

## REPORT

### Council

**Meeting Date: April 25, 2022**

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**FROM:** Planning Services Department  
Finance Department

**DATE:** April 19, 2022

**SUBJECT:** **The More Homes for Everyone Act, 2022 and Implications for Oakville – April 25, 2022**

**LOCATION:** Town-wide

**WARD:** Town-wide

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#### RECOMMENDATION:

1. That the report titled “*The More Homes for Everyone Act, 2022 and Implications for Oakville – April 25, 2022*” be endorsed and submitted to the Province, along with the Council resolution, as the Town of Oakville’s comments on the *More Homes for Everyone Act, 2022*, and related proposals under the Province’s *More Homes for Everyone Plan*.
2. That the comments within this report related to the *More Homes for Everyone Act, 2022* changes to the *Planning Act* be endorsed as the Town of Oakville’s response to ERO No. 019-5284 and Proposal No. 22-MMAH006, and submitted to the Ministry of Municipal Affairs and Housing (MMAH) prior to the April 29, 2022 commenting deadline.
3. That the comments within this report related to the *More Homes for Everyone Act, 2022* and changes to the *Development Charges Act, 1997* be endorsed as the Town of Oakville’s response to Proposal No. 22-MMAH007 and submitted to the MMAH’s Municipal Finance Policy Branch prior to the April 29, 2022 commenting deadline.
4. That the comments within this report related to the Province’s Community Infrastructure and Housing Accelerator guidelines be endorsed as the Town of Oakville’s response to ERO No. 019-5285, and submitted to the MMAH prior to the April 29, 2022 commenting deadline.
5. That the comments within this report on how to diversify housing choices within existing neighbourhoods be endorsed as the Town of Oakville’s

response to ERO No. 019-5286 and submitted to the MMAH by the April 29, 2022 commenting deadline.

6. That a link to this staff report, along with Council's resolution and comments, be provided for information to Halton's Members of Provincial Parliament, Halton Region, the City of Burlington, the Town of Halton Hills, the Town of Milton, Conservation Halton, Credit Valley Conservation, the Grand River Conservation Authority and the Association of Municipalities of Ontario.

## KEY FACTS:

The following are key points for consideration with respect to this report:

- On March 30, 2022 the Province tabled Bill 109 - the *More Homes for Everyone Act, 2022* that proposed changes to various provincial statutes including the *Planning Act* and the *Development Charges Act*.
- The proposed changes were posted on the Environmental Registry of Ontario (ERO) and Ontario's Regulatory Registry (ORR) with a public commenting period of 30 days or less. This report was originally prepared so that the town could provide formal comments to the Province, through a Council resolution, for the postings with a commenting deadline of April 29, 2022.
- On April 14, 2022, while the commenting period for these proposals was still open, Bill 109 – *More Homes for Everyone Act, 2022* received Royal Assent and is now law.
- This report describes the changes to the *Planning Act* and the *Development Charges Act* and other statutes and provides comments from town staff on these changes.
- In the case of minor changes to municipal administrative processes, town staff offers support, although the Province has not provided sufficient detail.
- Town staff also supports changes to legislation that improve transparency and accountability in the housing sector.
- Town staff does not support changes that re-inforce ministerial over-reach, increase delays, increase costs from litigation and reduce local municipal planning and decision making authority.
- Town staff does not support changes in the legislation that apply a punitive approach to refunding planning application fees. This could result in a shortfall of planning revenues which would need to be funded by the town's tax levy.
- The Province's punitive approach will act as a deterrent to the cooperative planning process being fostered in Oakville and instead will result in more litigation, costs and delays. This will not improve planning decision timelines and certainly will not improve housing affordability.

- The lack of detail in Bill 109 - *More Homes for Everyone Act, 2022* and time for review has undermined the ability of town staff to conduct a comprehensive analysis and to understand impacts to the town's processes and operations.
- Overall, it is challenging for the Town of Oakville to support legislative changes that the Province has pushed through without appropriate and meaningful consultation.

## **BACKGROUND:**

The Province has declared a housing crisis based on the lack of housing options that meet the needs and budgets of most Ontarians. Further to its *More Homes, More Choice: Ontario's Housing Supply Action Plan* (2019), the Province continues to seek ways to increase the supply of market rate rental and ownership housing as quickly as possible. These efforts to address market housing affordability are largely separate from provincial supports for affordable housing for the most vulnerable Ontarians.

