

## More Homes Built Faster Act, 2022 (Bill 23)

Presented To:	City Council
Meeting Date:	January 24, 2023
Type:	Managers' Reports
Prepared by:	Ed Landry Planning Services
Recommended by:	General Manager of Growth and Infrastructure

## Report Summary

This report provides a summary of the More Homes Built Faster Act, 2022 (formerly – ‘Bill 23’), the implications of the legislation on the City’s current by-laws and processes and seeks direction on next steps for implementation, including proposed amendments to the City’s Official Plan, Zoning By-law and Site Plan Control By-laws.

## Resolutions

### Resolution 1:

THAT The City of Greater Sudbury directs staff to commence public consultation on draft Official Plan and Zoning By-law amendments to implement *the More Homes Built Faster Act, 2022* and return at a Public Hearing under the Planning Act, as described in the report entitled “More Homes Built Faster Act, 2022 (Bill 23)” from the General Manager, Growth and Infrastructure, presented at the January 24, 2023, Council Meeting.

### Resolution 2:

THAT The City of Greater Sudbury directs staff to return to Planning Committee with proposed amendments to the City’s Site Plan Control By-law to implement the *More Homes Built Faster Act, 2022* by the end of Q2, 2023, as described in the report entitled “More Homes Built Faster Act, 2022 (Bill 23)” from the General Manager, Growth and Infrastructure, presented at the January 24, 2023, Council Meeting.

### Resolution 3:

THAT The City of Greater Sudbury directs staff to return to Planning Committee no later than Q3, 2023, with recommendations regarding implications of the *More Homes Built Faster Act* on the properties listed on the City’s Heritage Register, as described in the report entitled “More Homes Built Faster Act, 2022 (Bill 23)” from the General Manager, Growth and Infrastructure, presented at the January 24, 2023, Council Meeting.

### Resolution 4:

THAT The City of Greater Sudbury directs staff to return no later than Q3, 2023 with recommendations regarding a parkland dedication by-law, as described in the report entitled “More Homes Built Faster Act, 2022 (Bill 23)” from the General Manager, Growth and Infrastructure, presented at the January 24, 2023, Council Meeting.

## **Relationship to the Strategic Plan, Health Impact Assessment and Community Energy & Emissions Plan (CEEP)**

The changes brought in by the More Homes Built Faster Act are consistent with Council's goal of improving access to for all citizens, to safe, affordable, attainable and suitable housing options.

The changes most align with the compact, complete communities goal of the CEEP. Specifically, the Act will have the effect of promoting infill developments and facilitating the creation of a range of dwelling types across the housing continuum.

## **Financial Implications**

The More Homes Built Faster Act calls for several changes to planning policies, development financing and the Conservation Authorities Act with the goal of building 1.5M new homes in the Province in the next 10 years. While the full effects of the legislation are still unknown, there will be financial implications which shift the growth-related costs associated with new housing developments from the developer to existing taxpayers. This impact is estimated to be approximately \$7.5M over the next several years, depending on regulations still to be released.

Greater Sudbury had already made some of the changes the Act contemplates, and our current planning policies have taken some of the directions anticipated by the new legislation, so the impact on our municipality is less than some others but still carries the cost in terms of lost fees from developers for the growth-related capital costs of development; things like traffic signalization, additional roadway lanes, studies and plan development costs.

## **Background**

### **Housing Supply, Demand and Current Policy Framework in Greater Sudbury**

One of the goals of the *More Homes Built Faster Act* is the facilitation of housing creation to meet the Province's target of creating 1.5 million homes in Ontario over the next 10 years as part of the Provincial [Housing Supply Action Plan](#). Therefore, it is important to understand Greater Sudbury's role in achieving the Province's target, the current supply of land in the City approved for residential development and the steps that the City has already taken to address housing creation in Greater Sudbury.

### ***Housing Supply and Demand***

The City maintains Population, Household and Employment Projections and updates them every five years following the release of new Census information. Work is currently underway to update these projections with 2021 Census information, however, preliminary estimates indicate that the City will require approximately 3,800 new residential units of various types (single detached, townhouse, apartments, etc.) and levels of affordability over the next 10 years.

