



Planning and Development

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April 28, 2022

PlanningConsultations@ontario.ca

Comments submitted through the ERO website and via email

**RE: County of Grey Comments on Bill 109: More Homes for Everyone Act, 2022
and associated regulation changes and consultations
ERO Registry Numbers 019-5283, 019-5284, 019-5285, 019-5286, 22-
MAH007 and 22-MMAH010;**

Dear Planning Consultations Ontario:

Please find attached a copy of Grey County Staff Report PDR-AF-17-22, which represents the County of Grey comments on Bill 109, More Homes for Everyone Act, as well as the associated regulation changes and housing consultations (ERO Registry Numbers 019-5283, 019-5284, 019-5285, 019-5286, 22-MMAH007 and 22-MMAH010). This report was presented to the April 27th Grey County Affordable Housing Task Force meeting, where the staff recommendation was adopted.

Thank you for the opportunity to provide comments on this legislation and the associated consultations.

Should you have any questions, or require any further information, please do not hesitate to contact this office.

Yours truly,

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Cc. Township of Chatsworth (via email only)
Township of Georgian Bluffs (via email only)
Municipality of Grey Highlands (via email only)
Town of Hanover (via email only)

Municipality of Meaford (via email only)
City of Owen Sound (via email only)
Township of Southgate (via email only)
Town of The Blue Mountains (via email only)
Municipality of West Grey (via email only)
Grey Sauble Conservation Authority (via email only)
Saugeen Valley Conservation Authority (via email only)
Grand River Conservation Authority (via email only)
Nottawasaga Valley Conservation Authority (via email only)

To:	Chair McQueen and Members of Affordable Housing Task Force
Committee Date:	April 27, 2022
Subject / Report No:	PDR-AF-17-22
Title:	Comments on Bill 109 – More Homes for Everyone Act and associated consultations
Prepared by:	Randy Scherzer
Reviewed by:	Kim Wingrove
Lower Tier(s) Affected:	All Municipalities
Status:	

Recommendation

1. That Report PDR-AF-17-22 regarding an overview of the '*Bill 109: More Homes for Everyone Act*' be received; and
2. That Report PDR-AF-17-22 be forwarded onto the Province of Ontario as the County of Grey's comments on Bill 109, More Homes for Everyone Act and the associated consultations posted on the Environmental Registry and Regulatory Registry through postings # 019-5283, 019-5284, 019-5285, 019-5826, 22-MMAH007 and 22-MMAH010; and
3. That the Report be shared with member municipalities and conservation authorities having jurisdiction within Grey County; and
4. That staff be authorized to proceed prior to County Council approval as per Section 25.6(b) of Procedural By-law 5003-18.

Executive Summary

The Province recently released proposed legislative changes under '*Bill 109: More Homes for Everyone Act*' and were seeking comments by April 29, 2022. Bill 109 received Royal Assent on April 14, 2022 which was part way through the consultation period. Bill 109 has made several amendments to the Planning Act as well as several other pieces of legislation. Although Bill 109 has already passed, the Province appears

to still be consulting on several associated topics including recommendations on how to deliver gentle density and support multi-generational communities, how best to support not-for-profit housing providers, as well as addressing housing needs in rural and northern communities. This Report provides a summary of Bill 109 and some recommended comments regarding the changes to the Planning Act, proposed regulation changes to the Development Charges Act, and on the associated consultations.

Background and Discussion

The Province established the Provincial Housing Affordability Task Force in 2021 to recommend measures to increase the supply of market housing in Ontario. The Provincial Affordable Housing Task Force released their [report](#) earlier this year and made a number of recommendations for the Province to consider. In response to those recommendations, the Province released some proposed initial legislation changes through Bill 109, More Homes for Everyone Act on March 30, 2022. The proposed Bill was posted on the Environmental Registry and the Province was seeking comments by April 29, 2022. On April 14, 2022, Bill 109 received Royal Assent and therefore the initial proposed legislation changes have now been approved.

The approved Bill has made changes to the Development Charges Act, the Planning Act, as well as several other pieces of legislation. In addition to the legislation changes, the Province appears to still be seeking feedback on several other matters that have been posted on the ERO including;

- Seeking feedback on Housing needs in rural and northern municipalities
- Consulting on opportunities to increase missing middle housing and gentle density, including support for multigenerational housing
- Seeking input on the barriers faced by not-for-profit developers and providers and how to make it easier for non-profits to build and repair housing

The government has also indicated that they will be establishing a Housing Supply Working Group to monitor progress and support improvements to the annual housing supply action plans.

