

Planning and Housing Related Resource Impacts from Bill 23 and Other Provincial Changes

Table 1 - Potential Planning Related Resource Impacts

Change/Proposed Change	Potential CPO ¹ Resource impact	Potential AM ² Resource Impact
Bill 109 Changes (enacted March 2022)		
<p>Site Plan & Zoning Changes Various process changes (i.e. complete applications, processing timelines) and mandatory fee refunds if timelines not met.</p> <p>Date of effect Jan. 1, 2023, however province just proposed to extend to July 1, 2023.</p>	<p>Short term</p> <ul style="list-style-type: none"> Staff resources to review and update related processes (e.g. pre-consultation/complete application requirements), documents, forms, etc. <p>Longer term/ongoing</p> <ul style="list-style-type: none"> Increased demand on CPO (admin and planners) and PW staff to ensure applications are processed within new time lines. Approx. 82 site plan and 134 zone change applications were processed in Oxford in 2021. 	<p>Short term</p> <ul style="list-style-type: none"> Staff resources to assist CPO with any required process updates. <p>Longer term/on-going</p> <ul style="list-style-type: none"> May be increased demand on staffing to meet new site plan timelines (Note: the 3 urbans comprised 80% of these applications). May precipitate need for a fee review/update to off-set potential financial impacts.
Proposed Bill 23 (Enacted Nov. 28, 2022) and Related Changes		
<p>General Reviewing and responding to the proposed legislative changes (i.e. Bill 23 and other related ERO postings). Date of effect: various</p>	<p>Short Term</p> <ul style="list-style-type: none"> Such significant Provincial legislative and/or policy changes create disruption and uncertainty and often requires the full and immediate attention of senior/experienced staff to review, assess and respond. This delays and pulls resources away from other important planning projects. <p>Longer term</p> <ul style="list-style-type: none"> Enacted changes can take years to fully assess and implement, requiring significant and sustained staff resources. With a new Provincial housing plan proposed to be released every year, demands on CPO staffing are expected to be relatively ongoing/continuous. 	<p>Short Term</p> <ul style="list-style-type: none"> Staff resources to review/assess any local impacts and prepare any additional local comments, where deemed necessary. <p>Longer term</p> <ul style="list-style-type: none"> Once changes enacted, staff resources to assist CPO with developing and implementing required updates to local planning processes, documents and forms, etc.

<p>General – Tracking and Monitoring</p> <p>A number of changes (i.e. application refunds, application of DCs and parkland rate, etc.) will increase the need for tracking and monitoring</p>	<p>Short term</p> <ul style="list-style-type: none"> Will require continued dedication of CPO staff and consulting resources to complete/populate new cloud based planning tracking solution. Longer term/ongoing <p>Longer Term/Ongoing</p> <ul style="list-style-type: none"> CPO staff resources to maintain tracking information and associated reporting 	<p>Long Term/Ongoing</p> <ul style="list-style-type: none"> May be increased demand on staffing for additional tracking and administration related to calculation of timing based fees for parkland, DCs, etc.
<p>Planning Act – Eliminating Public Meetings for Plans of Subdivision</p> <p>Date of effect: Nov. 28, 2022</p>	<p>Short term</p> <ul style="list-style-type: none"> CPO staff resources required to review and update local processes, forms, notices etc. to ensure consistency. 	<p>Short Term</p> <ul style="list-style-type: none"> May increase demands on local staff and Council to manage expectations at the local public meeting for any related zone change.
<p>Planning Act – Eliminating third party appeals</p> <p>No one other than the applicant, the municipality, certain public bodies, and the Minister will be allowed to appeal minor variance or consent decisions.</p> <p>Date of effect: Nov. 28, 2022</p>	<p>Short term</p> <ul style="list-style-type: none"> CPO staff resources to review and update processes, forms, notices etc. to ensure consistency. 	<p>Short term</p> <ul style="list-style-type: none"> Staff resources to update local minor variance processes and notices, with CPO assistance
<p>Planning Act – New Exemptions from Site Plan Control</p> <ul style="list-style-type: none"> Developments of not more than 10 residential units and any land lease community home; Exterior building design, except as related to: <ul style="list-style-type: none"> access to a building that will contain affordable housing units; and, building construction required under a by-law referred to in section 97.1 of the Municipal Act (green roofs). 	<p>Short Term</p> <ul style="list-style-type: none"> CPO staffing resources to assist the area municipalities undertake necessary update to their site plan control by-laws and guidelines to reflect this change and to develop alternative mechanisms and processes for obtaining some of the landscaping and exterior design elements (i.e. zoning, development standards, municipal act by-laws etc.) CPO staffing resource may also be required to update OP policies and subdivision requirements to address matters no longer subject to site plan. <p>Longer term/Ongoing</p> <ul style="list-style-type: none"> The use of alternative, potentially less efficient and flexible tools, to 	<p>Short Term</p> <ul style="list-style-type: none"> Local staffing resources to assist CPO staff with necessary updates to site plan control by-laws, process and guidelines and implement any other new and/or updated mechanisms or processes to adapt to the change. <p>Longer term/Ongoing</p> <ul style="list-style-type: none"> The use of alternative, potentially less efficient and flexible tools, to continue to implement landscaping and exterior design requirements may require the development of additional documents, guidelines and standards to support and require more