From a housing supply side, the City regularly approves new housing development in the form of draft approved subdivisions, site plans and building permits. It is estimated that there are approximately 6,300 residential units that have been approved by the City through draft approved subdivisions and site plans that have yet to be constructed. This number is conservative as it does not include residential "as of right" permissions that have recently been increased through the City's policy work.

From a housing creation perspective, the City has issued, on average, building permits for 380 new [residential units annually](#) over the last five years, with 2020 to 2022 seeing well over 400 units created per year.

Based on the above, there is a sufficient supply of existing residential development approvals to meet the projected demand over the next ten years. Additionally, new housing creation over the past number of years has been strong and should this trend continue, the City should have no issues meeting the anticipated need of 3,800 new residential units over the next 10 years.

### ***Housing Policy Framework***

The City of Greater Sudbury is committed to promoting an appropriate range of housing types and densities, including affordable housing, to maintain and enhance a healthy and complete community. In addition to approving new housing developments, the City also actively engages in the facilitation of housing creation through its land use planning policy work and has developed an [Affordable Housing Strategy](#) that includes a number of initiatives to achieve this goal.

Financial incentives for housing creation are available through Community Improvement Plans (CIP), primarily the [Strategic Core Areas CIP](#) and the [Affordable Housing CIP](#). The City recently increased the incentives for housing creation in the Strategic Core Areas CIP and a review of the Affordable housing CIP is scheduled for 2023.

The City is also actively increasing the potential supply of housing through Official Plan and Zoning policy changes intended to create more housing permissions or “as of right zoning” in strategic locations or of a certain built form (secondary units). Examples of this include the City’s Nodes and Corridors strategy and recent policy changes along [Lasalle Boulevard](#) in addition to the City facilitating the creation of second units through policy over the last several years.

In 2019, the City adopted a new [Development Charges By-law](#) that provides for development charge (DC) reductions and exemptions on secondary units, affordable housing units, units within the strategic core areas and multi-residential units in the City’s Nodes and Corridors areas. The by-law also includes a development charge deferral program.

In 2022, the City successfully applied to the [Province’s Streamline Development Approvals Fund](#) (SDAF) and received \$1,750,000 to complete a [number of projects](#) that streamline housing development including the development and implementation of an electronic permitting system (LMIS). Further, staff undertake regular outreach meetings with development stakeholders and through the Development Liaison Advisory Committee (DLAC) to promote policy changes and receive feedback on City processes.

In summary, the City has taken many steps over the past few years to facilitate the creation of new housing in general and affordable housing in particular. Many of these previous steps align with the new regulations in the *More Homes Built Faster Act*. Additionally, the City’s current supply of approved housing developments and properties with “as of right” zoning, along with housing creation trends over the last five years, demonstrate that Greater Sudbury is well positioned to meet its projected needs and share of the Province’s housing target over the next 10 years.

### **More Homes Built Faster Act, 2022 (Bill 23)**

Introduced for first reading on October 25, 2022, the [More Homes Built Faster Act, 2022](#) (the “Act”) received Royal Assent on November 28, 2022. The Act is seen as the second step toward implementing the findings of the Province’s [Housing Affordability Task Force](#). The government had indicated that it would use the balance of the task force report as a long-term road map for upcoming statutory, policy and regulatory changes. The Act introduces various amendments to multiple statutes including: City of Toronto Act, 2006; Municipal Act, 2001; Planning Act; Development Charges Act, 1997; Conservation Authorities Act; Ontario Heritage Act.

Bill 23 is a continuation of housing related legislation that the Province has introduced over the past couple of years. The City had previously amended its land use planning documents related to Bill 108, Bill 109 and Bill 13. Specifically, pursuant to Bill 108, the [City amended](#) its official plan and zoning by-law to allow for tertiary

residential units, and to conform with new provincial requirements and restrictions around parking for such units. Regarding Bill 109, amendments were made to introduce complete application requirements for site plan control applications. Regarding Bill 13, the [City introduced policy](#) which would enable the delegation of power to pass by-laws to staff to remove holding “H” symbols (holding by-laws); authorize the temporary use of land, buildings or structures (temporary use by-laws); and to pass housekeeping by-laws for the purpose of making clerical or other changes to assist in the interpretation of the zoning by-law.