On December 6, 2021, the Province appointed a nine-member Housing Affordability Task Force (HATF) to recommend measures to address market housing supply and affordability.

On February 8, 2022, the Province released the *Report of the Ontario Housing Affordability Task Force* with the intent of generating feedback from municipalities and the public. The HATF Report includes recommendations that touch all aspects of market housing, from supply, to the development approvals system, to financial matters, to setting a goal of adding 1.5 million homes over the next 10 years.

The recommendations focus on changes to planning policies and zoning, approval and appeals processes, and government supports. An appendix to the HATF report included additional recommendations specific to affordable housing. Legislation to implement at least some of the HATF recommendations was expected to be forthcoming.

On March 30, 2022, under the banner of the *More Homes for Everyone Plan* (ERO No. 019-5283), the Province issued a number of proposals aimed at addressing the housing supply crisis, including:

- Bill 109 – *More Homes for Everyone Act, 2022*, proposed extensive changes to the *Planning Act* and *Development Charges Act, 1997*, among other things; and,
- Proposed guidelines in the *More Homes for Everyone Act, 2022* support the use of the new Community Infrastructure and Housing Accelerator tool.

At the same time, the Province is seeking input on how to diversify housing choices in existing neighbourhoods. That consultation is focused on finding ways to support gentle density and increase “missing middle” housing, including the encouragement of multigenerational housing solutions.

The full slate of provincial public consultations related to housing, along with commenting deadlines, is as follows:

### **Environmental Registry of Ontario Postings**

- [ERO No. 019-5283](#): Consultations on the More Homes for Everyone Plan <sup>1</sup>
- [ERO No. 019-5284](#): Proposed *Planning Act* Changes – The Proposed *More Homes for Everyone Act, 2022*; comments due April 29, 2022\* <sup>2</sup>
- [ERO No. 019-5285](#): Community Infrastructure and Housing Accelerator – Proposed Guideline; comments due April 29, 2022
- [ERO No. 019-5286](#): Opportunities to increase the missing middle housing and gentle density, including supports or multigenerational housing; comments due April 29, 2022
- [ERO No. 019-5287](#): Housing Needs in Rural and Northern Municipalities; comments due April 29, 2022 <sup>3</sup>

### **Ontario’s Regulatory Registry Postings**

- [Proposal No. 22-MMAH006](#): Proposed *Planning Act* Changes; comments due April 29, 2022\*
- [Proposal No. 22-MMAH007](#): Proposed *Development Charges Act* Changes; comments due April 29, 2022\*
- [Proposal No. 22-MMAH008](#): Proposed Regulatory Changes – O. Reg. 82/98 of the *Development Charges Act, 1997*; closed April 6, 2022 <sup>4</sup>

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<sup>1</sup> This March 30, 2022 posting was provided for information purposes. It includes links to all of the postings listed in this report.

<sup>2</sup> A proposal identified with an asterisk (\*) was for changes included in the *More Homes for Everyone Act, 2022*, which received Royal Assent on April 14, 2022.

<sup>3</sup> This report does not address this proposal, as it is not relevant to Oakville.

<sup>4</sup> This report does not address proposals that were administrative in nature or already closed (e.g., ORR Proposal Nos. 22-MMAH008, 22-MMAH009 and 22-MGCS003).

- [Proposal No. 22-MMAH009](#): Proposed Regulatory Changes – O. Reg. 509/20 Community Benefits Charges and Parkland; closed April 6, 2022
- [Proposal No. 22-MMAH010](#): Access to Provincial Financing for Not-for-Profit Housing Providers; comments due April 29, 2022
- [Proposal No. 22-MGCS003](#): Proposed Regulatory Changes – Condominium Cancellations; closed April 22, 2022
- [Proposal No. 22-MGCS010](#): Proposed Changes to the *New Home Construction Licensing Act, 2017*; comments due April 29, 2022\*
- [Proposal No. 22-MGCS011](#): Proposed *Ontario New home Warranties Plan Act* changes; comments due April 29, 2022\*

Certain proposals that are administrative in nature and at the time of writing this report were closed to comment, are not addressed by this report (i.e. ORR Proposal Nos. 22-MMAH008, 22-MMAH009 and 22-MGCS003).

Also not covered in this report since they do not apply to the Town of Oakville are changes to the *City of Toronto Act, 2006* and “Housing Needs in Rural and Northern Municipalities”.