<p>The following is also exempted: <i>The appearance of the elements, facilities and works on the land or any adjoining municipal highway is not subject to site plan control, except to the extent that the appearance impacts matters of health, safety, accessibility, sustainable design or the protection of adjoining lands.</i></p> <p>Date of Effect: Nov. 28, 2022</p>	<p>continue to implement landscaping and exterior design requirements may require the development of additional documents, guidelines and standards to support, which will require more staff time to administer and implement.</p>	<p>staff time to administer and implement.</p>
<p>Planning Act – Changes to Parkland Dedication</p> <p>Changes to dedication rates, Parks Plan requirements, statutory exemptions, requirement to spend or allocation of reserve funds, rate freezes, owners ability to identify lands to be dedicated, etc.</p> <p>Date of Effect: Nov. 28, 2022</p>	<p>Short to medium term</p> <ul style="list-style-type: none"> • CPO staff resources to review and update related planning processes and supporting OP policies. 	<p>Short to medium term</p> <ul style="list-style-type: none"> • Staff resources to develop and/or update parks plans, parkland dedication by-laws, deal with LPAT appeals, support increased need for tracking and reporting, etc. <p>Longer term/ongoing</p> <ul style="list-style-type: none"> • Impact of reductions in parkland contributions, cost of LPAT appeals, etc.
<p>Planning Act – Changes to Community Benefit Charges (CBCs)</p> <p>Statutory exemptions (e.g. affordable and attainable housing, etc.) and restricting its application to new development only.</p> <p>Date of Effect: Nov. 28, 2022</p>	<ul style="list-style-type: none"> • CBCs are not currently utilized in Oxford, but are being considered by some area municipalities. • CPO staff resources would be required to assist AMs considering a CBC and develop the required Official Plan policies • Changes are not likely to increase the staff resources that would be required to implement a CBC. 	<ul style="list-style-type: none"> • Similar to those noted in CPO column
<p>Planning Act – Updated requirements for Additional Residential Units (ARUs)</p> <p>Official Plan policies and zoning by-laws cannot prohibit three residential units per lot (3 in the main building, or 2 in main building and 1 in an accessory building) <u>in a fully serviced settlement</u> ('parcel of urban residential land'). Municipalities cannot specify</p>	<p>Short Term</p> <ul style="list-style-type: none"> • CPO staff resources will be required to amend the Official Plan and Zoning By-Laws to reflect this change and assist area municipal staff with updating/implementing any other related local processes; • Still unclear if this will change will impact the permission of ARUs in rural areas and what standards municipalities may still be able to apply (e.g. lot 	<p>Short Term</p> <ul style="list-style-type: none"> • Staff resources to assist CPO with developing any required OP and zoning updates and implement any other local process that may be deemed necessary (i.e. licensing, registration, etc.) <p>Longer Term/On-going</p> <ul style="list-style-type: none"> • As such units are exempt from DCs and parkland dedication, permitting them

