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November 24, 2022

Via ERO Website and Email

RE: Halton Region's Submissions in Response to ERO Postings Related to Proposed Changes to the Provincial Planning Framework – Bill 23 and More Homes, Built Faster: Ontario's Housing Supply Action Plan

Thank you for the opportunity to provide input with respect to the proposed changes presented in Bill 23, *More Homes Built Faster Act, 2022* and More Homes, Built Faster: Ontario's Housing Supply Action Plan. Halton Region welcomes the opportunity to participate in the Government of Ontario's request for comment on this initiative.

The Province is to be commended for advancing initiatives in support of our shared goal of addressing housing supply and affordability. While there are some positive aspects of Bill 23, many of the proposed changes would run counter to this goal and result in negative consequences, ultimately limiting the ability to advance housing supply. For example the changes would:

- significantly alter roles and responsibilities within the land use planning system causing unnecessary confusion, ultimately delaying increases to the supply of housing;
- introduce significant uncertainty in planning and building infrastructure and services required to support significant growth in Halton's housing supply;
- reduce development charge funding and other development financing necessary to pay for the infrastructure required to support this significant growth of new housing;
- eliminate the ability to collect development charges to support the delivery of critical assisted housing for vulnerable populations; and
- advance changes to planning policies and processes that do not have a clear or direct connection to increasing the supply of housing.

This letter and the attachment on the following ERO postings represent Halton Region's submissions on these postings.

Type	ERO #	ERO Posting Name
Information Bulletins	019-6162	Consultations on More Homes Built Faster: Ontario's HSAP 2022-2023
	019-6167	2031 Municipal Housing Targets
Legislation	019-6141	Legislative and regulatory proposals affecting conservation authorities to support the Housing Supply Action Plan 3.0
	019-6163	Proposed Planning Act and City of Toronto Act Changes (Schedules 9 and 1 of Bill X - the proposed More Homes Built Faster Act, 2022)
	019-6172	Proposed Planning Act and Development Charges Act Changes: Providing Greater Cost Certainty for Municipal Development-related Charges
	019-6192	Supporting Growth and Housing in York and Durham Regions Act, 2022
	019-6196	Proposed Changes to the Ontario Heritage Act and its regulations: Bill 23 (Schedule 6) - the Proposed More Homes Built Faster Act, 2022
Regulations	019-2927	Proposed updates to the regulation of development for the protection of people and property from natural hazards in Ontario
	019-6173	Proposed Amendment to O. Reg. 232/18: Inclusionary Zoning
	019-6197	Proposed Changes to Ontario Regulation 299/19: Additional Residential Units
	019-6211	Proposed Changes to Sewage Systems and Energy Efficiency for the Next Edition of Ontario's Building Code (45 Days / 2022-12-09
Policy	019-6160	Proposed Updates to the Ontario Wetland Evaluation System
	019-6161	Conserving Ontario's Natural Heritage
	019-6167	Proposed Revocation of the Parkway Belt West Plan
	019-6174	Proposed Revocation of the Central Pickering Development Plan
	019-6177	Review of A Place to Grow and Provincial Policy Statement

We would be pleased to set up a meeting to discuss any aspect of our submission at your convenience.

Sincerely,

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CONSOLIDATED COMMENT CHART ERO's RELATED TO BILL 23/MORE HOMES BUILT FASTER ACT

CONTENTS

CONSOLIDATED COMMENT CHART ERO's RELATED TO BILL 23/MORE HOMES BUILT FASTER ACT

A) BULLETINS

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
ERO#: 019-6162 Consultations on More Homes Built Faster: Ontario's Housing Supply Action Plan 2022-2023	**Bulletin summary** The Province is seeking feedback on potential legislative changes, regulatory changes, policy and other matters to help the government achieve its goal of building 1.5 million homes over the next ten years as part of More Homes Built Faster: Ontario's Housing Supply Action Plan: 2022-2023.	No Comments.
ERO#: 019-6167 2031 Municipal Housing Targets	**Bulletin summary** The Province has assigned housing targets to 29 selected lower- and single-tier municipalities in Southern Ontario. These selected municipalities will work towards achieving these targets by 2031. Budget 2022 introduced a target of building 1.5 million new homes in the Ontario over the next 10 years. To help deliver on this commitment, the government has assigned municipal housing targets to selected lower- and single-tier municipalities. Twenty-nine large and fast-growing lower- and single-tier municipalities in southern Ontario with a population projected to be over 100,000 by 2031 have been assigned targets. Targets are based on current population as well as 2011 to 2021 growth trends. Municipalities located in Ontario's largest and fastest-growing Census Divisions have been allocated the greatest share of the total 1.5 million new homes target. The selected municipalities make up 80% of Ontario's current population. A total of 1,229,000 of the total 1,500,000 new homes target for Ontario has been allocated to these municipalities. Municipal Housing Pledges will identify the tools and strategies that municipalities intend to use to achieve their housing targets. Pledges may include, but are not limited to, priorities for site-specific planning decisions to expedite housing in priority areas, plans to streamline the development approval process, commitments to plan, fund and	**Recommendation:** 1. Provide more information on the methodology used to establish the new targets for 2031. 2. Confirm how infrastructure will be planned and funded in the absence of upper-tier official plans (inability to secure land and infrastructure through upper-tier approvals, and reduced funding as a result of reduction in development charges). 3. Clarify how Municipal Housing Pledges will ensure landowners and developers will also adhere to achieve the new municipal housing targets. 4. To ensure new housing targets can be implemented and accommodated with all necessary infrastructure (e.g. water and wastewater), any changes to municipal growth targets should occur as part of a comprehensive planning process to ensure integrated planning and infrastructure development is in place to support development of complete communities. **Comments:** These are ambitious targets that hinge on factors beyond improvements to municipal processes. Other factors outside of municipal process and control include labour shortages, supply chain issues, rising construction and material costs, landowner decisions, and provincial and federal economic

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
	build critical infrastructure to support housing, and strategies to use municipal surplus lands.	policies. While Municipal Housing Pledges may encourage more approvals, it will not guarantee actual development of approved housing units by the landowners or developers. It is unclear if the new target is in addition to the Growth Plan targets (re: Schedule 3 of the Growth Plan) or if the targets are part of them. As proposed, the targets would substantially shift housing market growth assumptions and forecasts that Halton Region has recently implemented through the Region's Regional Official Plan Review (ROPR) Integrated Growth Management Strategy (IGMS) process informed and supported by technical studies that have been completed by the Region.

B) LEGISLATIVE AND REGULATORY PROPOSALS AFFECTING CONSERVATION AUTHORITIES TO SUPPORT THE HOUSING SUPPLY ACTION PLAN

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
ERO#: 019-6141 Legislative and regulatory proposals affecting conservation authorities to support the Housing Supply Action Plan 3.0 Related ERO#: 019-2927	**Proposal summary** Legislative and regulation changes under the Conservation Authorities Act to streamline processes, provide clarity and certainty for development, and focus on conservation authorities' natural hazards mandate. **Background** Ontario is proposing a series of legislative and regulatory changes affecting conservation authorities to support Ontario's Housing Supply Action Plan. This would accelerate housing development approvals while continuing to protect Ontario families, communities, and critical resources. The proposed changes would further focus conservation authorities on their core mandate, support faster and less costly approvals, streamline conservation authority processes and help make land suitable for housing available for development.	Please refer to recommendations and comments below.

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
	Proposed updates to the regulation of development for the protection of people and property from natural hazards in Ontario (legislative changes) Focusing development approvals under the *Conservation Authorities Acton* the risk of natural hazards, including flooding, and addressing their relationship to municipal land use planning delivers on the commitments and objectives outlined in Ontario's Flooding Strategy. The proposed legislative changes to the *Conservation Authorities Act,* if passed, would: • enable the exemption of development authorized under the *Planning Act* from requiring a permit under the *Conservation Authorities Act* in municipalities set out in regulation, where certain conditions are met as set out in regulation • remove the terms "conservation of land" and "pollution" and add the terms "unstable soils and bedrock" while also maintaining "flooding", "erosion", and "dynamic beaches" to the matters considered in permit decisions • update the timeframe after which an applicant may appeal the failure of the conservation authority to issue a permit to the Ontario Land Tribunal from 120 days to 90 days • require conservation authorities to issue permits for projects subject to a Community Infrastructure and Housing Accelerator order under section 34.1 of the *Planning Act* and allowing the Minister to review and amend any conditions attached to those permits • with regards to permits issued where a zoning order has been made under the *Planning Act (under section 34.1 or 47):* o extend the existing regulation making authority of the Minister to prescribe conditions on a permit issued by a conservation authority where there is a Minister's Zoning Order, to enable the Minister to also prescribe limits on what conditions a conservation authority may include o specify that where the Minister has made a regulation allowing development to begin prior to an ecological compensation agreement being signed and has set a date	**Recommendation:** 1. Provide opportunities for ongoing collaboration and coordination with municipalities and Conservation Authorities (through the Conservation Authorities Working Group) on the proposed changes to develop more consistent, streamlined approvals for housing supply and to ensure public safety and costs are not compromised by natural hazards. 2. Natural hazards responsibilities including permitting and proposals should be delegated to Conservation Authorities as they have technical expertise that municipalities do not have nor the capacity to take on this responsibility. 3. Freezing fees for Conservation Authorities permitting and proposals should only be considered if the program or service exceeds full cost recovery. 4. Consultation with the public should be included in the regulatory changes for any future disposition of Conservation Authority lands and require that these lands do not include natural hazards and significant natural features in order to limit impacts to people and new housing supply from flooding or other natural hazards. **Comments:** Conservation authorities, in collaboration with Halton Region and local municipalities, have and will continue to clarify roles and responsibilities as well as solutions to streamline development applications to support housing supply. Prior to the release of legislative and regulatory changes for conservation authorities, the recommendations above should be considered.

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
	by which it must be signed, the development may not continue if the agreement has not been reached within the time period outlined in regulation • minor corrections and clarifications to ensure the Act is clearly written (i.e., removing "proposed" from provisions referring to permits that have already been issued; clarifying the definition of "development project") In addition to these proposed legislative changes, there is a regulatory proposal notice currently being consulted on to further the regulation of development for the protection of people and property from natural hazards in Ontario. This can be found here **(http://ero.ontario.ca/notice/019-2927).**	
	Focusing conservation authorities' role in review of development related proposals and applications (comments, appeals). The Ministry of Natural Resources and Forestry is proposing amendments to the Conservation Authorities Act and to establish a new Minister's regulation to focus conservation authorities' role when reviewing and commenting on proposals, applications, or other matters related to development and land use planning: • The proposed legislative changes, if passed, would scope conservation authorities' review and commenting role with respect to development applications and land use planning policies under prescribed Acts to: o matters within their core mandate as currently set out in the Mandatory Programs and Services regulation (0. Reg. 686/21), made under the Conservation Authorities Act • The new regulation proposes to prescribe the following Acts under which a conservation authority could not perform this review and commenting role as a "municipal" or "other" program or service under sections 21.1.1 and 21.1.2 of the Conservation Authorities Act o *The Aggregate Resources Act* o *The Condominium Act* o *The Drainage Act*	Please refer to recommendations and comments above.

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
	○ *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* Conservation authority appeals under the Planning Act In addition, through amendments to subsection 1 (4.1) of the Planning Act via the Ministry of Municipal Affairs and Housing proposal notice found here (https://ero.ontario.ca/notice/019-6162)., the province is proposing to limit conservation authority appeals, when acting as a public body, other than when acting as an applicant, of land use planning decisions under the Planning Act to matters related to natural hazards policies in provincial policy statements issued under the Planning Act. This provision and an associated transition provision would also be proclaimed to ensure that conservation authorities can continue as a party to any appeal commenced prior to the proclamation of these provisions. The Ministry of Natural Resources and Forestry anticipates these changes, if approved, would provide greater certainty and clarity with respect to planning and development related applications, while ensuring conservation authorities focus on their core mandate to best protect people and property from the impacts of natural hazards, reducing duplication and barriers to development that is important to Ontarians.	
	Freezing conservation authority fees The Ministry of Natural Resources and Forestry is proposing an amendment to the *Conservation Authorities Act* to enable the Minister to direct a conservation authority to maintain its fees charged for programs and services at current levels. This would enable the Minister to issue temporary direction to a conservation authority preventing the authority from changing the amount of a fee it charges under subsection 21.2 (10) for its programs and services, including reviewing and commenting on planning and development	Please refer to recommendations and comments above.

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
	related proposals, as well as for permits issued by conservation authorities. The Ministry anticipates this proposal would enable a reduction to the financial burden on developers and other landowners making development related applications and/or seeking permits from conservation authorities, further accelerating housing in Ontario to make life more affordable.	
	Identifying conservation authority lands suitable for housing and streamlining conservation authority severance and disposition processes that facilitate faster development Conservation authorities own and manage over 145,000 hectares of land, a large portion of which was acquired with provincial grants issued under the *Conservation Authorities Act.* The Mandatory Programs and Services regulation (0. Reg. 686/21) requires conservation authorities to complete a conservation area strategy and land inventory of all lands they own or control by December 31, 2024. We are proposing to amend the regulation to require the land inventory to also identify conservation authority owned or controlled lands that could support housing development. In identifying these lands, the authority would consider the current zoning, and the extent to which the parcel or portions of the parcel may augment natural heritage land or integrate with provincially or municipally owned land or publicly accessible lands and trails. To streamline processes associated with the disposition (sales, easements, leases) of conservation authority owned land that was previously acquired using a provincial grant under section 39 of the *Conservation Authorities Act,* we are proposing the following amendments to the Act: • Require a written notice to be provided to the Minister for all types of land dispositions. The conservation authority would be required to provide the notice to the Minister at least 90 days before the disposition in lieu of the current requirement for Minister's approval.	Please refer to recommendations and comments above.