This report provides a summary of the key changes made to the Development Charges Act and the Planning Act and also provides some comments/feedback on the other matters the Province is still seeking feedback on.

Changes to the Development Charges Act, 1997

The Province is proposing regulation changes to O. Reg 82/98 of the Development Charges Act which will require 'a municipal treasurer, in their annual treasurer's

statement, to set out whether the municipality still anticipates incurring the capital costs projected in the municipality's Development Charge (DC) background study for a given service. If not, an estimate of the anticipated variance from that projection would be provided along with an explanation for it'.

County Staff Comments: Municipal Finance Officers Association had noted in their comments that the challenge is understanding what the terms "variance" and "service" mean. If the terms require detailed analyses, such as specific project timing or cost changes for each capital project identified in the DC Background Study then this could increase the reporting burden for municipalities dramatically. However, if the terminology is simply interpreted that only a high-level statement is required on whether or not funds have been used over the course of any given year, then this should be achievable. Such a statement could indicate whether municipalities are raising or spending DC funds slower or faster than anticipated, based on the level of growth happening versus what was projected in the DC Background Study. County staff plan to interpret this terminology at a high-level and therefore provide general analysis as part of the annual treasurer's statement. Any variances or service changes to capital projects required to support growth are reviewed at the time of a DC Review which is required to be completed every 5 years.

Changes to the Planning Act

The Province has made several changes to the Planning Act, including changes to site plan application approvals, zoning approvals, plan of subdivision approvals and the creation on a new Community Infrastructure and Housing Accelerator (CIHA) tool. The following is a summary of the changes including staff comments.

Site Plan Approval Changes

The following changes have been made by the Province to the site plan approval provisions under the Planning Act:

1. Requiring municipalities to appoint an officer, employee or agent of the municipality to make decisions on site plan applications made on or after July 1, 2022
2. Extending site plan application review from 30 to 60 days
3. Establishing regulation-making authority to prescribe complete application requirements for site plan applications, with recourse if a site plan application has not been deemed complete within 30 days of acceptance by the municipality

4. Requiring municipalities to partially refund site plan application fees to applicants who do not receive a decision within the 60-day timeframe and on a graduated basis thereafter for applications made on or after January 1, 2023
 - 50% of the total application fee if decision not made within 60 days
 - 75% of the total application fee if decision not made within 90 days
 - 100% of the total application fee if decision not made within 120 days

County Staff Comments:

1. With respect to requiring decisions of site plan applications to be made at the staff level for applications made on or after July 1, 2022, County staff generally see this change as a positive change. This change aligns with the suggested planning process improvements highlighted in [Report PDR-CW-07-22](#) in order to help streamline the overall development process. Site plan approval is a planning tool that a municipality can use to evaluate certain site elements associated with a development including walkways, parking areas, landscaping, lighting, drainage, or exterior design. It is essentially a technical exercise that ensures that the official plan policies and zoning by-law provisions that have been established by Council are adhered to. Municipalities are limited to what can be requested and reviewed as part of the site plan application approval process and appeals are limited to the applicant only. Therefore, it is important to ensure that official plan policies and zoning by-laws are updated on a regular basis to reflect the community's vision for how a municipality would like to see their communities develop out. The official plan policies and zoning by-law provisions guide and shape what is permitted on any given property and identify the provisions that the site plan application must adhere to. Municipal planning staff would then ensure that the site plan application adheres to the official plan policies and zoning provisions through the site plan review and approval process.
2. County staff support the extension of site plan review from 30 days to 60 days as this provides further time for municipalities to review and approve a site plan application. This will allow municipalities additional time to receive any additional comments from various agencies including the County, especially if the development is adjacent to a County Road.
3. With respect to regulating complete application requirements for site plan applications, County staff have not seen what the Province is proposing and therefore it is difficult to comment at this time. As noted earlier, the site plan application process is meant to ensure that a development is adhering to the current official plan and zoning provisions. If the Minister establishes limited complete application requirements for site plan applications, then

municipalities may want to apply holding zones on specific properties if they feel that additional information would be required in order to develop specific properties. The holding provisions could outline the specific technical requirements that a municipality may still require for a given property. Municipalities could also outline further technical requirements through site plan conditions or through the site plan agreement. As noted previously, it is also important that zoning by-laws are regularly updated to ensure that the zones and permitted uses reflect the community's vision and that infrastructure is available to support development on the subject lands.