<p>minimum unit sizes or more than one additional parking space per unit.</p> <p>Date of effect: Nov. 28, 2022 (also subject to updates to O. Reg. 299/19, which may provide further details)</p>	<p>size standards, confirmation of servicing capacity, maximum unit size, etc.). CPO staff will continue to review and monitor.</p> <p>Longer Term/On-going</p> <ul style="list-style-type: none"> As such units are exempt from DCs, permitting them essentially 'as of right' could increase funding short falls for required municipal services. 	<p>essentially 'as of right' could increase funding short falls for required municipal services and parkland.</p>
<p>Conservation Authorities Act – Eliminate CAs from review of natural heritage and other environmental matters</p> <p>Proposed changes that would prohibit a CA from providing natural heritage related planning review services on behalf of municipalities in relation to applications and process under prescribed Acts.</p> <p>Conservation Authorities would continue to review development applications for 'natural hazards' only.</p> <p>Date of effect: January 1, 2023 (but is still subject to passing of a regulation to prescribe the Acts to which it will pertain)</p> <p>The resource implications in this table are based on assumption that a regulation prescribing the Planning Act and other Acts is enacted.</p>	<p>Short to medium term</p> <ul style="list-style-type: none"> CPO staff resources to review and update planning related processes (i.e. complete application requirements technical guidelines) to clarify when and what natural heritage studies and review are required and front end related requirements. Review and update Official Plan natural heritage related policies to address changes Increased need for project management of peer reviews of environmental requirements Additional resources (i.e. environmental planner, ecologist and/or consulting support) to: scope and review environmental studies; conduct confirmatory field work, establish and monitor implementation of environmental requirements and implementation measures, etc. <p>Longer term/ongoing</p> <ul style="list-style-type: none"> development of supporting technical guidelines and implementation tools Increased costs to County/ Area Municipalities and developers Will require review of planning application and other fees (i.e. peer review fees/deposits) to recoup additional costs. 	<ul style="list-style-type: none"> May be additional demands on staffing resources to work with CPO to update local processes, documents, fees, etc. Resource impacts may be somewhat dependent on which Acts (and related review process) are prescribed through the regulation (i.e. local EAs, Planning Act applications, etc.) This is a change that will likely require ongoing discussions with CPO staff to identify potential local resource impacts and other implications.

<p>Conservation Authorities Act – Increase municipal authority/responsibility for review of natural hazards</p> <p>Proposing to increased role of municipalities in review of natural hazards (i.e. through regulation), etc.</p> <p>Date of effect: regulation not yet enacted</p>	<p>Longer Term/On-going</p> <ul style="list-style-type: none"> • Would likely require additional CPO staffing resources and expertise (i.e. staff and/or consulting support) to evaluate and protect such wetlands and maintain related data and mapping. 	
<p>Proposed Ontario Wetland Evaluation System (OWES) Changes</p> <p>If enacted, municipalities would be largely responsible for evaluating, mapping and protecting wetlands.</p> <p>Date of effect: Not yet known</p>	<p>Longer Term/On-going</p> <ul style="list-style-type: none"> • If this responsibility cannot be assigned to CAs (which now appears very unlikely) would require additional CPO staffing resource to evaluate and protect such wetlands and maintain related data and mapping. 	
<p>Review of the Provincial Policy Statement (PPS)</p> <p>The Province is considering comprehensive revisions to the 2020 PPS and combining it with A Place to Grow (i.e. the GGH growth plan), but no details have yet been provided.</p> <p>The preliminary resource impacts identified by staff assume that significant changes to the PPS will end up being proposed.</p> <p>Date of Effect: Unknown, but anticipated sometime in 2023</p>	<ul style="list-style-type: none"> • Short Term – Similar to the ‘General’ comments above, the significant changes to the PPS that are being proposed will create disruption and uncertainty and require the immediate dedication of senior planning staff resources to review, assess and respond. • Longer term – Some PPS changes take years to fully implement and require significant and sustained planning staff resources. For example, most municipalities are still working to fully implement the 2020 PPS changes and the changes from the previous PPS were limited. The more significant the changes are, the greater the staffing and other resources (e.g. supporting studies, GIS data and analysis, etc.) will be required to implement. 	<ul style="list-style-type: none"> • Longer term - Depending on the scale and nature of the proposed changes, may require local municipal staff support to assist CPO staff in developing appropriate policies, zoning any other tools to try to ensure the PPS policies are implemented in a manner that is reflective of the local context and considerations. May also trigger the need for additional local studies and data/information (i.e. additional costs) to support or implement any revised Official Plan policies that may result.