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
	• Require conservation authorities to post a notice of public consultation on their website and conduct a public consultation for a minimum of 45 days, prior to providing the Minister notice, if the land disposition includes the following types of provincially significant lands: ○ areas of natural and scientific interest, lands within the Niagara Escarpment Planning Area, or wetlands defined in section 1 of the *Conservation Land Act* ○ the habitat of threatened or endangered species; ○ 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 ○ land that is impacted by a type of natural hazard described in subsection 1 (1) of the Mandatory Programs and Services regulation Reg. 686/21). • The notice of public consultation would identify the type of land to be disposed, the proposed disposition date, and the future use of the lands, if known. Where public consultation is required, the written notice to the Minister must include a summary of comments received during public consultation, if any, and how they were considered. • We are proposing to maintain the current streamlined process when the disposition is for municipally or provincially approved infrastructure or utility purposes, by providing an exception to the timelines associated with the notification as well as the public consultation process described above. • Enable the Minister to direct the authority to apply a specified share of the proceeds of the dispositions to support their core mandate set out in the Mandatory Programs and Services regulation (O. Reg. 686/21). **Streamlined severance processes for conservation authorities** The province is also proposing to amend the *Planning Act* via the Ministry of Municipal Affairs and Housing proposal notice found here:	

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
	(https://ero.ontario.ca/notice/019-6162)., to expedite the existing processes associated with the severance and conveyance of land, regardless of whether provincial grant money was provided under the *Conservation Authorities Act,* for the purposes of projects related to flood control, erosion control, bank stabilization shoreline management works or the preservation of environmentally sensitive lands. Currently under the *Planning Act,* exemptions from subdivision and part lot control in clauses 50 (3) (e) and 50 (5) (d) that enable these expedited conveyance/ severance processes can only be relied on in association with a provincially-funded project approved by the Minister under section 24 of the *Conservation Authorities Act.* These changes would broaden the ability of a conservation authority to use existing streamlined processes to sever and dispose of land. We anticipate that these changes, if approved, would result in the identification of additional lands that could be used to support Ontario's need for more housing, while streamlining administrative land disposition and severance processes, potentially reducing conservation authority operating expenses and the associated municipal levy. They would also make it easier and cheaper for conservation authorities to dispose of excess lands that may be suitable for housing or other types of development.	

C) PROPOSED *PLANNING ACT* AND *CITY OF TORONTO ACT* CHANGES

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
ERO#: 019-6163 Proposed *Planning Act* and *City of Toronto Act* Changes (Schedules 9 and 1 of Bill 23 - the proposed *More Homes Built Faster Act, 2022*)	**Proposal Summary** The government is proposing changes to the *Planning Act* and the *City of Toronto Act, 2006* to make it easier and faster to build new homes for Ontarians as part of its commitment to build 1.5 million homes over the next ten years.	Please refer to recommendations and comments below.

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
	Addressing the Missing Middle • Changes are proposed to strengthen the existing "additional residential unit" framework. The proposed changes would allow, "as-of-right" (without the need to apply for a rezoning) up to 3 units per lot in many existing residential areas. • The proposed changes would supersede local official plans and zoning to automatically apply province-wide to any parcel of land where residential uses are permitted in settlement areas with full municipal water and sewage services (except for legal non-conforming uses such as existing houses on hazard lands). • To remove barriers and incent these types of units, the proposed changes would also prohibit municipalities from imposing development charges, parkland dedication or cash-in-lieu requirements (**Proposed *Planning Act* and *Development Charges Act* Changes: Providing Greater Cost Certainty for Municipal Development-related Charges**), applying minimum unit sizes or requiring more than one parking space per unit in respect of any second unit in a primary building and any unit in an ancillary structure.	**Recommendation:** 1. Provide criteria or a framework to avoid the potential implications of an as-of-right approach as outlined in comments below. This should uphold existing legal requirements established through legislation. **Comments:** Accommodating more growth through 'gentle density' and enabling certain types of 'missing middle' development will be an important part of creating more homes and this change is supported overall. However, it does not acknowledge the potential impact on infrastructure and local services that may already be at capacity. Provisions are required to ensure that infrastructure assessments are carried out prior to construction. It is important to note that removal of barriers should not supersede legal requirements such as Ontario Building Code (i.e. certain requirements such as minimum unit sizes are based on building codes that ensure standards for building construction). The as-of-right approach may inadvertently create opportunities for developers to circumvent / by-pass certain development processes by converting and/or creating additional residential units post-development application.
	Streamlining Municipal Planning Responsibilities • Changes are proposed to remove the planning policy and approval responsibilities from certain upper-tier municipalities (regions of Durham, Halton, Niagara, Peel, Simcoe, Waterloo, York). These proposed changes would come into effect upon proclamation at a future date. • 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).	**Recommendation:** 1. The Province should not advance any changes through Bill 23 that would introduce unnecessary instability, uncertainty and disruption to the land use planning system as this will result in the division of scarce resources towards administrative considerations rather than focussing on identifying ways to rapidly increase housing supply. 2. The Province should not advance any changes through Bill 23 that would impede or diminish the value of coordinated, integrated planning that ensures land use, infrastructure, and financial considerations are aligned in order to support growth.

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
	• The proposed changes could also potentially be applied to additional upper-tier municipalities in the future via regulation.	3. Establish a forum to discuss and explore options and implications collaboratively that will help achieve our shared goal in advancing housing supply. **Comments:** A two-tier land use planning system has supported significant growth and development across Halton Region for decades. Successive Regional Councils have recognized the importance of integrated planning and the importance of implementing a Regional planning vision. This has found expression in many innovative Regional approaches that have ultimately been taken up as best practices across the Province. Through Regional Council's leadership, Halton Region has a strong legacy of coordinated, integrated, broad-based land use planning that has occurred through strong partnerships and collaboration with the local municipalities. In addition to coordinated and integrated growth management, this approach has also had strong positive impact on other issues that transcend local municipal boundaries – the Agricultural System, the Regional Natural Heritage System, the water resource system and source water planning, and sustainable growth and climate response, to name a few. There are many ways to support changes to the current planning system to advance the shared goal of addressing housing supply and affordability. However, there are significant concerns, risks, and uncertainties with the system proposed by Bill 23, including the following: • There is a clear benefit to larger macro-scale coordination of numerous planning matters (e.g. the infrastructure delivery, growth management, transportation, and protecting agricultural, natural heritage, and water resource systems) that is provided by the Region which will be lost. Halton Region can continue to have a strong role as it has the necessary staff expertise to efficiently support local municipalities in the implementation of agriculture, natural heritage and water resource systems, growth management and coordinated infrastructure

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
		planning and continues to be successful in streamlining the planning process to advance housing supply; • Halton has a history of demonstrating how land use, infrastructure, and financial planning can be integrated and coordinated across the Region –the absence of this coordinating role – both in terms of Regional planning and Regional development review – has the potential to result in negative long-term impacts; • Long-term planning and delivery of critical infrastructure (water, wastewater and transportation) requires extensive coordination between Regional and local municipalities, the absence of which risks infrastructure being implemented in a reactive rather than proactive way, and risks imposing delays to housing, rather than the intended expedited delivery. Current processes allow this coordination with all local municipalities in a consistent manner, and removal of this well-understood process risks long-term negative impacts such as the ability to plan and protect for infrastructure improvements (e.g. right-of-way requirements); • Regional coordination ensures that an interconnected approach to the impacts of housing intensification, an mitigate rising greenhouse gas emissions in the community, as such Regional planning ensures sustainable growth that aligns with our climate response; and. • Significant planning responsibilities are already delegated to the local municipalities in Halton – the shifting of additional responsibilities as proposed by Bill 23, is likely to significantly increase resourcing demands and costs on local municipalities required to undertake these new responsibilities. The issues outlined above could result in a slower, less coordinated planning system that could detract from the overall goal of increasing housing supply and affordability.
	Third Party Appeals • Changes are proposed to limit third party appeals for all planning matters (official plans, official plan amendments, zoning by-laws, zoning by-law amendments, consents and minor	**Recommendation:** 1. Upper-tier municipalities, given their interests and responsibilities similar to other “specified persons” set out in the *Planning Act*, should continue to be afforded rights

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
	variances). Third party appeals are generally appeals made by someone other than the person who made the planning application. • Appeal rights would be maintained for key participants (e.g., applicants, the Province, public bodies including Indigenous communities, utility providers that participated in the process), except where appeals have already been restricted (e.g., the Minister's decision on new official plan). • The proposed limit on third-party appeals would apply to any matter that has been appealed (other than by a party whose appeal rights are being maintained) but has not yet been scheduled for a hearing on the merits of the appeal by the Ontario Land Tribunal (OLT) on the day the bill is introduced.	of appeal and party status in order to protect these interests. 2. Implement reforms to the OLT that focus on efficiency, prioritization, and increased staffing to deal with mediation and facilitation. **Comments:** Removing the opportunity for third party appeals could diminish the fair representation of key interests in the planning process. These changes will place limits on how citizens can participate in the planning process. Neighbourhood associations and community groups will have no ability to challenge municipal decisions. In addition, it removes the ability of Regional municipalities to participate, even as a party, if planning decision making is removed from Regional planning authorities
	Public Meetings – Plans of Subdivision Changes are proposed to remove the public meeting requirement for draft plans of subdivision.	**Recommendation:** 1. Consult with local municipalities on implementation of the proposed changes. 2. Consider adjusting policy wording in Section 51(20) for clarity (refer to comment below). **Comments:** Removing the public meeting requirement could streamline and simplify the process by reducing technical complexities that may arise during the plan of subdivision process. It might be helpful to consider replacing the word "shall" with the word "may" in Section 51(20). This would remove potential disputes over the authority of the Local Municipality to hold a meeting if they choose to do so (i.e., as a result of Bill 109).
	Streamline Approval Process for Land Lease Communities (LLC) Changes are proposed to allow LLCs to be approved through site plan control instead of plan of subdivision so that they can leverage a maximum lease period of up to 49 years (up from the maximum	No comments.

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
	permitted of 21 years without a land division approval). This change would not apply in the Greenbelt Area.	
	Facilitating Aggregate Applications • Changes are proposed to remove the "2-year timeout" period for applications to amend new official plans, secondary plans and zoning bylaws in respect of mineral aggregate operations. • Currently, the Act sets a 2-year period where changes to new official plans, secondary plans and new comprehensive zoning by-laws are not permitted, unless these changes are municipally-supported.	**Recommendation:** 1. Maintain the two year timeout period on amendments to enable municipalities to implement these plans. **Comments:** The proposed changes to remove the "2-year timeout" in Bill 23 are not supported. There is no need to embed a standalone special provision in the *Planning Act* that is applicable to the aggregate industry, which is not available to other stakeholders in the planning process.
	Conservation Authorities • Changes are proposed to re-enact provisions that are not yet in force but would limit conservation authority (CA) appeals of land use planning decisions. CAs would continue to be able to appeal matters where they are the applicant. When acting as a public body, CAs would only be able to appeal with respect to matters related to natural hazard policies in provincial policy statements. • Changes are also proposed to broaden the ability of CAs to use an existing streamlined process to sever and dispose of land. Both of these changes are proposed to take effect January 1, 2023.	No comments.
	Analysis of Regulatory Impact: • The anticipated economic benefits of this proposal overall would be positive in terms of impacts on the land development and construction industry and homeowners. The proposed changes to the land use planning system would expedite development (time savings), remove barriers and reduce costs (e.g., application fees) for the development sector and private homeowners. • There would be no annual administrative costs to businesses anticipated from these proposed changes.	No comments.

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
	• However, based on preliminary analysis, there may be costs to municipalities as a result of these proposed changes. This would range from minimal direct compliance costs associated with municipal staff learning about the changes and adapting existing business processes, to significant one-time direct compliance costs for "upper-tier municipalities without planning responsibilities" and the lower-tier municipalities in those jurisdictions to revise administrative and financial processes and shift resources accordingly. It is expected that any additional costs associated with planning responsibilities would be taken on by lower-tier municipalities The Ontario Land Tribunal would have an interest in these proposed changes and would be expected to benefit from the resulting reduced caseload, which could also help expedite the resolution of other appeals These impacts on the tribunal could also benefit municipalities, property owners and the development sector through faster decisions.	

D) PROPOSED PLANNING ACT AND DEVELOPMENT CHARGES ACT CHANGES

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
ERO#: 019-6172 Proposed *Planning Act* and *Development Charges Act* Changes: Providing Greater Cost Certainty for Municipal Development-related Charges	**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.	Please refer to comments and recommendations below.
	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	**Recommendation:** Not Applicable to Halton Region **Comments:**

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
	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.	The Region does not use this tool, however local municipalities should be consulted further before making significant changes to parkland dedication requirements.
	Support more efficient use of land and provide for more parks quickly	**Recommendation:** Not Applicable to Halton Region

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
	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).	**Comments:** The Region does not use this tool, however local municipalities should be consulted further before making significant changes to parkland dedication requirements.
	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.	**Recommendation:** Not Applicable to Halton Region **Comments:** The Region does not use this tool, however local municipalities should be consulted further before making significant changes to parkland dedication requirements.