Most of the changes brought in with the *More Homes Built Faster Act, 2022* came into effect on November 28, 2022. These changes include: new thresholds around designating and including properties on the City’s heritage register; limiting third-party appeals on Planning Act applications; exempting residential development of 10 residential units or less from site plan control; reducing the parkland dedication requirements and rates related to residential development; removing public meeting requirements for draft plans of subdivision; requiring that no official plan have policies that prohibit secondary and tertiary units on “parcels of urban residential land” (i.e. fully-serviced lands); and more.

Changes to come into effect on January 1, 2023, include: restricting the Conservation Authority from appealing Planning Act decisions, refocusing the mandate of the Conservation Authority as a commenting agency regarding natural hazards.

Changes to come into effect at a date to be proclaimed by the Lieutenant Governor include: new development-charge and parkland dedication exemptions related to affordable and attainable housing.

The City of Greater Sudbury is not affected by some changes to the legislation, including removing certain planning approvals from upper-tier municipalities, and changes affecting Protected Major Transit Station Areas. It is anticipated that the City’s relationship with the Conservation Authority will remain largely unchanged from a development approval standpoint. In a number of cases, the City has already made changes that align with the new legislation, including allowing tertiary units and exempting secondary tertiary units and exempting secondary units and affordable housing projects from development charges.

Estimated development charges revenue loss due to new exemptions, discounts and ineligible costs total approximately \$7.5 million over the next several years. The main drivers of the estimated revenue loss are:

1. Approved DC rates phase-in for first 4 years (20% to 5% reduction) on next DC by-law in 2024. This phase-in applies to all DC rates (residential, industrial, and non-industrial).
2. Studies are ineligible capital costs on next DC background study & by-law.
3. Potential for land purchases to be ineligible capital costs on next DC background study & by-law.

These are the main drivers understood at this point in the evolution of this new legislation and does not include impact from changes that cannot currently be estimated, for example rental unit development discounts and non-profit housing exemptions. These estimates will be subject to any further changes described in subsequent regulations, as well as the new DC background study and by-law to be passed in 2024. The decrease in development charges revenue will need to be offset by increased funding by existing taxpayers and ratepayers.

While the City is well positioned to respond to much of the new legislation, amendments to the Official Plan, zoning by-law, site plan control by-law and development charges by-law will be required. Process changes will also be required along with updates to the City’s Heritage Register. The following tables outline the changes required by the *More Homes Built Faster Act, 2022*, and their level of impact on the City of Greater Sudbury policies and procedures, along with recommendations on next steps for the City to take to bring documents and processes into conformity with the Act.

## **Summary and Next Steps**

The *More Homes Built Faster Act* received Royal Assent on November 28, 2022. Many of the changes brought in by the Act came into effect upon passage with further details to be outlined in upcoming regulations, which have yet to be published as of the preparation of this report. The legislation will require the City to amend several by-laws and processes, which are outlined in this report. In the interim, where there is conflict between the City's by-laws and the new legislation, the Act will prevail.

**PLANNING ACT**

Issue	Proposed changes	In effect date	Staff Analysis and Comment
<p><b>Inclusionary Zoning/Affordable and Attainable Housing</b></p>	<p>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 inclusionary zoning units from DC, CBCs and parkland dedication</p>	<p>Nov. 28, 2022</p>	<p>Minor Impact.</p> <p>The City has already taken the step of exempting secondary and tertiary units from development charges.</p> <p>The City does not have Protected Major Transit Station Areas and therefore inclusionary zoning requirements of the Planning Act do not apply.</p> <p>The City does not have community benefit charge policy in place.</p> <p>See further below for more information on Development Charges Act changes.</p>
<p><b>Subdivision approvals</b></p>	<p>Public meetings no longer will be required for applications for approval of a draft plan of subdivision</p>	<p>Nov. 28, 2022</p>	<p>Moderate Impact.</p> <p>The Planning Act contains provisions that allow municipalities to provide notice of the required public meetings for Official Plan and Zoning By-law amendments in a different manner than those prescribed in the Act and its regulations, provided that an alternative method is contained in the municipality's Official Plan. These provisions are found in Section 19.11 of the City's Official Plan.</p> <p>Bill 108, the More Homes, More Choices Act, passed in 2019, amended the Planning Act to limit the right of appeal of a plan of subdivision to the Province, the municipality, the applicant and utility companies.</p> <p>The More Homes Built Faster Act deleted ss51(20) of the Planning Act which required municipalities to hold at least one public meeting. The City's Official Plan currently requires a Public Meeting prior to the approval of a draft plan of subdivision.</p>