<p>Changes to Ontario Heritage Act</p> <p>Date of effect: many changes to come into force on a day to be named by proclamation</p>	<p>Short Term</p> <ul style="list-style-type: none"> • None <p>Longer term</p> <ul style="list-style-type: none"> • Staff resources will be required to update Official Plan policies to reflect the changes. Further, if AMs choose to proactively identify and evaluate heritage resources moving forward, they may wish for further assistance from CPO staff. 	<p>Short Term</p> <ul style="list-style-type: none"> • Staff resources to post the Municipal Register on municipal websites and to designate, or remove, any non-designated properties on their register 2 years after Schedule 6 of Bill 23 in force (to be proclaimed). <p>Longer term</p> <ul style="list-style-type: none"> • As the ability to designate heritage resources at time of a Planning Act application has been greatly limited, municipalities may wish to consider more proactive identification and evaluation of heritage resources and related staffing resource impacts (i.e. CPO staffing and/or consulting support)
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Note 1 – Community Planning Office (CPO)
Note 2 – Area Municipalities (AM)

Table 2 - Potential Housing Services Resource Impacts

Change/Proposed Change	Potential Housing Services Impact
<p>Removal of Housing Services as a DC eligible Service</p>	<p>Short term</p> <ul style="list-style-type: none"> • No immediate impacts as the County currently exempts “affordable housing” from paying DCs <p>Longer term</p> <ul style="list-style-type: none"> • Removal of this potential funding tool will impact the County’s ability to consider alternative funding models for affordable housing services in the future. • This may significantly impact the ability of municipalities to plan for, deliver, and financially support affordable housing projects. • Will transfer the cost burden to taxpayers and/or increase the County’s reliance on other funding programs offered through Federal/Provincial governments.
<p>Changes to Affordable Housing Definitions</p> <p>Affordable housing under the Development Charges Act is now defined as a unit whereby rent is no greater than 80% of the Average</p>	<p>Short Term</p> <ul style="list-style-type: none"> • Following issuance of the updated MMAH Bulletin, housing staff will need to review existing housing programs and related agreements (i.e. Home Ownership and My Second Unit) to determine if changes respecting affordability thresholds are necessary.

<p>Market Rent, as well as a home with a purchase price no greater than 80% of the average purchase price according to the bulletin under the Development Charges Act, as published by MMAH.</p> <p>At this time, it is unclear whether the bulletin provided by MMAH will be specific to each Municipality, or in accordance with annual Average Market Rents that are provided for existing Provincially funded housing programs.</p>	<p>Longer Term</p> <ul style="list-style-type: none"> • While long-term financial impacts are not expected from this change, the anticipated Average Market Rents may have a significant impact on the affordability thresholds of existing housing programs, including existing provincially funded affordable housing projects. • Depending on what is contained in the updated MMAH Bulletin, housing staff may need to reevaluate existing program eligibility thresholds, with consideration for greater gaps, and associated needs, along the housing continuum. • As there may be more housing projects that will qualify for the DC exemptions for affordable housing under the new definition, housing staff may be required to administer more agreements, and ensure affordability terms (25 years) are maintained. Administering and monitoring more agreements may increase demand on housing staff resources.
<p>Introduction of new attainable housing definition/exemption</p>	<p>Short term</p> <ul style="list-style-type: none"> • The definition of “attainable housing” has yet to be defined through regulations. However, it is clear the County will need to enter into agreements to ensure attainable units are considered ‘attainable’ at the time they are sold. Administering and monitoring such agreements could increase demands on housing staff and legal fees associated with registering such agreements on title. • Will likely also require the County to consider amendments to existing Housing Facilities By-Laws to include ‘Attainable Housing Units’.
<p>Proposed amendments to rental conversion regulation under the Municipal Act</p>	<ul style="list-style-type: none"> • Once further details on this amended regulation have been released, housing staff will need to complete a review to determine if it would be useful in the context of the County and Area Municipalities and any associated resource impacts.
<p>New parkland dedication requirement and exemptions for Affordable, Attainable, and Non-Profit Housing</p>	<ul style="list-style-type: none"> • It is expected that there will be increased demands on housing staff resources to assist Area Municipalities with confirming such units for the purposes of ensuring parkland reductions/exemptions are applicable. This will include confirmation of related agreements, if applicable.