4. With respect to the changes requiring municipalities to refund part or all of the application fees if a decision is not made within the required timeframes, County staff are concerned that these changes unfairly penalize municipalities for not approving applications. The planning approval process involves a number of stakeholders including the municipality (approval authority), the applicant, the community, as well as external agencies (e.g. conservation authorities), peer reviewers, and provincial ministries. The municipality relies on comments from all these stakeholders in order to render a decision on a site plan application. If comments are not received on time, or if several revisions to the site plan are required in order to address comments, then this could cause delays in approving a site plan application that could be beyond the control of a municipality. For example, if a municipality requires additional engineering from the proponent's engineer or a peer reviewer after the initial site submission, and it takes a while to receive the additional engineering, then it leaves very little time left for municipal review and a decision. Therefore, it is unfair to penalize a municipality on application revenue for matters that may be beyond the control of a municipality.

Application revenue is utilized by a municipality to offset administrative expenses associated with processing and reviewing applications and therefore if a municipality is required to refund application fees, then this could leave a municipality short funds to offset these administrative expenses. Municipalities would then need to offset these administrative expenses using other funding sources including through the tax levy which means that existing taxpayers may be responsible for funding expenses associated with proposed developments.

Other approvals from agencies and provincial ministries may also be required for a proposed development such as conservation authority permits, County approvals (e.g. entrance permits for a County road), or provincial approvals (e.g. MTO approvals, MECP approvals, etc.) which can all lead to potential

delays in getting more homes built. If the Province is wanting to expedite homes being built, then they should analyse the entire planning process and find opportunities for creating efficiencies which should include finding efficiencies in provincial approval processes rather than just 'pinning' the responsibility for the housing shortage on municipalities.

As municipalities rely on these application fees to offset administration expenses, municipalities may look to overinflate their application fees to offset the penalties being applied by the Bill 109 changes. This would penalize applicants who submit comprehensive and complete applications from the onset as they would be paying the same application fees as an applicant who does not submit a comprehensive and complete application submission. Municipalities may also need to increase staff resources in order to review and process planning applications within the timelines to avoid potential penalties. Municipalities are finding it challenging to fill existing staff vacancies, let alone trying to add more additional qualified staff and therefore adding additional staff resources at this time may be very challenging.

Municipalities may also need to explore options for being more stringent on not deeming an application complete unless a full and comprehensive application package has been submitted. This could include the requirement for applicants to do a comprehensive pre-submission consultation with agencies and stakeholders prior to application submission to avoid the need to have multiple site plan submissions and in order to ensure that the Planning Act timelines can be adhered to without triggering timelines to refund fees. This would switch the onus on the applicant to ensure that all the necessary consultation has been completed prior to actually submitting an application. Requiring a comprehensive application submission may be difficult however if the Province decides to regulate complete application requirements as per the Bill 109 changes.

For site plan applications adjacent to a County Road, the Planning Act requires that municipalities not issue a decision on a site plan application 'until the upper-tier municipality has been advised of the proposed development and afforded a reasonable opportunity to require the owner of the land' to provide things like road widenings, turning lanes, parking lanes, etc. and enter into agreements with the applicant to provide them. Although County staff will endeavor to work with municipalities and applicants regarding the above matters within the prescribed timeframes to avoid application fee penalties, there may be times where meeting these timelines may not be possible. If municipalities can require applicants to do a comprehensive pre-submission consultation with the County prior to

application submission as noted above, then this will help to provide the County with a 'reasonable opportunity' to address the County road related matters within the prescribed timeframes.

The application fee penalties may also result in slowing down homes being built because if a municipality does not have all the information required to make a decision, then they may choose to refuse the application prior to the penalty timelines kicking in. This would cause the applicant to either appeal the refusal to the Ontario Land Tribunal which could take several months to a year to get approved, or the applicant would need to reapply and start the process over again. These two potential outcomes defeat the purpose of what the Province is trying to achieve with Bill 109 and in fact will cause further delays in getting more homes built. The preferred alternative is to allow municipalities the flexibility to work with the applicant and other stakeholders on what is typically an iterative process that usually results in a positive outcome for all versus wasting additional time and resources through a lengthy OLT process or by causing the Applicant to continuously reapply until they have a comprehensive application submission. Rather than penalize municipalities, it might be more beneficial to instead offer discounts to applicants as an incentive to submit comprehensive applications from the beginning that don't require revised submissions.