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
	Set maximum interest rate for DC freeze and deferral (prime + 1 percent) 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.	**Recommendation:** 1. Interest rate setting should remain a municipal decision. **Comments:** The intent of Bill 108 was to provide cost certainty for developer in the planning process. It is unclear why other changes, such as phasing of DC's, is being implemented. The setting of the interest rate was to allow municipalities to be revenue neutral while giving the developers cost certainty between by-laws.
	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.	**Recommendations:** 1. Phasing of DCs should remain a municipal decision. 2. Instead, consider providing a transition period for newly adopted by-laws (i.e. 6 months). This will give some further cost certainty to the development industry, beyond what was already provided in 26.2, instead of requiring DC's to be phased which will significantly impact infrastructure delivery due to funding shortfalls. 3. Provide grants/incentives or rebate programs so that high growth municipalities will be able to continue to grow without the financial constraints caused by phasing. This will also allow grants/incentives or rebates to be easily retracted if they are not producing the desired outcomes. 4. If phasing is mandated it should only be applicable to the incremental increase in the DC that is above the non-residential construction price index. This should also only apply to DC by-laws approved after the Bill receives royal assent. In addition, this bill is to support the creation of housing and therefore should not be applicable to non-residential. **Comments:** Although the updated ERO (dated November 23, 2022) indicates that the phasing would apply to DC by-laws passed as of June 1, 2022, the government passed motions permitting the phasing to now be retroactive to January 1, 2022. This change will have a significant impact on Halton as

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
		our By-law was passed in May 2022. **(The funding gap would be approximately $131 million over 5 years based on the current DC rate).** This change essentially limits the capacity to update rates for changes in capital infrastructure and plans without impacts to short-term collection. Reductions in DC collections will create a funding gap between DC collection and timing of capital works. A delay/reduction in the collection of DCs will translate into a delay in timing of capital works as the required financing will take longer to materialize. These reductions do not meet the goal of increasing supply as the timing of key infrastructure to proceed with developments will be delayed. The growth objectives to achieve 1.5 million homes in Ontario is a benefit to the entire Province however, Bill 23 puts the financial burden solely on high growth municipalities. Utilizing grants/incentives or rebate programs is a more equitable approach. In addition, it provides flexibility to alter the requirements if the intended outcome is not being produced. Recently the Minister of Municipal Affairs and Housing issued a decision to approve ROPA 49, with amendments. ROPA 49, increases the servicing needs for the Region of Halton as it has included conversions and expanded boundaries. Delaying the updating of the DC by-laws would reduce DC recoveries and place the municipalities at a risk of underfunding the growth related expenditures.
	Update a development charge by-law at least once every 10 years compared to the current requirement to update every 5 years.	**Recommendations:** 1. See comments below. **Comments:** This proposal is not a concern as long as the phasing of DCs remains a municipal decision. Municipalities need to have cost and revenue security in order to deliver critical growth related services.

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
		Delaying the adoption of a new DC by-law beyond the 5-years would reduce the actual DC recovery and therefore result in an underfunding for the growth-related expenditures needed to support new development.
	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.	**Recommendations:** 1. The DCA should provide a forward looking average service level. **Comments:** The current 10-year service level calculation restricts a municipality to effectively deliver services in a growing community. As a municipality grows and reaches a certain threshold the need for new and expanded services are required to support the growth plan. Extending the average service level to 15 years will potentially cap services at an even lower service level or increase costs to taxpayers. As has been previously advocated, the service level should be forward looking so that growing municipalities can properly plan for new services.
	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.	**Recommendations:** 1. Housing Services should not be removed as an eligible DC service as this service supports the most vulnerable population and will have an impact on existing taxpayers. 2. Provide Provincial/Federal grants that can be used to offset the developments financial impacts. Therefore, the following is recommended: i. Form a working group with municipalities, the Federal and Provincial governments to discuss the expansion of existing grant programs available to assisted housing providers **Comments:** The DC's collected for housing services are a key funding component for new assisted and affordable housing initiatives in Halton to support vulnerable populations. The Regional DC for housing services ($985.82 per single detached unit) is negligible within the overall housing price and will not make housing more affordable. However, since Halton is a fast growing Region, this DC generates substantial capital revenue

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
		($50 million over 10 years) that supports the housing capital program. These DC's together with contributions from the Region, the Province and Federal Governments fund critical housing opportunities for the most vulnerable residents. As the Region grows, DCs are an important contribution to the capital required to address housing needs in the Region.
	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.	**Recommendations:** 1. Studies should remain an eligible capital costs that can be recovered through development charges. Taxpayers should not be responsible for funding costs that are fully attributed to new growth. 2. Land costs should remain an eligible capital costs that can be recovered through development charges. It is important that there is meaningful consultation before any legislation is enacted. **Comments:** The purpose of DC background studies and other related studies are to support the capital program that is directly attributable to growth. Without growth, municipalities would not need to establish when, where and how growth would be accommodated **(loss of approximately $9 million over 10 years).** Land costs represent a significant cost for growing municipalities and the removal could have significant impacts to the timing of infrastructure **(magnitude unknown as this has not been prescribed. For example, if the Province was to prescribe land for roads services to be exempt, the loss of DC would be approximately $400 million over 10 years based on the current DC Background Study).** Removing these eligible costs will impact municipal financing and will negatively affect taxpayers. Given the potential significant impacts, it is likely delivery of infrastructure would be delayed.
	Increase transparency and accountability in the use of development charges funds	**Recommendation:** 1. No change is required as DC's support infrastructure needed to ensure growth proceeds in a timely manner.

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
	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.	**Comments:** Municipalities plan and build infrastructure based on available infrastructure funding. Some of the proposed Bill 23 changes will actually slow down growth due to funding shortfalls. DCs are very prescriptive in nature and can only be used for capital infrastructure needs. Municipalities are not able to charge more than the cost of the infrastructure required to support growth. If a municipality has large reserves, which is not the case for Halton Region, it is because the DCs collected accumulate until the infrastructure project proceed based on financial planning (e.g., if a municipality needs to construct a facility that costs over $100 million it may require DC collection over several years to finance the construction). Every five years, municipalities reaffirm their project list and commitment to include projects in their capital plan for funding and any reserve balances are included in the calculations. Masterplans/technical updates are undertaken to ensure project needs have not changed and to include new planning horizons which provides enhanced reporting with consultations and legislation around DC Updates.
	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”.	**Recommendation:** 1. Provide grants/incentives or rebate programs so that high growth municipalities will be able to continue to grow without the financial constraints caused by discounts. This will also allow grants/incentives or rebates to be easily retracted if they are not producing the desired outcomes. **Comments:** Reductions in DC collections will create a funding gap between DC collection and timing of capital works. A reduction in the collection of DCs will translate into a delay in timing of capital works as the required financing will take longer to materialize. These reductions do not meet the goal of increasing supply as the timing of key infrastructure to proceed with developments will be delayed.
	Encourage the supply of affordable housing	**Recommendation:**

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
	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.	1. Provide grants/incentives or rebate programs so that high growth municipalities will be able to continue to grow without the financial constraints caused by exemptions. This will also allow grants/incentives or rebates to be easily retracted if they are not producing the desired outcomes or are having unintended consequences. 2. If exemptions are mandated, they should NOT include affordable home ownership. See significant concerns with the bulletin below. 3. If exemptions are mandated, they should NOT be allowed for single family or semi-detached homes. **Comments:** The Exemption of DC's for affordable housing, nonprofit housing developments and for inclusionary zoning residential units are of great concern due to the loss of revenue and for the following reasons: i. Affordable housing consists of an ownership and rental stream. o The ownership stream applies where the price of the units is no greater than 80% of the average purchase price. These thresholds are to be defined by a new Bulletin (which appears to be adjusted annually) published by the Ministry of Municipal Affairs and Housing which will be amended from time to time. The legislation does not indicate how often these bulletins will be updated. It is unknown what geographical locations would be used to determine the thresholds and average purchase prices can vary greatly between neighborhoods within a municipality. There are also other factors that would affect price within specific geographies within a municipality, such as proximity to hydro corridors, industrial areas etc. which are not taken into account. Additionally, it is unknown how the average purchase prices will be defined by building type (e.g. will it be specific to housing size, housing type etc..?) all which have a variation on housing prices. Further the current

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
	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.	instability of the market could cause great fluctuations in prices from month to month. In addition, the Ownership is very complex as this will impact not only the developer but the subsequent owner(s) who may not understand the financial impact. o The rental stream exemption is to be applied where rent is no more than 80% of the average market rent, for a 25-year period. These thresholds will also be defined by a new Bulletin. It is unknown what geographical locations would be used to determine the thresholds (i.e. municipal vs Regional) and the average market rents can vary greatly. ii. Non-Profit Housing residential units o The legislation defines non-profit housing however does not provide any requirements to maintain ownership as non-profit once the exemption is granted. iii. Inclusionary zoning residential units o Exemptions for Inclusionary zoning is itemized in its own section of the DCA. It appears to provide a similar exemption as affordable residential units and therefore the same concerns apply. The growth objectives to achieve 1.5 million homes in Ontario is a benefit to the entire Province however, Bill 23 puts the financial burden solely on high growth municipalities. Utilizing grants/incentives or rebate programs is a more equitable approach. In addition, it provides flexibility to alter the requirements if the intended outcome is not being produced. The Region does not collect CBC or parkland dedication however this would be of concern to the local municipalities.
	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	**Recommendation:** 1. Provide grants/incentives or rebate programs so that high growth municipalities will be able to continue to grow without the financial constraints caused by these exemptions. This will also allow grants/incentives or rebates to be easily retracted if they are not producing the

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
	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.	desired outcomes or are having unintended consequences. **Comments:** The DC exemption for additional residential units has largely been incorporated into the DC regulations as part of a previous bill. Accommodating more growth through 'gentle density' and enabling certain types of 'missing middle' development will be an important part of creating more homes – while this change is supported overall, it does not acknowledge the potential financial impact or the impact on infrastructure and local services that may already be at capacity and provisions are required to include this assessment prior to construction. The Region does not collect for parkland dedication however this may be of concern to the local municipalities.
	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.	**Recommendation:** 1. Provide grants/incentives or rebate programs so that high growth municipalities will be able to continue to grow without the financial constraints caused by exemptions. This will also allow grants/incentives or rebates to be easily retracted if they are not producing the desired outcomes or are having unintended consequences. 2. Additional information, including the regulations, be made available for comment prior to any changes being made. **Comments:** An attainable unit excludes affordable and rental units however it has not been defined in the DCA. Given that the intent of this exemption is unknown there is no way to quantify the impact however it could be significant. The growth objectives to achieve 1.5 million homes in Ontario is a benefit to the entire Province however, Bill 23 puts the financial burden solely on high growth municipalities. Utilizing grants/incentives or rebate programs is a more equitable approach. In addition, it provides flexibility to alter the requirements if the intended outcome is not being produced.

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
		The Region does not collect for the CBC or parkland dedication however this would be of concern to the local municipalities.
	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.	**Recommendation:** 1. Provide requirements that growth related costs be obtained from the development industry. This will minimize the potential burden on taxpayers. **Comments:** There is nothing in this bill that requires any of the proposed cost savings to go beyond the builders to actually address affordability. However, there are changes that will shift the burden of costs from developers (i.e. "growth pays for growth") to property taxpayers. Higher property taxes in turn would affect housing and business affordability which would be counter-productive to the goal of creating more affordable housing options. In the current inflationary and interest rate climate an increase in property taxes could have significant impacts to those already struggling to make ends meet. Business affordability through increased property taxes could also impact economic competitiveness in Ontario. Additionally, as noted earlier, any reductions in DCs or delays in the timing of collection jeopardizes the Region's ability to deliver the required infrastructure in a growth municipality. This bill does not put any accountability on the development industry to increase supply. Builders will continue to advance development based on their needs, financial or otherwise. The analysis also indicates that the proposals would have an impact on municipality revenues with associated administrative costs for compliance. For Halton, the impact to the existing taxpayer and the funding gap being created for critical infrastructure is the major concern not the additional administrative burden.

E) SUPPORTING GROWTH AND HOUSING IN YORK AND DURHAM REGIONS ACT, 2022

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
ERO#: 019-6192	**Proposal Summary**	Not Applicable to Halton Region.

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
Supporting Growth and Housing in York and Durham Regions Act, 2022	The province is proposal for new legislation that, if passed, would require the expansion of crucial wastewater treatment services for York Region and the construction of a phosphorus reduction facility to remove phosphorus from drainage water that flows into Lake Simcoe. The ministry is seeking comments on the proposed legislation.	

F) PROPOSED CHANGES TO THE ONTARIO HERITAGE ACT AND ITS REGULATIONS

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
ERO#: 019-6196 Proposed Changes to the Ontario Heritage Act and its regulations: Bill 23 (Schedule 6) - the Proposed More Homes Built Faster Act, 2022	**Proposal Summary** A proposal to make legislative and regulatory amendments to the Ontario Heritage Act to help remove barriers to housing development by updating how heritage properties are identified and conserved by municipalities and the Province of Ontario.	Please refer to comments and recommendations below.
	Changes affecting the Standards and Guidelines for Conservation of Provincial Heritage Properties MCM is looking to promote sustainable development that respects, the land and buildings that are important to its history and local communities while streamlining approvals and working to support priority provincial projects by proposing changes to the processes and requirements for ministries and prescribed public bodies governed by the Standards and Guidelines for Conservation of	**Recommendation:** 1. Consult with municipalities to understand the potential implications of changes to process that address heritage properties and heritage conservation. 2. Provide clarity as to how proposed changes to the *Ontario Heritage Act* will directly result in increasing housing starts.