In a March 31, 2022 memorandum, the Deputy Minister of Municipal Affairs and Housing stated that the provincial government is committed to prioritizing the implementation of all of the HATF’s recommendations over the next four years. There will be a housing supply action plan every year starting in 2022/2023.

A provincial Housing Supply Working Group will be established to monitor progress on the municipal implementation of provincial initiatives. The working group will engage with municipalities, the federal government, various provincial ministries, industry partners and associations to assess progress and determine improvements to annual housing supply action plans.

On April 4, 2022, Oakville Council received a report titled “Report of the Ontario Housing Affordability Task Force and Implications for Oakville”, which was prepared prior to the release of Bill 109 and associated proposals.

On April 14, 2022, Bill 109, the *More Homes for Everyone Act, 2022* received Royal Assent and came into law.

**COMMENTS:**

The purpose of this report is to provide Council with preliminary analysis and commentary from town staff on the *More Homes for Everyone Act, 2022* and related provincial proposals. This commentary, along with any additional comments provided by Council, is intended to form the Town of Oakville's submission to the Ministry of Municipal Affairs and Housing.

As noted, the *More Homes for Everyone Act, 2022* received Royal Assent on April 14, 2022. The Province enacted this legislation while the comment period was still open and despite claims to be seeking input and feedback on the various proposals. It is unclear how the Province intends to incorporate any municipal feedback now that the legislation has already been passed prior to any meaningful public consultation. It also appears that the *More Homes for Everyone Act, 2022* received Royal Assent without amendment to the original Bill.

Now that the *More Homes for Everyone Act, 2022* has passed, a number of changes are made to the *Planning Act*, the *City of Toronto Act, 2006*, the *Development Charges Act, 1997*, the *New Home Construction Licensing Act, 2017* and the *Ontario New Home Warranties Plan Act*.

These changes are intended to address the housing crisis by making changes to the planning process, addressing real estate speculation and protecting homebuyers.

**Changes to the *Planning Act***

This section responds to changes to the *Planning Act* from the *More Homes for Everyone Act, 2022*, as proposed through ERO No. 019-5284 and Proposal No. 22-MMAH006.

***Official Plan Amendments and Approvals***

The *More Homes for Everyone Act, 2022* amends the *Planning Act* to provide the Minister of Municipal Affairs and Housing with discretionary decision making authority to ironically suspend the 120-day time period for filing a non-decision appeal of an official plan or official plan amendment (OPA) where the Minister is the approval authority. The Minister of Municipal Affairs and Housing is typically the approval authority in the case of an upper- or single-tier Municipal Comprehensive Review (Growth Plan conformity exercise).

This suspension may provide the Minister additional time to consult with a municipality to clarify or resolve matters. It may also result in delayed timing for a decision on a Municipal Comprehensive Review (MCR).

Changes to the *Planning Act* will also enable the Minister of Municipal Affairs and Housing to refer part, or all of an MCR, Official Plan Amendment or Official Plan to the Ontario Land Tribunal (OLT) for advice on approving or modifying the planning instrument prior to a final decision.

The OLT may hold a hearing and if so, notice is given to the municipality, but it is unclear what role the municipality will play at the hearing. Here again is a situation creating more delay and increased costs from uncertainty and litigation.

While the operational details of these provisions have not been provided, there is a concern amongst municipalities and as evidenced in the submission from the Association of Municipalities of Ontario to the Province that this will cause significant delays and increased costs for municipal staff and consultants in litigation at the OLT.

For Oakville, delays in the approval of Halton's MCR will result in delays in the continued support and implementation of the town's urban structure and subsequent approval of the local OPAs, plans of subdivision and zoning by-law amendments.

It is difficult to understand how increased litigation and delayed approvals will improve affordability, timeliness of land use decisions and increase the supply of housing in the Province. Town staff does not support this change in the legislation.

### ***Refunding Planning Application Fees***

Additional changes to the *Planning Act* will apply punitive consequences in the form of gradual planning application fee refunds. The implementation of these measures is anticipated to have major financial impacts to the town.

These refunds will be from municipalities to applicants for site plan, zoning by-law and official plan amendment fees if a decision is not made within the legislated timelines (Figure 1).

For The Town of Oakville, the 2022 activity rate forecast is for \$2.9 million in planning application fees revenue. Assuming a similar activity rate forecast for 2023, when the new regulations for fee refunds take effect January 1, 2023, at least \$2.9 million could be at risk.