County staff therefore recommend that the Province pass further legislation to remove the application fee penalties imposed by Bill 109 because these penalties will have the opposite effect that the Province is trying to achieve. These measures also unfairly penalize municipalities and seems to indicate that municipalities are the core cause for the housing shortage when in fact the housing shortage is caused by many factors including delays in other approvals including provincial ministries as well as market forces and workforce/supply shortages that are beyond the control of a municipality.

Zoning Changes

Bill 109 requires municipalities to refund zoning by-law amendment fees if they fail to make a decision within prescribed timeframes. These new provisions would apply to zoning amendment applications submitted after January 1, 2023 and would be refunded on a graduated basis similar to site plan applications as follows:

- 50% if decision not made within 90 days (or 120 days if concurrent with an official plan amendment application) from the date of complete application and fee received
- 75% if decision not made within 150 days (180 days if concurrent OPA)

- 100% if decision not made within 210 days (240 days if concurrent OPA)

County Staff Comments – County staff would echo the same comments provided regarding the site plan application refunds described earlier and therefore recommend that the Province reverse these legislation changes as it could result in further delays in developments getting approved. The measures also unfairly penalize municipalities when there are many stakeholders involved in a planning process which are typically beyond the control of a municipality. There are also times where a zoning by-law amendment is being processed concurrently with a plan of subdivision application and these penalties could cause municipalities to prematurely pass the zoning amendment ahead of the draft approval of the subdivision for fear of returning fees on the zoning application. This could necessitate a second zoning amendment or minor variance if there are last minute changes to the subdivision. If the Province decides not to remove the penalties in their entirety, then at a minimum it is recommended that consideration be given to extend the timelines for processing a zoning amendment when there is a concurrent subdivision application similar to what has been recognized for concurrent OPA's. Another option would be the ability to waive the appeal period for uncontested zoning approvals where the applicant agrees and there are no objections to the zoning amendment, and no changes have been made between the public meeting and the passage of the zoning by-law.

Plan of Subdivision Changes

Bill 109 made the following changes associated with plan of subdivisions:

1. Establishing regulation-making authority to prescribe what can or cannot be required as a condition of subdivision approval
2. Establishing a one-time discretionary authority to reinstate draft plans of subdivision that have lapsed within the past five years, where units have not been pre-sold to prevent redundancies

County staff comments:

1. With respect to regulating what can or cannot be required as a condition of subdivision approval, each development is unique and therefore a generic 'one-size' fits all approach for conditions of draft approval does not work. There are a number of conditions which are generic and typically apply to each subdivision development, but in most cases there are at least several detailed conditions that are unique to each subdivision development and are informed based on the review and comments received from various stakeholders. Therefore, staff are concerned that if the Province prescribes specific details on what can or cannot

be required as a condition of subdivision approval then this may limit the ability and flexibility for the approval authority to develop conditions that are unique to any given development proposal. This may require the municipality to require generic conditions that lack specific details and requiring details to be provided as part of the subdivision agreement process to the satisfaction of the municipality. By not being able to include specific details as part of the draft plan conditions, it is then left up to interpretation as to what specific matters will be required at the subdivision agreement stage. This interpretation could vary based on staff or council changes. Providing clarity and details in the draft plan conditions gives the developer more certainty and leaves less to the interpretation of staff and/or council when a subdivision gets to the final approval stage. In speaking with developers in the past, they indicated that certainty and knowing what is required upfront is key for them, and by not providing that certainty and clarity as part of detailed draft plan conditions will then leave a lot of uncertainty as part of the final approval process and the ability to satisfy draft plan conditions. County staff therefore recommends that the Province not prescribe specific details on what can or cannot be included in draft plan conditions as this could lead to further uncertainty and further delays in the final approval process. Municipalities require the flexibility to include specific draft plan conditions for each development because each development is unique and therefore a 'one-size fits all' approach for generic draft plan conditions does not work.

2. With respect to establishing a one-time discretionary authority to reinstate draft plans of subdivision that have lapsed within the past five years, County staff generally supports this change. There have been situations where a draft approved subdivision has lapsed because the applicant inadvertently forgot to request an extension of draft approval. In some cases, a phased draft approved subdivision has lapsed part way through the process whereby some phases had already been issued final approval and later phases of the overall development had lapsed. Prior to Bill 109, once a subdivision has lapsed it causes the applicant to reapply and go through the full process again including having another public meeting. The changes made in Bill 109 will save both the applicant and the subdivision approval authority time and resources.