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
	Provincial Heritage Properties (S&Gs) issued under the authority of Part III.1 of the Ontario Heritage Act. MCM is proposing to introduce an enabling legislative authority that provides that the process for identifying provincial heritage properties under the S&Gs may permit the Minister of Citizenship and Multiculturalism to review, confirm and revise, the determination of cultural heritage value or interest by a ministry or prescribed public body respecting a provincial heritage property. This process for Ministerial review would be set out through a revision to the S&Gs and may be applied to determinations made on or before the change comes into effect. If Bill 23 is passed, the ministry would develop and consult further on the proposed process under the S&Gs. MCM is proposing to introduce an enabling legislative authority so the Lieutenant Governor in Council (LGIC) 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 S&Gs in respect of a particular property, if the LGIC is of the opinion that such exemption could potentially advance one or more of the following provincial priorities: transit, housing, long-term care and other infrastructure or other prescribed provincial priorities.	**Comments:** Proposed changes to the *Ontario Heritage Act* will make it difficult for municipalities to protect many of Ontario's identified heritage properties. Overall the proposed changes tighten timelines and add complexity to the process and evaluation methods required for any considered municipal designation or maintenance of the municipal register (particularly for municipalities that do not have staff with specialized heritage expertise or an ongoing heritage program). Cultural heritage resources are the physical component of a municipality's identity. The proposed changes to the *Ontario Heritage Act* threaten to narrow how municipalities can protect and recognize these resources. It is unclear how listing properties on municipal heritage registers is directly linked to housing starts.
	New requirements for municipal registers and the inclusion of non-designated properties on the municipal register MCM is proposing clear and transparent requirements to improve municipal practices around the inclusion of non-designated properties on a municipal register through several changes that would encourage increased information sharing and timely decision making. These proposals include the following legislative changes: • Requiring municipalities to make an up-to-date version of the information on their municipal register available on a publicly-accessible municipal website. MCM is proposing that, if passed, proclamation of this amendment would be delayed by six months to allow municipalities time to make the necessary changes to their website. • Allowing for property owners to use the existing process under the OHA for objecting to the inclusion of their non-designated	**Recommendation:** 1. Do not change how properties are listed on municipal registers. This tool helps identify and document potential cultural heritage resources of value. **Comments:** The change to the treatment of listed properties may be counter productive. Listing a property on a local municipal heritage register is easy to implement, recognizes cultural value and is an important planning tool (imposing no conditions on property owners other than 60 days notice of intent to demolish). Removing properties from the Register if a notice of intention to designate has not been issued within two years is contrary to how municipalities use this tool. Municipalities often are not aware of potential heritage resources until they have been identified through a review process undertaken for a *Planning*

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
	property on the municipal register regardless of when it was added to the municipal register. • Increasing the standard for including a non-designated property on a municipal register by requiring that the property meet prescribed criteria. MCM is proposing to have the criteria currently included in O. Reg. 9/06 (Criteria for determining cultural heritage value or interest) apply to non-designated properties included on the municipal register and is proposing that the property must meet one or more of the criteria to be included, which would be facilitated through a regulatory change. MCM is further proposing that this requirement would apply only to those non-designated properties added to the municipal register on or after the date the legislative and regulatory amendments come into force. • Removal from the register o If council moves to designate a listed property but a designation bylaw is not passed or is repealed on appeal, the property would have to be removed from the municipal register. MCM is further proposing that this requirement would apply where the applicable circumstance outlined in the proposed amendment occurs on or after the legislative amendments, if passed, come into force. o Non-designated properties currently included on a municipal register would have to be removed if council does not issue a notice of intention to designate (NOID) within two years of the amendments coming into force. o Non-designated properties included on the register after the proposed amendment comes into force would have to be removed if council does not issue a NOID within two years of the property being included. If removed from the register under any of the above three circumstances, the property cannot be relisted for a period of five years.	*Act* application. The 90 days following submission of the application allow municipalities the ability to pursue designation. The proposed new amendments would further limit the municipality's ability to designate properties that were already included on the municipal heritage register at the time a *Planning Act* application is made. Removing potential properties from the Register if an NOID has not been issued within two years diminishes a municipality's ability to proactively identify properties of heritage interest and may prevent municipalities from being able to require that they be documented prior to demolition or removal. The introduction of a 5 year time frame for which properties that have been removed can be placed back on to the Register will leave properties of heritage interest vulnerable to demolition.
	An increase in the threshold for designation of individual properties and new limitations on designation for properties subject to proposed development	**Recommendation:** 1. Multiple criteria should not be applied to the designation process.

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
	MCM is proposing to provide further rigour in the designation process by increasing the threshold by requiring that a property meet two or more of the criteria prescribed in regulation. This change would be achieved through a regulatory amendment to O. Reg. 9/06 Criteria for determining cultural heritage value or interest. MCM is further proposing that this requirement would apply only to properties where the notice of intention to designate (NOID) is published on or after the date the regulatory amendment comes into force. The More Homes, More Choice Act, 2019 amended the Ontario Heritage Act to establish a new 90-day timeline for issuing a NOID when the property is subject to prescribed *Planning Act* events. This new timeline was intended to provide improved certainty to development proponents and to encourage discussions about potential designations at an early stage, avoiding designation decisions being made late in the land use planning process. MCM is proposing to provide increased certainty and predictability to development proponents by requiring that council would only be able to issue a NOID where a property is included on the municipal heritage register as a non-designated property at the time the 90-day restriction is triggered. Therefore, if a prescribed event occurs with respect to a property, a NOID may only be issued if the property was already included in the municipal register as a non-designated property on the date of the prescribed event. The 90-day timeline for a municipality to issue a NOID following a prescribed event would then apply. This restriction would only apply where the prescribed event occurs on or after the date the legislative amendment comes into force.	**Comments:** Requiring that a property meet two legislated criteria rather than one will risk the exclusion of many properties of architectural or historical value/interest from designation.
	Changes to Heritage Conservation Districts MCM is proposing to increase rigour in the process of identifying and protecting heritage conservation districts (HCD) by requiring municipalities to apply prescribed criteria to determine a HCD's cultural heritage value or interest. This would include a requirement for HCD plans to explain how the HCD meets the prescribed criteria. MCM is proposing to have the criteria currently included in O. Reg. 9/06 (Criteria for determining cultural heritage value or interest) apply to HCDs and is proposing that the HCD must meet two or more of the criteria in order to be designated, which would be achieved through a regulatory amendment. MCM is further proposing that this	**Recommendation:** Please refer to comment below. **Comments:** The proposed new prescribed criteria for the designation of Heritage Conservation Districts does not reflect best practices for determining the cultural heritage value of an area or landscape or the criteria previously identified in the *Ontario Heritage Toolkit's Heritage Conservation Districts, A Guide to Designation under the Ontario Heritage Act*.

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
	requirement would apply only to HCDs where the notice of the designation bylaw is published on or after the date the legislative and regulatory amendments come into force. MCM is also proposing to introduce a regulatory authority to prescribe processes for municipalities to amend or repeal existing HCD designation and HCD plan bylaws. The proposal would help create opportunities to align existing HCDs with current government priorities and make HCDs a more flexible and iterative tool that can better facilitate development, including opportunities to support smaller scale development and the "missing middle" housing. If passed, MCM would consult on the development and details of the amendment and repeal processes at a later time.	
	Housekeeping and Commencement Schedule 6 of the proposed More Homes Built Faster Act, 2022 also includes proposed minor housekeeping amendments. Included among them are repealing the alternative definition of "alter" in subsection 1(2) of the OHA, which was intentionally never proclaimed, and a change within the amended, but not proclaimed, section 42 of the OHA that would facilitate bringing into force the remaining sections of Schedule 11 from Bill 108 that were not proclaimed in 2021. MCM is further proposing a transition provision in regulation clarifying that these amendments to section 42, which would speak specifically to the demolition or removal of an attribute within an HCD, would apply where an application for a heritage permit was received by the council of a municipality on or after the date these legislative amendments from Bill 108 come into force. If the proposed More Homes Built Faster Act, 2022 is passed and the regulatory proposals approved, MCM intends on bringing the legislative and regulatory amendments into force on January 1, 2023, unless otherwise noted.	Not Applicable to Halton Region
	Regulatory Impact Assessment If passed, the changes resulting from Schedule 6 of the More Homes Built Faster Act, 2022 and accompanying proposed regulatory changes would primarily impact municipalities, with some impacts to ministries and prescribed public bodies.	Please refer to comments and recommendations above.

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
	Work is currently underway to analyze possible administrative and other compliance costs to municipalities and other impacted stakeholders that may result from this proposal. To inform this analysis, we encourage you to provide your feedback.	

G) HAZARD REGULATIONS

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
ERO#: 019-2927 Proposed updates to the regulation of development for the protection of people and property from natural hazards in Ontario Related ERO#: 019-6141	**Proposal summary** The ministry if proposing a regulation that outlines how conservation authorities permit development and other activities for impacts to natural hazards and public safety. **Proposal background** As part of the Housing Supply Action Plan, the government is proposing to streamline approvals under the Conservation Authorities Act to focus on natural hazards and to help meet Ontario's housing supply needs. These changes would improve clarity and consistency in decision making to support faster, more predictable and less costly approvals.	Please see comments below.
	Proposed Regulation The ministry is proposing a regulation governing the activities that require permits under the Act. The proposed regulation would focus permitting decisions on matters related to the control of flooding and other natural hazards and the protection of people and property. This regulation would allow the updates made to the Conservation Authorities Act in recent years to come into effect. There are currently 36 individual regulations under the Conservation Authorities Act, one for each conservation authority in the province that set out the activities and associated requirements for permits (or permissions). These regulations are proposed to be revoked through proposed legislative amendments to the Conservation Authorities Act. The ministry is proposing to make a single provincial regulation	Please refer to Regional staff comments on ERO Posting 019-2927 - Proposed updates to the regulation of development for the protection of people and property from natural hazards in Ontario.

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
	to ensure clear and consistent requirements across all conservation authorities while still addressing local differences. The proposed regulation would streamline rules for development and is a first step towards increased coordination between conservation authority permitting and municipal planning approvals. This proposal is part of the government's commitment under the Housing Supply Action Plan to support 1.5 million homes over the next 10 years to address Ontario's housing supply needs. Focusing approvals under the Conservation Authorities Act on protecting people and property against the risk of natural hazards will also deliver on the commitments and objectives outlined in Protecting People and Property: Ontario's Flooding Strategy. **Note:** The Ministry is also considering this proposal in the context of the Lake Simcoe Protection Plan (https://www.ontario.ca/page/lake-simcoe-protection-plan). To help implement the Plan, the Lake Simcoe Protection Act requires permit decisions by the Lake Simcoe Region Conservation Authority to conform with certain identified Plan policies. Elements of this regulatory proposal may apply differently to the Lake Simcoe Region Conservation Authority to continue to advance the objectives of that Plan, which may include adjustments to areas where permits are required or to the criteria considered in a permit decision.	
	Consultation Guide A consultation guide is provided that includes additional descriptions for the following proposed changes: • defining wetlands and hazardous lands and development activity as per the existing definitions in the Conservation Authorities Act • updating the definition of "watercourse" from an identifiable depression to a defined channel having a bed, and banks or sides • maintaining the existing river and stream valleys limits and areas that are adjacent or close to the shoreline of the Great Lakes-St. Lawrence River System or to inland lakes that may be affected	Please refer to Regional staff comments on ERO Posting 019-2927 - Proposed updates to the regulation of development for the protection of people and property from natural hazards in Ontario.

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
	by flooding, erosion or dynamic beach hazards, as well as the flood standards for the determination of hazardous lands associated with flooding • updating the "other areas" in which the prohibitions on development apply to within 30 metres of all wetlands • streamlining approvals for low-risk activities, which may include exempting some activities from requiring a permit if certain requirements or conditions are met (i.e., requiring that an activity be registered with an authority before it can proceed) • requiring conservation authorities to request any information or studies needed prior to the confirmation of a complete application • limiting the site-specific conditions a conservation authority may attach to a permit to matters dealing with natural hazards and public safety • providing increased flexibility for an authority to issue a permit up to its maximum length of validity, and issue extensions as necessary The consultation guide also includes proposed service delivery standards as requirements for the administration of permits by conservation authorities, including requiring a conservation authority to: • develop, consult on, make publicly available, and periodically review internal policies that guide permitting decisions • establish, monitor, and report on service delivery standards including requirements and timelines for determination of complete applications • provide maps depicting the areas where permitting requirements apply and notify the public and consult on any significant changes • outline a process for pre-consultation on a permit to ensure clear understanding of requirements for a complete application The consultation guide also includes information on a tool proposed to be included in the Conservation Authorities Act through Bill 23 - More Homes Built Faster Act, 2022 that would provide the ability to exempt development authorized under the *Planning Act* from requiring a permit under the *Conservation Authorities Act*. The Ministry has not proposed a regulation utilizing this exemption tool as	

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
	part of this regulatory proposal but is requesting initial feedback on how it may be used in the future to streamline development approvals while still ensuring the protection of people and property from natural hazards.	
	Regulatory Impact Statement The anticipated regulatory impacts of the proposal are neutral to positive. The proposed changes are intended to: • provide greater certainty and clarity on regulatory requirements for development while ensuring the protection of people and property • reduce regulatory and financial burdens • streamline approvals by making processes more efficient and predictable We expect that there will be some minor administrative costs for conservation authorities and municipalities based on the time needed for staff in the short-term to learn about and understand the proposed legislative and regulatory changes. Through this posting, we welcome comments on anticipated benefits or costs to better help the Ministry understand the real costs or cost savings associated with these proposed changes.	Please refer to Regional staff comments on ERO Posting 019-2927 - Proposed updates to the regulation of development for the protection of people and property from natural hazards in Ontario.