			<p>Recommendation:</p> <p>Staff recommend that the Official Plan be amended to remove the requirement for a public hearing on plan of subdivision applications pursuant to the changes to the Planning Act.</p> <p>Rationale:</p> <p>The policy framework for future subdivisions is found in the City's Official Plan, and the specific permissions are outlined in the City's Zoning By-law. Both frameworks followed a robust public engagement process. Furthermore, lands currently zoned Future Development would have to be rezoned prior to the subdivision process. A subsequent public meeting for a draft subdivision approval may be seen as a duplication in process.</p> <p>Under the above process, draft plans of subdivision would proceed to Planning Committee for a decision by way of a managers report instead of a public hearing. All other facets of the approval process would remain the same.</p>
<b>Third-party appeals eliminated – minor variances and consents</b>	No one other than the applicant, the municipality, certain public bodies, and the Minister will be allowed to appeal minor variance or consent decisions.	Nov. 28, 2022	<p>Minor Impact.</p> <p>Notices of decision related to Minor Variances and Consent Applications have been amended accordingly as of November 28, 2022.</p> <p>No further changes required at this time.</p>
	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		There are currently no appeals affected by this change.

<p><b>Gentle Density/Intensification</b></p>	<p>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</p>	<p>Nov. 28, 2022</p>	<p>Minor Impact.</p> <p>The City amended its official plan and zoning by-law to allow second units as of right in most areas of the community in 2016. The City introduced tertiary unit policies in 2020, following new provincial requirements under Bill 108. The City therefore already goes beyond the new changes brought in by the More Homes Built Faster Act, which restricts municipalities from prohibiting such uses in fully-serviced areas of municipalities. The major change between the Act and what is currently permitted under the City's current policies is the ability to have 3 units in a building and none in accessory units, where as the City currently permits one additional unit in the primary dwelling and an additional (or third) unit in an accessory building.</p> <p>Next step:</p> <p>Official Plan and Zoning By-law will need to be amended to be in compliance with the Act. The policy question to be researched is whether secondary and tertiary units should be permitted as of right in partially serviced and/or privately serviced areas.</p>
	<p>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</p>		<p>No Impact.</p> <p>The City currently exempts secondary and tertiary units from development charges. No changes required.</p> <p>An additional change requires that no one than more parking spot may be required for secondary or tertiary units. This is consistent with existing zoning by-law provisions.</p>
<p><b>Site plan control</b></p>	<p>Developments of up to 10 residential units will be exempted from site plan control</p>	<p>Nov. 28, 2022</p>	<p>Moderate Impact.</p> <p>Recommendation:</p>



			<p>That staff return no later than the end of Q2, 2023 with proposed amendments to the Site Plan Control By-law and associated guides to bring them into compliance with the Act.</p> <p>The City will also need to amend the Official Plan to remove the reference to site plan control provisions for waterfront development as the new legislation will no longer allow municipalities to use this tool in residential applications of less than 10 units.</p>
	<p>Architectural details and landscape design aesthetics will be removed from the scope of site plan control</p>	<p>Nov 28 2022</p>	<p>Moderate Impact.</p> <p>Prior to the passing of the Act, the City had the ability to require landscape design as part of site plan approval. This ability has now been removed.</p> <p>Recommendation:</p> <p>That the City strengthen the existing landscaping provisions in the Zoning By-law so that they can be enforced through the building permit process, including:</p> <p>Amend the zoning bylaw to add the following:</p> <ol style="list-style-type: none"> <li>1. Add a definition for Opaque Fence. Opaque Fence – a fence constructed of a durable solid material, and does not include fabric attached to or slats woven through chain-link fencing</li> <li>2. Add to section 4.15.1 General Landscaped Open Space Requirements - Where landscaped open space is required along a public road it shall include, at minimum, a continuous row of trees planted 6 m apart on centre and/or groupings of an equivalent number of trees. Deciduous trees shall have a minimum planted caliper of 70 mm measured at 150 mm above the ground and coniferous trees shall have a minimum planted height of 1.6 m.</li> </ol>