Community Infrastructure and Housing Accelerator Tool

As part of the Bill 109 changes to the Planning Act, the Province has established a new tool called the Community Infrastructure and Housing Accelerator (CIHA) tool. The purpose of the CIHA tool is allow the Minister to expedite zoning changes for certain types of development if requested by a municipality. This new tool is very similar to a

Minister's Zoning Order and can only be utilized for certain types of development outside of the Greenbelt Area. The Minister has to establish guidelines for this new tool prior to it being used. The Province did release a [draft guideline](#) that was posted to the ERO. It is unclear at this stage if the Province has already finalized the guideline at the same time that Bill 109 was given Royal Assent or if the Province is still accepting comments on the guideline.

Highlights of the guideline posted on the ERO include:

- The Minister will consider making a community infrastructure and housing accelerator order on the request of the council of a local municipality (lower or single tier) where the Minister believes it is in the public interest to do so.
- A community infrastructure and housing accelerator order can be used to regulate the use of land and the location, use, height, size and spacing of buildings and structures to permit certain types of development.
- The requesting municipality is responsible for providing public notice, undertaking consultation and ensuring the order, once made, is made available to the public.
- A CIHA order will address zoning matters and will not address associated environmental assessment matters related to infrastructure if required for a specific development.
- The CIHA provisions allow the Minister (if requested by the local municipality) to provide that specific subsequent approvals are not subject to provincial plans, the Provincial Policy Statement, and municipal official plans. Subsequent approvals could include such things as licences, permits, approvals, permissions or other matters that are required before a use permitted by a CIHA order could be established, such as plans of subdivision and site plan control.
- The Minister will only consider an exemption from provincial policy requirements if the subsequent approval is needed to facilitate the proposed project, and the municipality provides a plan that would, in the opinion of the Minister, adequately mitigate any potential impacts that could arise from the exemption. This includes, but is not limited to, matters dealing with:
 - Community engagement
 - Indigenous engagement
 - Environmental protection/mitigation
- The Minister may impose conditions on the approval of a CIHA order. Conditions imposed could be requiring that certain studies, assessments, consultations and other necessary due diligence are addressed before construction or site alteration. The lifting of a Minister's condition is at the sole discretion of the Minister.
- Types of development that can use this tool:

- community infrastructure that is subject to Planning Act approval that support the quality of life for people and communities by providing public services for matters such as health, long-term care, education, recreation, socio-cultural activities, and security and safety
- any type of housing, including community housing, affordable housing and market-based housing
- buildings that would facilitate employment and economic development, and
- mixed-use developments.

County staff comments – similar to MZO's, there is a time and place for a tool of this nature to be utilized such as a proposed development that would have significant overall benefit for the community but doesn't quite meet the current zoning provisions. This could include for example a new public hospital, a new long-term care facility, a municipally-owned or not-for-profit affordable housing build, supportive housing, transitional housing, etc. The development should still adhere to natural hazard and natural heritage policies to ensure that any potential impacts are mitigated and should require stakeholder consultation which it appears that the proposed CIHA guidelines would support.

It is unclear what the difference between a Minister's Zoning Order and a CIHA Order is, other than a CIHA tool is based on a request by a municipality versus an MZO can be at the request of a developer. The Minister typically seeks the support of the municipality for an MZO through a municipal council resolution. However, municipal support is not required in order for the Minister to issue an MZO whereas a CIHA Order has to be based on a request from a municipality. The CIHA tool also requires the Minister to establish guidelines prior to the Minister using the CIHA tool versus an MZO has no established guidelines at this time. Outside of those differences, there are a lot of similarities between an MZO and a CIHA Order.

Although County staff see merit in potentially using the CIHA tool to expedite certain developments that have a significant community benefit, it is recommended that this tool be utilized sparingly. County staff would instead recommend that flexibility be provided in current zoning by-laws to allow these types of developments in a variety of zones to ensure that developments that would provide significant community benefit can proceed without requiring a zoning amendment. For example, developments such as community and affordable housing are needed in all of our communities and therefore these types of uses should be permitted in most compatible zones to allow the flexibility for these developments to proceed as expeditiously as possible. It is recommended that the Province consider adding upper-tier municipalities to the list of who can request a CIHA order in addition to single-tier/lower-tier municipalities.