H) INCLUSIONARY ZONING

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
ERO#: 019-6173 Proposed Amendment to O. Reg. 232/18: Inclusionary Zoning	**Proposal summary** Proposed amendments to O. Reg. 232/18 (Inclusionary Zoning) to provide more certainty/clarity and make inclusionary zoning rules in Protected Major Transit Station Areas more consistent across the province by setting maximum affordability period at 25-years, limiting the number of affordable units to 5%, and standardizing the	Please refer to comments and recommendations below.

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
	approach to determine affordable prices/rents for inclusionary zoning units. **Inclusionary Zoning Background:** Inclusionary zoning is a land use planning tool, authorized under the Planning Act that municipalities may use to require affordable housing units to be included in residential developments of 10 or more units in identified Protected Major Transit Station Areas (PMTSAs) or in Community Planning Permit System (CPPS) areas ordered by the Minister. The Minister also has the authority to prescribe municipalities to adopt official plan policies authorizing the use of inclusionary zoning. Inclusionary zoning can be a useful tool to facilitate the supply of affordable housing in areas that generally have characteristics such as growth pressures, high housing demand and availability of higher order transit. The Planning Act and O. Reg. 232/18 set out the legislative and regulatory requirements for municipal implementation of inclusionary zoning, including the authority for municipalities to adopt inclusionary zoning official plan policies and make inclusionary zoning by-laws. Beyond the prescribed minimum requirements, municipalities have flexibility and discretion to tailor their inclusionary zoning policies to their local context. Currently under the regulation, municipalities have the discretion to establish an affordability period, to determine the percentage of total units to be set aside as affordable, and to develop an approach to determining affordable prices/rents for inclusionary zoning units.	
	Proposal: The proposed amendments to O. Reg 232/18 would establish an upper limit on the number of units that would be required to be set aside as affordable, set at 5% of the total number of units (or 5% of the total gross floor area of the total residential units, not including common areas). It would also establish a maximum period of twenty-five (25) years over which the affordable housing units would be required to remain affordable. Amendments would also prescribe the approach to determining the lowest price/rent that can be required for inclusionary zoning units, set at 80% of the average resale	**Recommendation:** 1. Provide clarity on the standard source for average resale purchase price. 2. Increase the upper limit requirement for affordable housing, as this would reflect a more meaningful contribution towards affordable housing. 3. Consider allowing or even requiring municipalities to implement IZ across the municipality to increase the supply of affordable housing.

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
	purchase price of ownerships units or 80% of the average market rent (AMR) for rental units. The proposed changes would provide more development cost certainty and establish a more consistent approach to inclusionary zoning requirements across the province. It would also support government priorities to provide housing that is affordable and within reach of more Ontarians.	4. To ensure municipalities can be supported to meet their affordable housing needs and targets, the upper limit should be increased to 10%. **Comments:** While providing additional guidance and a consistent approach has its benefits, there should continue to be a role for municipal flexibility in determining how IZ units are implemented in a specific local context to increase the supply of housing that is affordable for lower-income households; It is understood that average market rent (AMR) is based on CMHC data releases; however, it is unclear what the standard source would be for the average resale purchase price. While it is appreciated that the intent of the proposed amendment is to establish a more consistent approach and development cost certainty, the upper limit of 5% is considered a low standard that will not provide a meaningful contributions to the affordable housing supply. To ensure municipalities can be supported to meet their affordable housing needs and targets, the upper limit should be increased to 10%.
	Analysis of Regulatory Impact: The anticipated regulatory impacts of the proposal are neutral to positive. The proposed changes are intended to provide greater certainty and clarity on regulatory requirements for development while maintaining municipal flexibility on other elements of the inclusionary zoning framework. The changes will reduce regulatory and financial burdens for the development sector by making processes more predictable across municipalities. While there are no new administrative costs associated with this proposal, municipalities who have already developed inclusionary zoning frameworks may experience some administrative burden resulting from the need to update their inclusionary zoning frameworks.	**Recommendation:** 1. An upper limit of 5% should not be applied to municipalities, as the regulatory impacts may be contrary to meeting the goal of increasing supply. **Comments:** While the regulatory impacts may be neutral to positive for developers, municipalities would be disadvantaged by the 5% upper limit.

I) ADDITIONAL RESIDENTIAL UNITS

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
ERO#: 019-6197 Proposed Changes to Ontario Regulation 299/19: Additional Residential Units	**Proposal summary** Change are being proposed to Ontario Regulation 299/19: Additional Residential Units. These are consequential amendments resulting from changes to the *Planning Act* proposed through Bill 23 to make it easier to build new homes for Ontarians as part of the government's commitment to build 1.5 million homes over the next ten years.	Please refer to comments and recommendations below.
	As part of More Homes Built Faster: Ontario's Housing Supply Action Plan: 2022-2023, the government has introduced Bill 23. Schedule 9 of the Bill proposes amendments to the *Planning Act* to support gentle intensification in existing residential areas. The proposed changes, if passed, would, among other matters: • Accelerate implementation of an updated "additional residential unit" framework. The proposed changes would allow, "as-of-right" (without the need to apply for a rezoning) up to 3 units per lot in many existing residential areas (i.e., up to 3 units allowed in the primary building, or up to 2 units allowed in the primary building and 1 unit allowed in an ancillary building such as a garage). • Supersede local official plans and zoning to automatically apply province-wide to any parcel of land where residential uses are permitted in settlement areas with full municipal water and sewage services (excepting for legal non-conforming uses such as existing houses on hazard lands). • Remove barriers and incent these types of units by prohibiting municipalities from imposing development charges, parkland dedication or cash-in-lieu requirements (Proposed *Planning Act* and Development Charges Act Changes: Providing Greater Cost Certainty for Municipal Development-related Charges (https://ero.ontario.ca/notice/019-6172)), applying minimum unit sizes or requiring more than one parking space per unit.	**Recommendation:** 1. Provide criteria or a framework to avoid the potential implications of an as-of-right approach as outlined in comments below. This should uphold existing legal requirements established through legislation. **Comments:** It is important to note that removal of barriers should not supersede legal requirements such as Ontario Building Code (i.e. certain requirements such as minimum unit sizes are based on building codes that ensure standards for building construction) and not result in servicing, health or environmental impacts. The as-of-right approach may inadvertently create opportunities for developers to circumvent / by-pass certain development processes by converting and/or creating additional residential units post-development application.

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
	As a result of these proposed legislative changes, consequential amendments to Ontario Regulation 299/19: Additional Residential Units (O. Reg. 299/19) are also being proposed to: • remove provisions that are no longer needed, and make housekeeping edits to align with and complement the proposed legislative changes.	
	Analysis of Regulatory Impact: The changes proposed to O. Reg. 299/19 are consequential to amendments made in the *Planning Act* (Seeking Feedback on Municipal Rental Replacement By-Laws) and would not result in any additional costs.	Not Applicable to Halton Region

J) ONTARIO BUILDING CODE

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
ERO# 019-6211 Proposed Changes to Sewage Systems and Energy Efficiency for the Next Edition of Ontario's Building Code	**Proposal summary** The Ministry of Municipal Affairs and Housing is entering its third and final phase of consultation on the next edition of Ontario's Building Code. As part of this phase, changes to an energy efficiency requirement and sewage system provisions (Part 8 of the Building Code) are proposed.	Please refer to comments and recommendations below.
	Proposal details Ontario's Building Code is a regulation under the Building Code Act, 1992 which sets out minimum administrative and technical requirements for new construction, renovation, and change of use of buildings. The Ministry of Municipal Affairs and Housing has been actively working on the development of the next edition of the Building Code since 2021.	**Recommendation:** 1. Consider amending Table 8.6.2.2 within Section 8.6.2.2, to include requirements for the removal of total nitrogen or total phosphorous concentrations in effluent, in order to protect public health, shared groundwater resources and the natural environment. **Comments:** ERO No. 019-6211 is proposing changes to Part 8 of the Building Code, specifically "Section 8.6.2.2. Other Treatment Units.

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
	The third and final phase of consultation focuses mainly on remaining Ontario-specific proposals and issues identified through the first two phases of consultation. Due to their potential relevance to the environment, a proposal related to energy efficiency and proposed Part 8 changes on sewage systems are being posted separately from other Phase 3 proposals (see attached List of Proposed Changes to Sewage Systems and Energy Efficiency). The Phase 3 consultation consists of engagement and discussion in November/December 2022, and three simultaneous online postings. In addition to this current posting on proposed sewage system and energy efficiency changes, the other two postings are on the Regulatory Registry of Ontario on: • General Proposed Changes for the Next Edition of Ontario's Building Code • Building Code Changes to Support More Homes Built Faster: Ontario's Housing Supply Action Plan 2022-23 The ministry will continue to carefully review and analyze the feedback collected from all three phases of consultation. This information will inform the drafting of the next edition of Ontario's Building Code.	"Table 8.6.2.2 Other Treatment Unit Effluent Quality Criteria", within "Section 8.6.2.2. Other Treatment Units", provides maximum effluent concentrations for Suspended Solids and $CBOD_5$, which is associated with a specific classification of treatment unit. It does **not** currently address the removal additional effluent concentrations, including total nitrogen reduction or total phosphorous. Halton Region is receiving an increased in development proposals for the construction of rural residential dwellings on private waste and water services. Within these applications, include the proposal of "other treatment units" which rely on advanced technology to remove nitrates (or phosphorous), in order to meet maximum concentrations at a property line. The current Building Code and the latest proposed amendments, does not address requirements for other treatment units to remove nitrates (or total phosphorous), making it challenging from a regulatory perspective to ensure that these units are properly operating and maintained.
	Analysis of Regulatory Impact Costs: There are no new administrative costs anticipated for regulated entities. Benefits: The proposed changes would update requirements and increase harmonization between Ontario's Building Code and National Construction Codes.	Not Applicable to Halton Region

K) ONTARIO WETLAND EVALUATION SYSTEM

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
ERO#: 019-6160 Proposed Updates to the Ontario Wetland Evaluation System Related ERO#: 019-6161 and 019-6177	**Proposal summary** The province is proposal updates the Ontario Wetland Evaluation System that would remove duplicate requirements and streamline the evaluation process. **Background** Under Ontario's current policy framework, an evaluated wetland is a wetland that has been assessed according to the Ontario Wetland Evaluation System (OWES). The OWES is the official procedure to: 1. determine the wetlands that are significant 2. determine the boundaries of significant wetlands The OWES assesses wetlands under four categories: biological, social, hydrological and special features. OWES defines a significant wetland as any evaluated wetland that scores 600 or more points in total, or that scores 200 or more points in either the biological component or the special features component. The OWES consists of two manuals: the Southern OWES (used to evaluate wetlands located in Ecoregions 6 and 7) and the Northern OWES (used to evaluate wetlands located in Ecoregions 2, 3, 4, and 5). Coastal wetlands are also evaluated using these OWES manuals. The OWES has been in place since 1983. Over the last decade in particular, we have heard practitioners voice concerns and recommendations for improvements to how Ontario's significant wetlands are assessed and identified.	Please refer to comments and recommendations below.
	Proposed changes We are proposing the following changes to content in the OWES (Ontario Wetland Evaluation System) manuals: • add new guidance related to re-evaluation of wetlands and updates to mapping of evaluated wetland boundaries • make changes to better recognize the professional opinion of wetland evaluators and the role of local decision makers (e.g. municipalities)	**Recommendations:** 1. Proposed revisions to eliminate wetland complexing should be removed as the approach does not consider the science regarding hydrologic and ecological connectivity at a landscape-level. 2. Special scoring for habitat of Species at Risk should remain in the OWES Framework to support habitat protection and species recovery.