			<p>3. Revise section 4.15.5 b) to read “A continuous hedgerow or evergreens, bushes or shrubs. Hedgerow species must be planted with a minimum of 1.0 m in height and spaced apart at a maximum of 600 mm on centre.</p>
<b>Attainable and Affordable Housing</b>	Introduce a category of “attainable housing” which will be defined in future regulations	TBD	<p>Uncertain Impact.</p> <p>The term “attainable” is to be defined and regularly set by the Province at a later date. Staff will continue to monitor as regulations are released.</p>
	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)	TBD (regulation not yet in force)	<p>No impact as the City does not have inclusionary zoning policies in place.</p> <p>Staff will continue to monitor</p>
<b>Parkland</b>	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	Nov. 28, 2022	<p>No Impact.</p> <p>For residential development, the City typically requests up to 5% of parkland or cash-in-lieu, pursuant to the Planning Act. Given the current supply of parks in the community, the City has mainly been requesting the cash-in-lieu of parkland.</p>
	Maximum alternative dedication rate reduced to 1 ha/600 units for land and 1 ha/1000 units for cash in lieu	Nov. 28, 2022	<p>Minor Impact.</p> <p>The City’s Official Plan establishes an alternative dedication rate, which is rarely used, for higher density development. For residential development greater than 36 units per hectare, the City calculates the rate at 1 hectare per 500 dwelling units.</p> <p>Recommendation:</p>

			Staff recommends removing the parkland conveyance policies from the Official Plan and placing them within a parkland dedication by-law. Any future changes to the Act can be more easily integrated by amending a by-law, compared to amending the Official Plan.
	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	Nov. 28, 2022	<p>Minor Impact.</p> <p>The mechanics of calculating parkland rates would be within purview of new proposed parkland dedication by-law. Further changes may also include new complete application provisions in the City's Official Plan to determine parkland contributions at the time of application as well as changes to early consultation guides and application forms (SPART process).</p>
	Encumbered parkland/strata parks, as well as privately owned publicly accessible spaces (POPS) to be eligible for parkland credits	TBD	<p>Minor Impact.</p> <p>This occurs when a publicly accessible green space, for example, is included in a private development. The space provided would be credited towards parkland credits. This rarely happens in Greater Sudbury.</p>
	Landowners can identify land they intend to provide for parkland, with the municipality able to appeal to the Tribunal if there is a disagreement	TBD	<p>Minor Impact.</p> <p>Staff is currently working on Subdivision Parkland Guidelines which will help provide expectations and standards regarding parkland development in Greater Sudbury.</p> <p>Further to this, the Parks, Open Space and Leisure Master Plan also outlines what is acceptable and expected in terms of parkland (e.g., corner lots, unencumbered, CPTED, visibility, etc.)</p>
	Parks plans to be required prior to the passing of any future parkland dedication by-law (would not apply to by-laws already passed)	Nov. 28, 2022	<p>Minor Impact.</p> <p>As noted above, the Parks, Open Space and Leisure Master Plan established standards regarding the provision of parks in the community.</p>