Other Changes

Planning Act

Other changes were made to the Planning Act, including:

- For official plans (OP)/official plan amendments (OPA) where the Minister is the approval authority, the Act now allows the Minister to suspend the period of time after which there may be appeals of the failure of the Minister to make a decision on an OP/OPA.
- For OP's/OPA's where the Minister is the approval authority, the Minister now has the ability to refer an OP/OPA to the Ontario Land Tribunal for a recommendation or a decision.

Building Code Act

The Province is also proposing some changes to the Building Code Act, including:

- allowing 12-storey mass timber buildings
- streamlining modular multi-unit residential building approvals
- facilitating more infill and low rise multi-unit housing by exploring opportunities to allow for single means of egress in four to six storey residential buildings, while continuing to protect public health and safety
- allowing residents and commercial tenants of the lower floors of super-tall buildings under construction to move into their units earlier, so they can find a home and open the doors of their business sooner

County staff comments: County staff are generally supportive of the above changes to the Building Code as this provides further flexibility in the types of materials and housing design that can be considered which will hopefully result in more housing being created, subject to receiving comments from emergency providers.

Improved Data Collection

The Province has also proposed ways to improve data collection, including:

- Changes made to the *Planning Act* which require municipalities to publicly report on development applications that have been submitted, are complete, are under review and approved (for example, zoning, plans of subdivision, site plan) and the use of a data standard.
- Province is going to share the Ministry of Finance's annual population projections with municipalities and focus on the main drivers of the population growth of Ontario's census divisions, such as immigration and intra-provincial migration.

This will help them plan more accurately and intelligently to meet their short and long-term housing needs.

- Province says they will also partner with municipalities and industry to build a provincial data standard for planning and development applications. They note that this will support consistency and standardization to facilitate data sharing, reporting and e-permitting across the province.

County staff comments: County staff generally support exploring ways to improve and standardize data collection associated with development applications. The County recommends that this also extend to standardizing the collection of data associated with building permits.

Surety Bonds

Empower the Minister of Infrastructure to make a regulation to authorize landowners and applicants the use of types of surety bonds and other prescribed instruments to secure obligations in connection with local approval of land use planning matters. A future regulation would maintain the municipal ability to obtain the financial security they need to secure the land-use developer obligations in municipal agreements.

OLT Improvements

The Province will provide \$19 million in funding over three years to the Ontario Land Tribunal (OLT) to support faster case resolution, hiring more staff and adjudicators, and doubling the capacity for the use of expert land use planning mediators.

County staff comments: County staff generally supports efforts to improve the resources and capacity of the OLT to handle planning cases in a more timely and efficient manner.

Other Housing Consultations

The Province has also announced a number of consultations related to housing, available on the Environmental Registry of Ontario. These include:

- [Seeking Feedback on Housing Needs in Rural and Northern Municipalities](#) - this consultation is seeking feedback on ways to address the unique housing needs of rural and northern municipalities in Ontario.
- [Opportunities to increase missing middle housing and gentle density, including supports for multigenerational housing](#) - this consultation is focused on finding ways to support gentle density and increase Ontario's missing middle housing, including encouraging multigenerational housing solutions.
- [Seeking Feedback on Access to Provincial Financing for Not-for-Profit Housing Providers](#) – this consultation is seeking feedback on the specific challenges and

barriers faced by not-for-profit housing providers in accessing capital, whether through commercial or government loans or through federal and provincial government programs and exploring ideas and solutions for addressing these challenges.

Questions have been posed by the provincial government in relation to these consultations and staff have prepared some comments in response to those questions.

Housing Needs in Rural and Northern Municipalities

Question 1 - What are the key barriers impacting your municipality in meeting its housing needs that may be unique to northern and rural communities?

- NIMBYism
- Increasing land costs
- Increasing development and building costs
- Increasing housing prices – market forces increasing the demand for housing beyond what can be supplied by the current market
- Not enough builders and licensed contractors to keep up with demand
- Housing being used for short-term accommodation which impacts overall housing supply for residents
- Not having the proper type and mix of residential units available to meet market and affordability needs e.g. needing more smaller and rental units for downsizing and/or earlier entry to the housing market for first-time buyers/renters

Question 2 – What kind of flexibility is needed to address housing needs in your municipality?