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
	• other housekeeping edits to ensure consistency with the above changes throughout the manual The attached document under Supporting Materials reproduces the current OWES (Ontario Wetland Evaluation System) southern manual (without graphics and formatting) and shows proposed changes in blue font. Where the OWES (Ontario Wetland Evaluation System) northern manual contains the same content, the proposed changes would be made in that manual as well. Sections of the OWES (Ontario Wetland Evaluation System) manuals that are not proposed to change at this time have not been included in the document.	3. Regulatory review and approvals of wetland evaluations, re-evaluations, and mapping are critical to ensure proper and consistent application of OWES principles and to streamline development review. 4. The Province must work with municipalities, conservation authorities, Indigenous communities and industry experts to identify improvements to the OWES framework. **Comments:** Halton Region supports the Province's efforts to provide a consistent general framework for the evaluation of wetlands and efforts to streamline the planning process to advance the new housing supply. To assist the Province in providing current procedures for evaluating wetlands and significant wetlands, Halton Region has identified key recommendations as it relates to the proposed updates to the Ontario Wetland Evaluation System (OWES) that would benefit from additional direction and clarification to support the effective implementation of the OWES. <u>Wetland Complexing</u>: In many parts of Ontario, including in Halton Region, wetland complexing is commonly used for evaluating wetlands because historic land clearing practices have often left a patchwork of small wetland units on the landscape. To evaluate individual wetlands in isolation without regard for the ecological (including hydrological and biological) interactions and interdependencies within a wetland complex will undermine the scientific approach to natural heritage system and water resource system planning. Wetland units share similar or complementary biological, social, and / or hydrological functions and thus should be evaluated together to determine their significance on the landscape as a whole, not on a site specific basis. Further, much of the wildlife in the area of the complex is variously dependent on the presence of the entire complex of wetlands, with each wetland unit contributing to the whole. Any proposed revisions to wetland complexing should be supported based on a scientific approach to wetland

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
		evaluation for significance. This change would ultimately compromise Ontario's natural environment, which is a critical asset to reduce impacts of flooding and to address climate change mitigation and adaption measures. Removal of Species at Risk: A wetland evaluation completed under the current OWES framework includes special scoring provisions for habitat of Species at Risk (specifically, habitat for Endangered and Threatened species that are protected under the Province's *Endangered Species Act)*. The special scoring provisions for habitat of Species at Risk demonstrates the integral role that wetlands have in supporting habitat protection and species recovery that the Province had mandated protection in the *Endangered Species Act.* The protection of Endangered and Threatened species and their habitats is necessary in order to slow or prevent the extirpation of species and in some cases to help prevent their extinction on a global basis. The proposed changes seemingly conflict with the Province's goal, as stated in the *Endangered Species Act,* "to protect species that are at risk and their habitats, and to promote the recovery of species that are at risk." As it has been acknowledged through scientific research, habitat loss is a major threat to Species at Risk and that within southern Ontario, over 90% of wetlands have been lost. Therefore, it is recommended that the special scoring for habitat of Species at Risk should remain in the OWES manual as it will continue to contribute to Species at Risk protection and recovery for many listed species. Regulatory review and approvals of wetland evaluations: Given the proposed changes that will remove the Ministry of Natural Resources and Forestry oversight of wetland evaluations, municipalities should be granted authority to approve wetland evaluations, re-evaluations, and mapping updates. It is necessary to maintain the integrity of the framework by ensuring proper and consistent application of OWES that provides greater certainty and clarity related to how significant wetlands are assessed and identified across the Province. With the lack of oversight, it will lead to uncertainty on property constraints and potential inconsistency

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
		in outcomes that could impede application review timelines and also result in loss of wetlands. The Province should also continue to maintain a central registry in Ontario to retain documentation on wetland evaluations and wetland boundary mapping Engagement with municipalities and conservation authorities on changes to the OWES manuals: Given the broad impacts on Ontario's land use planning system that the proposed changes to OWES, it is vital that all stakeholders work together to identify improvements, to discuss the rationale for specific changes, and to clarify roles and responsibilities in the OWES manuals. This will reduce uncertainty, instability and disruption at a time when coordination is essential to achieve the goal of building new housing faster.
	Regulatory impact analysis The anticipated impacts of the policy proposal on business are neutral to positive. The proposed changes are intended to: • provide greater certainty and clarity related to how significant wetlands are assessed and identified allow for further streamlining of development decisions by removing the requirement for the ministry to review and confirm wetland evaluation results.	Not Applicable to Halton Region

L) CONSERVING ONTARIO'S NATURAL HERITAGE

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
ERO#: 019-6161 Conserving Ontario's Natural Heritage Related ERO#: 019-6160 and 019-6177	**Proposal summary** In support of Ontario's Housing Supply Action Plan 3.0 and the government's commitment to support the construction of 1.5 million new housing units over the next ten years, the province is seeking feedback on the discussion paper entitled Conserving Ontario's Natural Heritage.	Please see recommendations and comments below.
	Natural Heritage Natural heritage provides many benefits to people and the natural world. These benefits include providing habitat for fish and wildlife, filtering air and water, mitigating flooding and erosion, storing carbon, and providing a wide range of recreation and tourism opportunities. But conserving Ontario's natural heritage has become more difficult as development pressures, climate change and other threats isolate and threaten wetlands, woodlands, and other natural wildlife habitat. These challenges are not unique to Ontario. Natural heritage is under pressure across the globe. Several jurisdictions and organizations, including several Canadian provinces, have responded with programs that offset development pressures on natural heritage, including wetlands. In Ontario, natural heritage conservation is primarily implemented through the land use planning framework, including the *Planning Act* and the Provincial Policy Statement. Several provincial land use plans and statutes provide specific protections for natural heritage features, including wetlands. However, none of these incorporate provisions for offsetting, although some conservation authorities have developed their own policies. This paper is seeking feedback on how Ontario could offset development pressures on wetlands, woodlands, and other natural wildlife habitat. The Ministry of Natural Resources and Forestry is	**Recommendations:** 1. A policy for offsetting must be carefully considered as it may introduce a more complex planning regime related to approvals to achieve the Province's intended goal of 1.5 million homes in the next 10 years. 2. Offsetting should be required when a natural feature is removed, only after the test of "no negative impact" has been met. 3. Clarification on what features and areas the offsetting policy would be applicable to is necessary to understand the full implications. 4. Offsets and compensation must occur within the same watershed and / or municipality. 5. Application of an offsetting policy should include designing healthy communities with access to nature. 6. Implementing an offsetting policy requires the appropriate application of a mitigation hierarchy, detailed guidance on eligible features, sufficient direction to ensure the goals and objectives for offsetting are achieved, transparent oversight and approvals of offsetting projects, and where monetary compensation is proposed, the thoughtful and transparent use of funds to implement offsetting projects. To address the Province goal of 1.5 million homes in the

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
	considering developing an offset policy that would require a net positive impact on these features and help reverse the decades-long trend of natural heritage loss in Ontario. Your feedback is important. We want to hear what you think about our proposals. Which do you support or disagree with? Do you have any suggestions that would enable Ontario to support development and the growing demand for housing while ensuring that we continue to benefit from the important role that wetlands, woodlands and other natural wildlife habitat play in our communities?	next 10 years, it is critical that any an approach to offsetting that may be formalized in policy achieve the following to ensure effective implementation of an offsetting policy: a) Strong, clear policies, with sufficient guidelines: Given the potential for misinterpretation, improper implementation, and failure to achieve the goals and objectives for offsetting, strong policies are clear guidance is required. b) Local expertise review and approval: Assign review by upper-tier municipalities and/or conservation authorities who have expertise to comment on and approve offsetting proposals, oversee implementation and monitoring, and enforce completion of offsetting projects to a high standard. c) Consultation, transparency and accountability: Implementation of offsetting be undertaken through consultation, in a transparent manner that is tracked and ensures accountability. d) Strictly follow mitigation hierarchy: Only under specific conditions and only after a rigorous application of a mitigation hierarchy (i.e., avoid, minimize, mitigate through the use of buffers, enhancements and restoration) has been applied, should offsetting be considered. The precautionary approach should be embedded within all stages of the mitigation hierarchy. e) Informed by science: Ensure the net gain approach follows a science-based approach (e.g., as undertaken through a subwatershed study) is applied at the watershed/site scale, and achieves a net gain in both area and ecological function. f) Clear limits to offsetting: Identify features and areas or portions thereof to which the offsetting policy should not apply, such as provincially significant wetlands,

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
		and more complex features and ecosystems where replacement is not feasible within a reasonable timeframe. g) Determine clear roles and responsibilities to assist in streamlining development reviews: Identify and put in place the legal, institutional and financial measures needed to ensure success of all ecological offset projects. Identify clear roles and responsibilities for implementation at the provincial and municipal level. h) Apply a rigorous monitoring, evaluation and enforcement system: Given the lack of certainty of meeting the goals and objectives for offsetting, a rigorous monitoring program should be development. 7. The development of an ecological offsetting policy and review of other guidance documents related to natural heritage (i.e., natural heritage reference manual) should include consultation with municipal governments, including Halton Region, conservation authorities, as well as engagement with Indigenous communities, development industry and with opportunity for input from stakeholders and the public. 8. Until such time that provincial planning documents and policy has been updated, it is premature to provide recommendations to update or improve guidelines (i.e. Natural Heritage Reference Manual) and/or programs (Conservation Land Tax Incentive Program). It is recommended an adequate commenting period is provided following any updates to policies for which the guideline documents are intended to support. **Comments**: Halton Region has been a leader in natural area planning in Ontario for 40 years, with expertise and in-depth knowledge in the preservation, enhancement and monitoring of natural heritage systems. In principle, Halton Region supports the goal of achieving a net gain in natural heritage areas and ecological functions. However, the mechanism to achieve

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
		through ecological offsetting has the potential to undermine the systems approach to natural heritage planning and protection at a watershed and regional level and result in a reduction in natural area cover at a local and provincial scale. To assist the Province in making revisions to provincial policy that may formalize offsetting, Halton Region staff have provided key recommendations above with detailed comments provided below to support each recommendations. Streamlining Development Review: An offsetting policy may not achieve the desired effect of streamlining the approval process and may cost more time and money to review and approve applications where offsetting is proposed, particularly the time associated with the review and management of offsetting. Adequate staffing resources and expertise, as well as financial resources will be required to effectively implement offsetting projects in order to achieve the goals and objectives related to offsetting and to ensure approvals are timely and help to streamline the approvals process. The removal of natural heritage features and areas and their associated ecological functions from an area will most directly impact the watershed and municipalities. Upper-tier municipalities, such as Halton Region and conservation authorities are in the best position to effectively implement an offsetting policy as they have the expertise of staff and ability to implement regional/watershed initiatives related to natural environment planning. This would include managing a fund and allocating these moneys to offsetting projects that can have the greatest contribution to the natural environment system within the watershed and the lands within which the impact/removal of a natural feature has occurred. No Negative Impact Test: The Discussion Paper proposes ecological offsetting to address “negative impacts” resulting from land use decisions as required in the Provincial Policy Statement (2020). Currently, offsetting is not considered an appropriate tool in demonstrating no negative to significant features or ecological functions when development is proposed. This practice and implementation of a no negative impact policy should continue to preclude offsetting from being

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
		used to support development that results in negative impacts to natural features and ecological functions. Offsetting should only be used once an environmental study has demonstrated the removal of any natural feature, including those that are not considered significant, will not result in a negative impact and once that test has been met, there should be a requirement that offsetting be applied. This will ensure that any reductions in natural area resulting from a development application are offset, and natural area cover is enhanced over time. <u>Clarification on features and areas that the offsetting policy would be applicable</u>: The Discussion Paper makes a general statement that the offsetting policy would be applied to "wetlands, woodlands and other natural wildlife habitat". At this time, the Discussion Paper has made no differentiation between provincially significant wetlands (PSWs) and wetlands in general, only to suggest that "some wetlands, like coastal wetlands, bogs and fens in southern Ontario" … "should be ineligible for offsetting".. The offsetting policy may also be applied to significant woodlands and significant wildlife habitat. The Region requests that clarification is provided to determine what features and areas the offsetting policy would apply to in order to understand the full implications of an offsetting policy. <u>Offsetting/Compensation Locations</u>: As growth and development pressure is often focused in southern Ontario where the greatest loss of natural area cover and biodiversity has occurred, a greater emphasis must be made on directing offsetting to an area where increasing natural cover would have the greatest benefit to increasing biodiversity. Natural environment planning, including identification and protection of the water resource system and the natural heritage system, is best undertaken at a watershed scale which recognizes the interactions and interdependences of the vegetation, soil, surface and ground water, and ecological processes that sustain a healthy natural environment. The removal of natural features, and associated ecological and hydrologic functions from a watershed or ecodistrict can have a negative impact on the natural environment, whether due to single, multiple or successive developments that implement the offsetting

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
		approach. The later consideration of multiple or successive impacts is part of a cumulative impact assessment, that should be focused at the watershed and/or ecodistrict scale, and sometimes more appropriately at the sub-watershed or ecosite scale. Offsetting should only be proposed within the same watershed/ecodistrict. Healthy Communities: Through the pandemic it has become even more apparent of the value of natural spaces in our communities and accessibility to these spaces. The Provincial Policy Statement (2020) has identified a clear vision for "healthy communities" that are both "economically and environmentally sound, and are resilient to climate change". Using offsetting as a means to remove natural features and areas from an area in order to maximize housing density may compromise achieving the vision for healthy communities. This is especially important within settlement areas, where residents do not have the ability to travel outside of their community to access natural areas and the benefits they provide. Consideration for the importance value of natural heritage features and areas in designing healthy communities, including their role in mitigating impacts from climate change should be factored into implementation of offsetting policies. Review of Additional Provincial Programs and Guidance Materials: The Discussion Paper has requested suggestions for changes to mechanisms or guidance documents, including: i. Conservation Land Tax Incentive Program and Managed Tax Forest Incentive Program ii. Areas of Natural and Scientific Interest iii. Natural Heritage Reference Manual iv. Significant Wildlife Habitat Technical Guide These existing programs and guidance documents relate to the conservation of land, designation of areas of provincial significance, and guidelines that were designed to guide the implementation of the Provincial Policy Statement. It is understood that the province will be updated provincial planning documents through the 'Review of A Place to Grow and Provincial Policy Statement' (ERO Posting 019-6177). Until such time that provincial planning documents and policy

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
		has been updated, it is premature to provide recommendations to update or improve these guidelines. It is recommended an adequate commenting period is provided following any updates to policies for which the guideline documents are intended to support.
	Regulatory impact analysis Through this posting, we are seeking input on anticipated benefits or costs from businesses that may be impacted by the policy approach being considered to better help the Ministry understand the real costs or cost savings.	Not Applicable to Halton Region

M) REVIEW OF A PLACE TO GROW AND PROVINCIAL POLICY STATEMENT

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
ERO#: 019-6177 Review of A Place to Grow and Provincial Policy Statement	**Proposal summary** 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. MMAH is seeking input on how to create a streamlined province-wide land use planning policy framework that enables municipalities to approve housing faster and increase housing supply.	Please refer to recommendations and comments below.
	Proposal The government is proposing to integrate the PPS and A Place to Grow into a new province-wide planning policy instrument that: • Leverages the housing-supportive policies of both policy documents; • Removes or streamlines policies that result in duplication, delays or burden in the development of housing; • Ensures key growth management and planning tools are available where needed across the province to increase housing supply and support a range and mix of housing options;	**Recommendation:** 1. Consider precise, targeted changes that support shared goals and the intended outcome of building more homes faster. **Comments:** Undertaking further sweeping changes to the land use planning policy environment will potentially cause delay and disruption as municipalities have recently completed or are implementing Growth Plan conformity exercises and will need to devote significant resources and time to do further official plans and zoning by-law reviews. This may introduce uncertainty and unintended consequences in achieving the Province's stated objective of creating more housing faster.