			<p>Recommendation</p> <p>Staff will base a new Parkland Dedication by-law on the standards set out in Parks, Open Space and Leisure Master Plan.</p>
	Parkland dedication will apply to new units only (i.e., no dedication can be imposed for existing units)	Nov. 28, 2022	<p>Minor Impact.</p> <p>The potential scenarios contemplated by this change include situations where parkland dedication is requested when a provisional consent is granted to transfer properties that have merged on title, or when existing development is converted to a condominium.</p> <p>Staff will address these issues in the proposed parkland dedication by-law and clarified in guide and application forms where applicable.</p>
	Municipalities will be required to spend or allocate 60% of parkland reserve funds at the start of each year	Nov. 28, 2022	<p>Neutral Impact</p> <p>The parkland reserve fund is approximately \$900K. This figure is reported every year through the budget process.</p> <p>The budget process continues to provide Council with the opportunity to prioritize capital projects related to, for example, the playground revitalization strategy or parkland gaps.</p>
<b>Rental Replacement</b>	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	Nov. 28, 2022	<p>Minor Impact.</p> <p>The Official Plan currently contains policies (Section 17.2.8) that regulate the conversion of rental units into condominium ownership. Staff will continue to monitor the development of any additional Provincial regulations.</p>

**DEVELOPMENT CHARGES ACT, 1997**

Issue	Proposed changes	In force date	Staff Recommendation
	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. Applies to DC by-laws passed after January 1, 2022	Nov. 28, 2022	<p>Future high impact.</p> <p>Does not apply to the current DC by-law since it was passed prior to January 1, 2022. Would apply to a new DC by-law that is scheduled to come into effect in 2024. This decrease in DC revenue will need to be offset by an increased funding by existing taxpayers and ratepayers for the growth portion of capital projects.</p>
	Historical service level for DC-eligible capital costs (except transit) extended from 10 to 15 years	Nov. 28, 2022	<p>Future Impact.</p> <p>Include in the next DC background study. Does not apply to the current DC by-law.</p> <p>Financial impact will be determined when completing next DC background study. It is anticipated it will reduce the DC calculated rates for these areas which will result in lower DC revenues that will need to be offset by increased funding from existing taxpayers and ratepayers.</p>
	DC by-laws will expire every 10 years, instead of every five years. By-laws can still be updated any time	Nov. 28, 2022	<p>Future Impact.</p> <p>Does not apply to the current by-law which expires June 30, 2024. A new DC background study and update to the DC by-law is scheduled to be completed in 2024.</p>
	Cap the interest paid on phased DCs for rental housing and institutional development to prime plus 1%	Nov. 28, 2022	<p>No impact.</p> <p>Based on Council direction, the City currently charges 0% interest on DC instalments.</p>
	Exemptions for existing rental residential buildings and a range of residential units in existing and new houses	Nov. 28, 2022	<p>Minor Impact.</p> <p>Staff now implementing the exemption as of effective date</p>
	Exemptions for non-profit housing	Nov. 28, 2022	<p>High Impact</p> <p>Staff now implementing the exemption as of effective date and total financial impact each year would depend on quantity of non-profit housing units that meet the definition in DC Act.</p>

			<p>This decrease in DC revenue will need to be offset by an increase in costs to be funded by existing taxpayers and ratepayers.</p>
	<p>Discounted DC rates for purpose built rental housing development (defined as 4 or more residential units) based on number of bedrooms proposed.</p> <p>The reductions are: 25% for 3 or more bedrooms; 20% reduction for 2 bedrooms; 15% reduction for all units below 2 bedrooms.</p>	Nov. 28, 2022	<p>High Impact.</p> <p>Total financial impact each year would depend on quantity of rental housing units along with proposed number of bedrooms.</p> <p>This decrease in DC revenue will need to be offset by an increase in costs to be funded by existing taxpayers and ratepayers.</p>
	<p>Exemptions for affordable and attainable housing</p> <p>Prescribes developments and criteria related to attainable residential units.</p>	TBD	<p>Future Impact.</p> <p>Staff to implement the exemption once in effect. Implementation depends on the Minister developing a definition of “attainable residential unit” as well as bulletins to establish eligibility (including market rents and purchase prices) and (possibly) standard forms of agreement to assist with administration. Until the definition of “attainable” is developed the financial implications are unknown.</p>
	<p>New regulation authority to set services for which land costs would not be an eligible capital cost recoverable through DCs</p>	TBD	<p>Future (potentially high) Impact.</p> <p>To be included in next DC background study should it be in effect. If land costs for growth related capital costs are determined to be ineligible capital costs – it will result in lower DC rates and lower DC revenue to be collected.</p> <p>This decrease in DC revenue will need to be offset by an increase in costs to be funded by existing taxpayers and ratepayers.</p>
	<p>Rules for front ending agreements as they relate to affordable and attainable residential units</p>	TBD	<p>Future Impact.</p> <p>Staff to implement rules once in effect.</p>
	<p>Exclude the cost of studies (including background studies) from recovery through DCs.</p>	Nov. 28, 2022	<p>Future High Impact.</p>