- The more flexibility provided to municipalities to address our housing needs, the better and therefore we need provincial policies and programs that allows greater flexibility for municipalities to make decisions that respond to the needs of our communities. This could include policies that allow municipalities the flexibility to deal with settlement area boundary expansions to increase the supply of land to allow for affordable and attainable housing to be created, or for employment land conversions, without the need for an extensive comprehensive review (especially in situations where there are lands designated within a settlement area and landowners have no interest in developing them in the near future).
- Financial programs to create transitional housing, supportive housing and not-for-profit housing. Similar to the Social Services Relief Funds, staff recommend at a minimum that a similar funding program be provided by the Province to help support the creation of more community housing to ensure that we are providing housing supports for those most in need in our communities.

- Focusing community consultation requirements during the creation/updating of official plans and zoning by-laws. Once the OP and zoning by-laws have been updated, consider reducing consultation requirements for site plan and plan of subdivision applications that conform to the updated OP and zoning by-law. For example, if an OP and zoning by-law has been updated in the last 5 to 10 years and has gone through extensive community consultation, then the consultation requirements for site plan applications and plan of subdivision applications that conform to the updated planning documents could be reduced and should be treated as technical exercises implementing the community's vision. This would encourage both upper-tier and lower-tier municipalities to keep their OP and zoning by-laws up to date and ensure there has been extensive community consultation as part of the creation of those documents. Once the OP and zoning documents are updated, any subsequent applications/approvals that conform to the community's documents should be expedited.

Question 3 - What potential tools or policies could the government consider to address housing needs in your municipality while balancing other provincial priorities?

- Incentives – funding from the Province to assist with incentives to target specific housing required in rural municipalities
- Building code updates to allow for more housing types including modular housing/tiny housing
- Community Improvement Plans– allow these to be created by Counties without restrictions
- Allow all municipalities to implement Inclusionary Zoning provisions without the current restrictions that are imposed. This would allow municipalities to set a specified percentage of housing be at an affordable housing rate for all new developments or the developer could provide a contribution in-lieu of affordable housing that can then be used to build more community housing/not-for-profit housing.
- Any provincial owned lands that are surplus to the needs of the Province – transfer these to local municipalities so that it can either be used to create community housing or so that it can be sold to create funds to support the creation of community housing.
- Make changes to the Municipal Act and Real Estate and Business Brokers Act to make it easier for both upper-tier and lower-tier municipalities to dispose of surplus county/municipal lands for affordable housing purposes
- Regulating short-term accommodations province-wide
- Additional funding for planning and development review staff to 'speed up' the process. Similar to the addition of funds to the OLT, additional funds at the municipal and county levels would help expedite planning approvals.

- Assisting municipalities with public education and awareness on the importance of providing community housing, affordable housing and attainable housing in communities throughout the Province and the need to support different forms of housing and housing at higher densities.

Question 4 - Do you have other suggestions for ways to improve housing supply and needs in rural and northern municipalities?

- Funding from Province to support the development of new community housing and infrastructure to support further housing (e.g. funding for servicing infrastructure to add capacity to municipal water and sewage treatment plants and for broadband infrastructure).
- Update the Building Code to require more energy efficient homes and apartments to be net-zero ready to help keep home energy costs low and by requiring at a minimum electrical conduit for electric vehicle chargers.
- Programs and tools that actually support housing for those most in need (i.e. vulnerable populations, low to moderate income households, etc.). Although increasing housing supply might help to level off the average home prices, this still does not address housing supply for those most in need.
- Establishing a guaranteed basic income/living wage province-wide so that everyone has sufficient funds to secure and maintain housing
- Additional funding and/or supports for post-secondary institutions training skilled trades locally to support the labour force who builds the housing

Opportunities to Increase Missing Middle Housing and Gentle Density, including Supports for Multigenerational Housing

Question 1 - What are the biggest barriers and delays to diversifying the types of housing built in existing neighbourhoods?

- NIMBYism
- Appeals to OLT
- Dated official plans and zoning by-laws due to staff resource challenges caused by increasing application volumes and development inquiries
- Significant upfront investment required for rental apartments before a return on investment is seen.
- Length of time for provincial approvals for things such as record of site conditions, MTO approvals, EA approvals, etc.

Question 2 - What further changes to the planning and development process would you suggest to make it easier to support gentle density and build missing middle housing and multigenerational housing, in Ontario?