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
	• Continues to protect the environment, cultural heritage and public health and safety; and • Ensures that growth is supported with the appropriate amount and type of community infrastructure. The intended outcome of this review is to determine the best approach that would enable municipalities to accelerate the development of housing and increase housing supply (including rural housing), through a more streamlined, province-wide land use planning policy framework. The core elements of this new policy instrument could include the approaches outlined below:	
	Residential Land Supply	
	Settlement Area Boundary Expansions – streamlined and simplified policy direction that enables municipalities to expand their settlement area boundaries in a coordinated manner with infrastructure planning, in response to changing circumstances, local contexts and market demand to maintain and unlock a sufficient supply of land for housing and future growth.	**Recommendation:** 1. Apply a comprehensive approach that is consistent with a land needs assessment. **Comments:** Generally Halton Region is supportive of a streamlined and simplified process, but any considerations of expansions should take a comprehensive approach and should be consistent with a larger scale (regional) land needs assessment.
	Rural Housing – policy direction that responds to local circumstances and provides increased flexibility to enable more residential development in rural areas, including rural settlement areas.	**Recommendation:** 1. The expansion in rural areas should be determined through planning criteria, including assessment of impacts on natural heritage, agricultural lands, and feasibility of infrastructure servicing. **Comments:** Halton Region has a number of concerns related to further residential development in rural areas: • Impact on natural and agricultural systems; • Public costs and inefficiencies associated with scattered rural development, which contradicts the current Growth Plan which promotes compact urban form and complete communities;

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
		• Potential water and sewage servicing issues associated with expanding rural settlement areas which are typically serviced by private water and wastewater systems.
	Employment Area Conversions – streamlined and simplified policy direction that enables municipalities to promptly seize opportunities to convert lands within employment areas for new residential and mixed-use development, where appropriate.	**Recommendation:** 1. The process for employment conversions should not be changed as this may have unintended consequences for future employment land supply. **Comments:** Current process in Halton currently outlines the process to enable employment land conversions while ensuring that Halton has a healthy supply of employment areas for future job growth and economic prosperity. A comprehensive review process is in place that ensures that there is a demonstrated need for the conversion. This process has ensured that employment lands are in place in Halton for future employment related development over the long term. Changing this process could undermine the intent to protect employment lands and ensure economic prosperity over the long term.
	Attainable Housing Supply and Mix	
	Housing 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, including ground-related housing, missing middle housing, and housing to meet demographic and employment-related needs.	**Recommendation:** 1. Proposed policy direction should take into account the unique local municipal context. **Comments:** In general and in principle the policy direction can be supported, however a key concern each municipality has different market based demand and context and terminology such as “projected market-based demand” is vague and is not a one size fits all concept. Further clarity is required with public and stakeholder input to assess the implications of this proposed policy direction.
	Major Transit Station Areas – policy direction that provides greater certainty that major transit station areas would meet minimum density targets to maximize government investments in infrastructure and promote transit supportive densities, where applicable across Ontario.	**Recommendation:** 1. Provide exemptions for new MTSAs with established density target to be achieved over the current planning horizon. **Comments:**

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
		Can generally support in concept. However, it may be challenging in some of newly identified MTSAs in Halton (e.g. Acton MTSA) to meet a higher minimum density targets in the short-term.
	Urban Growth Centres – policy direction that enables municipalities to readily identify centres for urban growth (e.g., existing or emerging downtown areas) as focal points for intensification and provides greater certainty that a sufficient amount of development, in particular housing, will occur.	**Recommendation:** 1. Generally supportive in principle. **Comments:** Halton's municipalities have a hierarchy of urban areas that focus growth in Urban Growth Centres and other strategic growth areas. Any additional policy direction should ensure that coordination is recognized to facilitate and provide necessary community infrastructure and services to support additional growth.
	Growth Management	
	Population and Employment Forecasts – policy direction that enables municipalities to use the most current, 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.	**Recommendation:** 1. Clarify what sources of information will be used to support this policy direction. **Comments:** In principal Halton Region can support municipalities having access to more current and reliable information. However, it is unclear what the sources of the information will be for this policy. At the Provincial level, even the Growth Plan growth estimates are not consistent with population and employment forecasts provided by the Ministry of Finance. Municipalities will need clarity about what current information is to be used and how this policy direction is expected to be implemented to ensure consistency and ensure proper coordination and fiscally responsible delivery of infrastructure to facilitate growth.
	Intensification – policy direction to increase housing supply through intensification in strategic areas, such as along transit corridors and major transit station areas, in both urban and suburban areas.	**Recommendation:** 1. Provide clarity on where intensification is to occur on the landscape in the areas specified (i.e., in greenfield areas in suburban areas?). **Comments:** Current Growth Plan and Halton Region Official Plan already have policies that direct growth to take place via intensification

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
		in Strategic Growth Areas as set out in the Regional Official Plan. This policy direction will require further clarification as "suburban areas" is not currently a defined concept in provincial policy so it is not clear if this concept applies to new and/or existing greenfield areas.
	Large and Fast-growing Municipalities – growth management policies that extend to large and fast-growing municipalities both inside and outside of the Greater Golden Horseshoe, including the coordination with major provincial investments in roads, highways and transit.	**Recommendation:** 1. Provide more clarity on the intended purpose of this policy direction. **Comments:** This policy direction relating to "large and fast-growing" municipalities is too vague and requires clarification in order to provide a meaningful response.
	Environment and Natural Resources	
	Agriculture – policy direction that provides continued protection of prime agricultural areas and 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.	**Recommendation:** 1. The expansion in rural areas should be determined through planning criteria, including assessment of potential impacts on natural heritage, agricultural viability, and feasibility of infrastructure servicing. 2. Studies, such as Agricultural Impact Assessments, should still be required to assess and mitigate potential impacts. 3. Consider roles and responsibilities for oversight of an Agricultural System. 4. Consider opportunities to streamline the Niagara Escarpment Plan requirements for applications in the Niagara Escarpment Protection Area. **Comments:** More clarity is required to determine how this policy will not create adverse long-term impacts on agricultural system. Reaction from agricultural and environmental sectors likely to be strongly negative due to potential impacts on environmental protection, increased loss and fragmentation of prime agricultural lands, subsequent negative impacts to the

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
		agri-food sector, and increased allocations of land for housing and other urban uses. Uncertain as to how to reduce negative impacts to the agricultural system and farming operations with the expansion of settlement areas and proposals to enable more residential development in rural areas. The system based approach maintains and enhances the geographic continuity of the agricultural land base and functional and economic connections to the agri-food network. Any future changes to the PPS should recognize that agricultural systems are regional scale systems that cross municipal boundaries and require coordinated careful planning to ensure that local farming can prosper and be sustained for the long-term. Halton Region has demonstrated leadership in working with local municipalities and the agricultural sector to preserve and protect Halton's agricultural system so farming can continue to thrive and prosper to feed our communities. Consideration should be given to updating the Niagara Escarpment Plan to streamline processes for applications with respect to agricultural viability in the Niagara Escarpment Protection Area.
	Natural Heritage – streamlined policy direction that applies across the province for Ontario's natural heritage, empowering local decision making, and providing more options to reduce development impacts, including offsetting/compensation (Proposed Updates to the Ontario Wetland Evaluation System)	**Recommendation:** 1. To ensure the long-term protection of Ontario's natural features and areas and their ecological functions, the current Provincial direction to identify a Natural Heritage System should be carried forward. Natural Heritage Systems are made up of natural heritage features and areas and linkages intended to provide connectivity, reduce the risk of species loss, support biological diversity, mitigate climate change and create resilient landscapes that enable ecological integrity of the system to continue. 2. Please refer to Regional staff comments on ERO Posting 019-6160 Proposed Updates to the Ontario Wetland

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
		Evaluation System and ERO 019-6161 Conserving Ontario's Natural Heritage, which proposes ecological offsetting as a method to compensate for the potential loss of wetlands, woodlands, and other natural wildlife habitat in the province resulting from development. **Comments:** Support the Province's existing goals and objectives set out in policy related to protection of natural heritage and water resources. The natural environment provides essential ecosystem services including biodiversity, social and cultural benefits including recreation and traditional resource uses, health benefits, climate change mitigation, flood reduction and improving water quality.
	Natural and human-made hazards - streamlined and clarified policy direction for development in hazard areas, while continuing to protect people and property in areas of highest risk	**Recommendation:** 1. There should continue to be greater emphasis on avoidance as opposed to mitigation of natural and human-made hazards. 2. Development should continue to be directed away from areas where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards. 3. Emphasis should be placed on reducing the potential for public cost or risk to Ontario's residents from natural or human-made hazards. 4. Recognize the role that natural heritage systems provide for resilience against impacts of climate change. **Comments:** The recommendations in the 2019 report from Ontario's Special Advisor on flooding Protecting people and property: Ontario's flooding strategy should be used to clarify provincial policy direction for hazard areas and development of guidance documents.

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
		The policy direction should also recognize the role that natural heritage systems provide for more resilient environments and can allow for opportunities to reduce impacts of flooding and other risks associated with the more frequent and severe weather events with the impacts of climate change. The wildland fire risk and the protection of people and property is integrated with natural heritage system and natural hazard planning, specifically in settlement areas should be clarified as part of the policy direction.
	Aggregates – streamlined and simplified policy direction that ensures access to aggregate resources close to where they are needed	**Recommendation:** 1. Update PPS and Growth Plan policies with respect to Aggregates to require a demonstration of need. **Comments:** If changes are made, aggregate operators should be required to demonstrate need before making an application to enable extract in municipalities. Any changes to aggregate policies must also ensure protection of natural heritage and proper rehabilitation of these areas post-extraction.
	Cultural heritage –policy direction that provides for the identification and continued conservation of cultural heritage resources while creating flexibility to increase housing supply (**Proposed Changes to the Ontario Heritage Act and its regulations: Bill 23 (Schedule 6) - the Proposed More Homes Built Faster Act, 2022**)	**Recommendation:** 1. Provide clarity as to how proposed changes to the *Ontario Heritage Act* will lead to more housing supply. **Comments:** Continued preservation of Cultural Heritage resources is very important to maintain the sense of identity of a community. It is unclear how the proposed changes to the OHA will increase housing supply and affordable housing nor is there any evidence that protecting heritage resources is one of the reasons that there is a housing crisis. Many heritage resources are located in built up areas (already densified downtowns) and the heritage resources in greenfield areas are generally farmhouses or cemeteries and often are located in parks in final plans. Requiring municipalities to remove heritage resources from the Register if they are not designated within two years will not increase the supply of affordable housing, but it will result in

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
		the loss of resources (an important aspect of community development and sense of identity).
	Community Infrastructure	
	Infrastructure Supply and Capacity – policy direction to increase flexibility for servicing new development (e.g., water and wastewater) and encourage municipalities to undertake long-range integrated infrastructure planning	**Recommendation:** 1. Provide clarity on what is meant by increased flexibility for servicing new development (e.g., water and wastewater?). Is this for urban or rural areas or both? 2. Servicing for new development should be undertaken using an integrated approach. Standards should continue to be maintained. **Comments:** The Region would not support increased flexibility for servicing new rural development and does not support any reduced standards for water and wastewater (e.g. large lots with piped water and septic systems). Halton Region already undertakes long-range integrated infrastructure planning for Regional infrastructure such as Regional roads and Regional water and wastewater. The Region has an existing allocation program for water and wastewater which should remain in place given its operational success. Halton already allows development proponents to prepare a Fiscal Impact Analysis allows for some flexibility. The Region would not support development that would have a negative fiscal impacts on the Region. Regions undertake certain aspects of infrastructure planning for their local municipalities. It will be difficult for regional municipalities to coordinate between local and regional infrastructure without a planning function.
	School Capacity – coordinated policy direction that ensures publicly funded school facilities are part of integrated municipal planning and meet the needs of high growth communities, including the Ministry of Education's proposal to support the development of an urban schools' framework for rapidly growing areas	**Recommendation:** Support in principle but require more clarity. **Comments:** Halton Region supports the concept of further coordinated policy direction that ensures publicly funded school facilities

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
		are part of integrated municipal planning and meet the needs of high growth communities, subject to more details being made available. More information is required to provide comments on the the Ministry of Education's proposal to support the development of an urban schools' framework for rapidly growing areas and Halton will provide more input when more details are made available.
	Streamlined Planning Framework	
	Outcomes-Focused – streamlined, less prescriptive policy direction requiring fewer studies, including a straightforward approach to assessing land needs, that is focused on outcomes	**Recommendation:** 1. Requirements for thorough and comprehensive studies should be maintained. **Comments:** Less prescriptive natural heritage and water resource policies allow for flexibility in interpretation and as seen in the past, it has resulted in substantial delays in streamlining housing supply applications. Natural features and their ecological functions need to be assessed as part of a development application to identify constraints to development, impact assessment, and mitigation strategies and consider of residual impacts, which are all interrelated. As proposed through ERO 019-6161 Conserving Ontario's Natural Heritage, If the approach to 'offsetting' natural heritage features to mitigate impacts to introduce through these policy directions, an environmental assessment is required to determine the form and function of the feature and the 'net benefit' that will need to be completed. There is the risk that this policy direction will jeopardize good planning, health, safety, if natural heritage systems studies are not comprehensive, thorough and complete. Streamlining and requiring fewer studies will not result in better development and can adversely affect neighbouring properties and a city's landscape overall. (i.e., Agricultural impact assessments need to be submitted to ensure the protection and viability of prime agricultural lands if located in proximity to development).