			<p>Include in the City's next DC background study. Does not apply retroactively, so the City can continue to collect DCs for studies under the current by-law.</p> <p>On the next DC by-law, this change will result in lower DC rates which means lower DC revenue.</p> <p>This decrease in DC revenue will need to be offset by an increase in costs to be funded by existing taxpayers and ratepayers.</p>
	Exclude the cost of housing services from recovery through DCs	Nov. 28, 2022	<p>No Impact.</p> <p>The City does not currently recover the costs of housing services through DCs.</p>
	Spend at least 60% of DC reserves for priority services (i.e., water, wastewater and roads)	2023	<p>No Impact.</p> <p>DC funds collected for water, wastewater and roads are spent every year.</p> <p>Additional services may be prescribed by regulation. Staff will continue to monitor.</p>

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**ONTARIO HERITAGE ACT**

Issue	Proposed changes	In force date	Staff Recommendation
	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	TBD	<p>Minor Impact.</p> <p>Council has been diligent in identifying properties with cultural heritage value or interest and listing them on the heritage register or designating under Part IV of the Ontario Heritage Act. As long as this process is continued, no impact is anticipated.</p>
	Heritage registers to be reviewed and a decision made whether listed properties are to be designated, and if not, removed from the register. Listed properties can only remain on the heritage register for two years.	TBD	<p>Moderate Impact.</p> <p>There are only seven properties currently listed on the heritage register. Staff are reviewing properties listed on the municipal heritage register and preparing to consult</p>

			with the Museums and Heritage Advisory Panel before coming to Council with a recommendation for next steps. Additional rules will be included in the regulations, which have not been released yet.
	A process is proposed which will allow Heritage Conservation District Plans to be amended or repealed	TBD	No Impact.  The City currently does not have Heritage Conservation Districts.
	Criteria for Heritage Conservation District Plans can be established for regulation	TBD	No Impact.  See above.

#### ONTARIO LAND TRIBUNAL ACT, 2021

Issue	Proposed changes	In force date	Staff Recommendation
<b>Ontario Land Tribunal procedures</b>	The Tribunal will have increased powers to order costs against a party which loses a hearing at the Tribunal	All OLT Act changes not yet in force – date TBD	OLT matters are not within the City’s purview and are provided for information only.
	The Tribunal is being given increased power to dismiss appeals for undue delay		
	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		

#### NEW HOMES CONSTRUCTION ACT, 2017

<b>Consumer protection</b>	Proposed increases to penalties under the New Homes Construction Licensing Act, 2017 of up to \$50,000	Nov 28	This matter is not within the City’s purview and is provided for information only.



**CONSERVATION AUTHORITIES ACT**

Issue	Proposed changes	In force date	Staff Recommendation
<b>Conservation Authorities</b>	Permits will not be required within regulated areas (including wetlands) for activity that is part of a development authorized under the Planning Act for prescribed municipalities, as determined in a future regulation	<b>TBD</b>	<p>Minor Impact.</p> <p>Conservation Authority comments will still be addressed through the development review process under the Planning Act.</p> <p>Financial impact may result from NDCA requesting additional funding from property tax levy to offset decrease in permit revenues.</p>
	A single regulation is proposed for all 36 Authorities in the province	<b>TBD</b>	This is an operational matter for the Conservation Authority
	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	<b>January 1, 2023</b>	<p>No Impact.</p> <p>Conservation Sudbury currently focuses solely on their core mandate which is natural hazards and flooding. No operational changes are anticipated with respect to Planning Act approvals.</p>