- Grey County, in partnership with our member municipalities, are taking actions locally to address housing challenges through the County's Housing Action Plan. This includes providing incentives for priority housing developments through the Community Improvement Plan Program, offering Development Charge exemptions for purpose-built rental housing, exploring the use of County and municipally-owned surplus lands to support future affordable housing builds, establishing an Affordable Housing Fund to support future community housing and not-for-profit builds, ensuring our official plans and zoning by-laws are updated to allow for various housing densities and types without our communities, etc. Further information about the Housing Action Plan can be found in the reports linked below:
 - [PDR-AF-01-20 Housing Options and Programs Report](#)
 - [Addendum to PDR-AF-01-20 Updated Housing Action Plan and Next Steps](#)
- The Province should consider limiting appeals of zoning by-law amendments that are associated with implementing a proposed/draft approved plan of subdivision. The appeal limitations should be similar to the appeal limitations for plans of subdivision under the current Act.
- Similar to what was described earlier, focusing community consultation requirements during the creation/updating of official plans and zoning by-laws and reducing consultation requirements for site plans and subdivisions that conform with the community's planning documents if they have been updated in the past 5 to 10 years.

Question 3 - Are you aware of innovative approaches to land use planning and community building from other jurisdictions that would help increase the supply of missing middle and multigenerational housing?

- See above re: Grey County Housing Action Plan

Question 4 - Are there any other changes that would help support opportunities for missing middle and multigenerational housing?

- See previous responses

Access to Provincial Financing for Not-for-Profit Housing Providers

Question 1 - Could easier or less costly access to lending increase the supply of not-for-profit housing?

- Yes, but access to provincial surplus land or provincial grants to support more not-for-profit housing would be better

Question 2- What are the key barriers and gaps that prevent not-for-profit housing providers in accessing the capital financing needed to build and repair more housing (for example, through commercial and government loans or through capital financing and funding provided by federal and provincial programs)?

- Similar to other housing barriers, costs of land, costs of construction, lack of skilled labour/workforce to keep up with demand, etc.

Question 3 - Do the issues around access to financing differ for not-for-profit development of affordable rental housing compared to home ownership or other types of development? Are they different for private sources of financing (e.g., commercial lending) compared to government sources?

- For rentals – a lot of upfront financing required before they start seeing returns on that investment so anything that can be done to soften the upfront costs would be beneficial – Tax Increment Equivalent Grants, DC Exemptions, Application fee exemptions, no/low interest rate loans until construction completed, etc.

Question 4 - What role could government play in addressing those barriers? Is there an opportunity for various levels of government to work together to address barriers?

- Grey County and the member municipalities are already taking action to address some of these barriers through the implementation of the Housing Action Plan, the CIP program and DC Exemptions (see previous responses).
- Recommend the Province consider similar programs throughout the Province
- Allow both upper-tier municipalities and lower-tier municipalities to establish a CIP
- Provide access to Provincial surplus lands

Question 5 - How could the government prioritize its financial assistance to not-for-profit housing providers?

- 'Housing First' policy approach – any surplus provincial lands be first offered to municipalities and not-for-profit housing providers to create community housing/not-for-profit housing
- Provide interest free loans and grants to create more community housing
- Ensure that provincial policies and approvals are not the barrier to the creation of housing
- Expedite any required provincial approvals for community housing and not-for-profit housing projects
- Ensure that there are sufficient provincial staff funding and resources for provincial ministries to review and approve matters associated with community

housing developments/not-for-profit developments and for all developments for that matter

Question 6 - For not-for-profit developers: does your not-for-profit organization have long-term financing need for capital expenditure? If yes, then:

- a. Does your organization have surplus cash flows to service loan repayment?
- b. Does your organization have a third-party entity, such as a municipal government, that can provide a financial guarantee?

Question 7 - Do you have other suggestions for ways to improve non-profits housing providers' ability to build and repair more housing?

Legal and Legislated Requirements

None with this report. The effect of new legislative changes can sometimes be tough to predict at this early stage, as some of the future changes will be implemented through further guidelines or regulation changes. Some of the changes are welcomed by the County, however there are changes that cause concern and recommend that the Province reconsider.

Financial and Resource Implications

At this stage there are no immediate financial or resource implications to the County, as the full details of its implementation are not known. Staff will continue to monitor Bill 109 and work in collaboration with local municipal staff on ways to address the changes to Bill 109 and keep County Council aware of any other further changes.

Relevant Consultation

- ☒ Internal: Planning, Legal, Housing
- ☐ External (list)

Appendices and Attachments

None