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
	Relevance – streamlined policy direction that focuses on the above-noted land use planning matters and other topics not listed that are also key to land use planning and reflect provincial interests	No comment
	Speed and Flexibility – policy direction that reduces the complexity and increases the flexibility of comprehensive reviews, enabling municipalities to implement provincial policy direction faster and easier	**Recommendation:** 1. Guidance documents (i.e. Natural Heritage Reference Manual and OWES) should be updated and released concurrently with the natural heritage policies to ensure consistent implementation and provide clear guidance on mitigating impacts – not simply the removal and replication of features. **Comments:** N/A
	Questions	
	What are your thoughts on the proposed core elements to be included in a streamlined province-wide land use planning policy instrument?	**Recommendation:** 1. Provide clarity on the details of the proposed core elements to be included in a streamlined province-wide land use planning policy instrument. **Comments:** It is difficult to comment on 'proposed core elements" of the "streamlined province-wide land use planning policy instrument" with so little information being provided. In particular, an evidence-based policy process should be utilized that would demonstrate policy changes would result in homes being built faster without compromising core values that have been embedded in the PPS and Growth Plan such as the protection of natural heritage, water, and agriculture, climate change mitigation, the efficient provision of infrastructure and the development of strong, livable and healthy communities.
	What land use planning policies should the government use to increase the supply of housing and support a diversity of housing types?	**Recommendation:** 1. Provide policies to address the "missing middle" and encourage additional supply of purpose built rental housing.

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
		Comments: The Halton Region Official Plan, which reflects the current PPS and Growth Plan, already supports housing, including supply and diversity of housing types. More policies are needed to ensure that the Province provides sustainable long-term funding and support for assisted and affordable housing for vulnerable and low-income cohorts in Ontario.
	How should the government further streamline land use planning policy to increase the supply of housing?	**Recommendation:** 1. Develop a system to address unconstructed development approvals. 2. Require studies to be completed in advance of or as a condition of approval. **Comments:** Policies should address lapsing/revocation of planning permissions for fully serviced development that is approved and not constructed within a reasonable period (i.e revoke planning approvals if development is not constructed within 2 years of approval). Polices that ensures all studies and background reports are completed in a satisfactory manner prior to being submitted by development proponents or secondary plan proponents at the time of *Planning Act* applications.
	What policy concepts from the Provincial Policy Statement and A Place to Grow are helpful for ensuring there is a sufficient supply and mix of housing and should be included in the new policy document?	**Recommendation:** 1. Uphold and maintain policies to support growth and protect employment areas over the long term. **Comments:** The current Halton Region Official Plan reflects the the Provincial Policy Statement and A Place to Grow and the housing policies support housing supply and mix. Generally speaking policies that support the development of complete communities, such as growth and density targets, should be continued as they support housing supply and mix.

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
		Protecting employment areas over the long term is also an important policy to ensure there are jobs for the current and future residents which in turn will promote growth, new development and economic prosperity for communities.
	What policy concepts in the Provincial Policy Statement and A Place to Grow should be streamlined or not included in the new policy document?	**Recommendation:** 1. Identify the following: natural heritage systems at a watershed/regional scale, opportunities for streamlining, and no-touch features. 2. Encourage that natural heritage and water resource system refinements are identified as early in the planning process as possible. 3. Balance the priorities of natural heritage, water resource, and agricultural system. **Comments:** Natural Heritage Systems should be identified at a broader regional/ watershed scale by municipalities, using best available science to achieve the long term and "sustainable" environmental protection of natural features and their functions. Through the review of the PPS and Growth Plan, the policy direction should identify opportunities to streamline and consolidate the policies for identification natural features that are important from both a site specific context and as a broader system. A high degree of confidence should be applied to the policy approach to ensure that the biological diversity and ecological function of Ontario's natural heritage will be preserved and enhanced for future generations. The policy direction should identify natural features that must be preserved and protected ('no-touch') on the landscape with prescribed vegetation protection zones to mitigate impacts from new development on adjacent lands and articulate permitted uses in the natural heritage system, which would streamline land use decisions. The policy direction should also look for opportunities to coordinate natural heritage and water resource planning across all Provincial Plans.

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
		Requiring the introduction of refinements to the natural heritage and water resource systems at an early stage of the development application process and in the broadest available context so that there is understanding of the natural process which are necessary to maintain biological diversity and ecological functions of the system as a whole could streamline the review. Further, it provides greater flexibility to enhance the ecological functions of all components of the system and hence improve the long-term sustainability of the overall system. Natural heritage and water resource system mapping could be constructed using the most locally relevant and rigorous data made available from local and regional municipalities and conservation authorities could add to streamlining. Guidance on criteria for when and how refinements to the mapping may occur must be clearly articulated and defined. Natural heritage, water resources and agriculture are often located in the same areas and require a balance in priorities to guarantee and strengthen their coexistence. The two policy directions require close alignment and prescriptive policies to ensure effective implementation by municipalities, policies that add to this could add to streamlining.
	Is it possible to identify potential opportunities that will complement other provincial priorities and plans that could result in impacts to additional provincial plans, beyond the PPS and A Place to Grow?	**Recommendation:** 1. Climate Change and Protection of Agricultural and Natural Heritage Systems should remain a priority. **Comments:** Climate change is a provincial and federal priority however the changes to the Wetland Evaluation System and Conservation Authorities Act contradicts these priorities. Consider policies that encourage the construction of green infrastructure and housing simultaneously. In addition, provide strong policy direction for municipalities for municipalities to ensure a coordinated approach to ensure that natural heritage systems are identified and protected for the long-term. Regional governments have longstanding experience and capacity to ensure that these systems are protected as critical assets to

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
		respond to climate change and ensure healthy communities and ecosystems. Avoid jeopardizing Ontario's ability to produce food locally by allowing urban uses to encroach on viable farmland or by allowing more urban uses in the rural area.

N) PROPOSED REVOCATION OF THE PARKWAY BELT WEST PLAN

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
ERO#: 019-6167 Proposed Revocation of the Parkway Belt West Plan	**Proposal summary** The Ministry of Municipal Affairs and Housing is seeking feedback on a proposal to revoke the Parkway Belt West Plan, 1978, under the *Ontario Planning and Development Act, 1994*.	**Recommendation:** 1. Before revoking the Plan, consult and partner with municipalities to ensure a coordinated approach is undertaken with consideration for any existing planning documents. **Comments:** Removing this additional layer of Provincial planning policy that applies in Halton is supported in principle. Ensure a clear process is undertaken in partnership with municipalities to determine the approach to revocation, to ensure lands that continue to require protection, and that no gaps in local planning documents are created.
	Context The Parkway Belt West Plan is Ontario's first provincial land use plan, originally created in 1978 by Order-in-Council under the authority of the *Parkway Belt Planning and Development Act, 1978*. The Plan is now under the jurisdiction of the *Ontario Planning and Development Act, 1994.* The Plan is located within the Parkway Belt West Planning Area which was originally established under Ontario Regulation 472/73 and is generally shown on Map 1 of the Plan.	Please refer to recommendations and comments and above.

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
	In 1973, fourteen Minister's Zoning Orders were also put in place to identify, protect lands and specify permitted uses and standards to support the implementation of the Plan. **Geographic Area of the Parkway Belt West Plan** The Parkway Belt West stretches 120 km from the City of Hamilton to the City of Markham and currently covers approximately 12,070 ha or 29,830 acres (the original area in 1978 was approximately 21,350 ha or 52,757 acres) – generally along the Highway 407 corridor. It crosses a number of municipalities in the Greater Golden Horseshoe. **Parkway Belt West Plan's Goals and Land Use Designations** The Plan is comprised of both policies and maps and is supported by associated Minister's Zoning Orders in some cases. The Plan was originally created with four goals: 1. Provide separation and definition of urban area boundaries; 2. Create links between urban areas by providing space for movement of people, goods, energy, and information (e.g., Hwy 407, inter-urban transit); 3. Provide a land reserve for future linear facilities (e.g., hydro corridors); and, 4. Provide a system of open space and recreational facilities (e.g., public open space, golf driving ranges). There are two general land use designations in the Plan: 1. Public Use Areas: • Mainly for infrastructure (Utility, Electric Power Facility, Roads, Inter-Urban Transit) and open space; • Generally, reflects areas where infrastructure has been built. 2. Complementary Use Areas: • Mainly for uses that help preserve open spaces and encourage agricultural, recreational, and institutional land uses.	

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
	Amendments have been made to the Plan to re-designate and/or remove lands over the years, with the Plan's focus evolving to support an infrastructure corridor.	
	Implementation Municipalities' official plans and local zoning by-laws reflect the policies and mapping of the Plan, and MZOs (in most cases). The Ministry supports municipalities with the implementation of the Plan and MZOs through interpretation of Plan policies and mapping and MZOs given the complexity that has resulted from the number of amendments made over the last forty years. While nine of the original fourteen Minister's Zoning Orders made in 1973 were repealed in areas where the municipal zoning by-laws were brought into conformity with the Plan, there are five MZOs that remain. The Minister of Municipal Affairs and Housing is responsible for making decisions on amendments to the remaining MZOs in Burlington, Oakville, Richmond Hill, Markham, and Toronto. Anyone (e.g., municipalities, agencies, landowners, etc.) can apply to the Ministry to amend or revoke the Plan and/or Municipal Zoning Orders. Amendments are often to permit temporary uses, additions to parking lots or new parking lots, the rebuilding of a structure to allow greater lot coverage and to increase allowable storage areas. • Plan amendments can include policy and/or land use changes, re-designations or removals of land. MZO amendments are often for the removal of land or to change development standards (i.e., setbacks, re-building and lot coverage). The Minister of Municipal Affairs and Housing is the approval authority for these applications. The application process has created additional burden with the layer of provincial approvals required for amendments to an outdated plan, resulting in added time and costs at all levels.	Please refer to recommendations and comments and above.
	Success and Current Challenges The Plan has been successful over the years in protecting transportation and utility corridors for projects (e.g., Hwy 403, Hwy	Please refer to recommendations and comments and above.

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
	407, transitway corridors, hydro corridors) that were planned for, and most of which were built decades ago. Over the years, provincial legislation, land use policies (e.g., Provincial Policy Statement) and provincial plans have provided a more modernized and up-to-date policy framework that has resulted in the Parkway Belt West Plan becoming outdated. This includes policies in the Provincial Policy Statement and Provincial Plans related to infrastructure, natural heritage, agriculture, parks and open space. The Parkway Belt West Plan and the Minister's Zoning Orders have been amended over 200 times to make Plan policy changes and re-designate or remove lands from the Parkway Belt West Plan. This has resulted in a 43% reduction in size of the Plan's original area of 21,350 ha (52,757 acres) in 1978, to its current size of 12,070 ha (29,830 acres). Non-Infrastructure designations have experienced nearly 100% of the Plan's reduction. Over time, through these amendments, many of the non-infrastructure policies have been removed from the Plan, resulting in the goals of the Plan that support providing open space, encouraging recreation, institutional and agricultural uses no longer being applicable.	
	Other related information Should the Parkway Belt West Plan be revoked, the remaining associated Minister Zoning Orders would also need to be revoked or deemed as local zoning by-laws. This would be subject to a separate process that would include notification of the proposal through a future Environmental Registry of Ontario posting.	Please refer to recommendations and comments and above.

O) CENTRAL PICKERING DEVELOPMENT PLAN

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
ERO#: 019-6174	**Proposal summary**	Not Applicable to Halton Region.

ERO Posting # / Name	Description of Proposed Change from ERO Posting	Halton Region Comments
Proposed Revocation of the Central Pickering Development Plan	The Ministry of Municipal Affairs and Housing is seeking feedback on a proposal to revoke the Central Pickering Development Plan, under the *Ontario Planning and Development Act, 1994.*	