislation and the effective dates for each.

In recognition of the current lack of affordable housing throughout Bruce County, and the recent changes in housing policies, the County of Bruce is offering space in their housing forum on February 9, 2023 to elected officials and municipal staff from across the County to discuss initiatives and possible solutions (Poster attached). Council members are encouraged to identify their interest to attend.

### Bill 109 Implementation

The attached Association of Municipalities Ontario (AMO) correspondence provides an update on the advocacy work undertaken by that organization on Bill 23 and other Housing Supply Action Plan initiatives. "Urgent questions remain regarding the introduction of legislation to delay development application refunding requirements under Bill 109." The attached correspondence from the Minister of Municipal Affairs and Housing addresses concerns regarding the timing of refund provisions for site plan control fees, zoning and official plan by-law amendments which took effect. Minister Steve Clark indicated that he is committed to legislation that would delay the effective date from January 1, 2023 to July 1, 2023. He has indicated that if any fee refunds become due before legislative changes are made, municipalities may consider not issuing these refunds.

### Implementation of Bill 23 & Bill 109 – Regulations impacting Conservation Authority Planning Reviews

*Conservation Authorities can no longer comment on Natural Heritage Matters.*

Attached correspondence from the County of Bruce, Saugeen Valley Conservation Authority (SVCA), and the Maitland Valley Conservation Authority (MVCA) confirms that with the Minister's regulation (Ontario Regulation 596/22: Prescribed Acts - Subsections 21.1.1 (1.1) and 21.1.2 (1.1) of the *Conservation Authorities Act*) coming into effect, Conservation Authorities are no longer have the authority to comment on natural heritage matters associated with planning applications, aggregate applications, environmental assessments, etc.

Municipalities are still required to circulate planning applications to conservation authorities so we they can review and comment on natural hazard and drinking water source protection matters per Ontario Regulation 686/21 (Mandatory Programs and Services) and the Provincial Policy Statement.

As Conservation Authorities can no longer comment on natural heritage matters, a gap has been identified which needs to be addressed to move planning applications forward.

The County of Bruce is proposing to engage consultants to take on the role of natural heritage review as soon as possible. The County will work towards re-billing consultant fees to applicants to cover the costs of delivering this service. Additionally, the County will be evaluating a move towards hiring internal staff resources versus the use of consultants as a long-term solution.

Staff are recommending that Council support the County taking on the role of natural heritage review as soon as possible. A memorandum of understanding (MOU) would be developed between the Township and the County to cover the delivery of these and other planning services.

### Geologic Carbon Storage

Changes under the Oil, Gas and Salt Resources Act related to Geologic Carbon Storage is provided for Council information.

### **Financial Impacts:**

None at this time.

### **Strategic Alignment / Link:**

N/A

### **Respectfully Submitted By:**

Jennifer White, Manager of Legislative Services/Clerk

### **Report Approved By:**

Mary Rose Walden, Chief Administrative Officer