Any shortfall caused by the Province's proposed fee refund changes would need to be covered by Oakville's tax levy, where current tax payers, including residents and businesses, would be responsible for covering the difference.

Figure 1: Punitive schedule for planning application fee refunds

|   | No Refund                     | 50% Refund                            | 75% refund                            | 100% Refund                     |
|---|-------------------------------|---------------------------------------|---------------------------------------|---------------------------------|
| <b>Zoning By-law Application</b>                                      | Decision made within 90 days  | Decision made within 91 and 149 days  | Decision made within 150 and 209 days | Decision made 210 days or later |
| <b>Combined Official Plan Amendment and Zoning By-law Application</b> | Decision made within 120 days | Decision made within 121 and 179 days | Decision made within 180 and 239 days | Decision made 240 days or later |
| <b>Site Plan Application</b>  | Decision made within 60 days  | Decision made within 61 and 89 days   | Decision made within 90 and 119 days  | Decision made 120 days or later |

It is important to note that utilizing the town's tax levy to cover shortfalls in planning revenues will also increase the cost of property ownership for existing property owners. These impacts may affect housing affordability and impose barriers to accessing home ownership across the Province.

Regarding the development application process, this always involves review and collaboration between the municipality, agencies and the applicant, as well as engagement with the community and Council.

The timing and duration of this process is often beyond the control of the municipality, as in the case of delayed responses and incomplete submissions from applicants. Another source of delay in the process comes from time spent waiting for comments from public agencies, including provincial agencies.

As a result of these changes to the *Planning Act*, the Town of Oakville will need to review its planning application processes to accommodate the new timelines. In the face of external delays in a planning process and to avoid financial consequences to existing taxpayers from refunding fees, the town will need to explore all options including understanding the implications of refusing planning applications. This type of action will result in further delays and litigation costs at the OLT.

Another consideration for external delays is whether an applicant would deliberately delay their response for revisions or requests for information in a planning process. This type of delay, which is beyond the control of the municipality, could extend the timing of the planning process beyond the "no penalty" period of the legislated



timeframe. Clearly this is an unintended consequence of the punitive schedule for planning applications fee refunds imposed by the legislation.

The Province has indicated that the OLT is presently backlogged. It is difficult to see how increased litigation and delays in the OLT and the provincial court system will improve affordability and increase the supply of housing in the Province. Town staff does not support this change in the legislation.

### ***Use of Surety Bonds***

Another change as a result of the *More Homes for Everyone Act, 2022* is the use of surety bonds instead of cash or letters of credit as securities, which are currently required by most municipalities. Staff support surety bonds; however, do not support the ability of the owners of land and applicants to stipulate the type of surety bonds and other prescribed instruments used. The municipality should have the authority to specify the type and structure of the surety bond. Surety bonds can be set up in a way that both provides the intended benefits to the developer while also limiting risk and administrative burden for the municipality.

### ***Changes to the Site Plan Application Process***

Changes to the *Planning Act* now require municipalities to delegate site plan approval from municipal Councils to staff, extend site plan review timelines from 30-60 days, and apply complete application rules to site plans.

As Council is aware, the site plan application process is technical in nature as it implements the land use policies and zoning regulations that are already in effect. The review of development at the site plan stage is specific to following the town's design standards and requirements. The Town of Oakville has a positive experience expediting site plan approvals in a streamlined process. Town staff supports extended plan review timelines since this will help the collaborative review process with applicants. Formally applying a complete application process to site plan applications, which the town does already, is also supported since it will help to clarify expectations and improve transparency.

### ***Changes to the Plan of Subdivision Process***

The legislation now allows the Minister of Municipal Affairs and Housing to prescribe certain matters as conditions of subdivision approval that were not previously permitted to be imposed. It is not clear what these potential new matters may be. It is also not clear what the intent is behind this amendment or the need for provincial intervention into local municipal affairs for subdivision approvals.

Town staff does not support this new legislation since it erodes the town's authority over the orderly disposition of land, resources, facilities and services with a view to securing the physical, economic and social efficiency, health and well-being of the community.

An additional administrative change has occurred to allow lapsed plans of subdivisions to be reinstated, one time only, where there are purchase and sale agreements, and the application lapsed within the last the past five years. Town staff supports this change.

### **Changes to Growth-Related Funding Tools**

The *More Homes for Everyone Act, 2022* makes changes to growth-related funding charges including Parkland Dedication and Community Benefits Charge (CBC) with the goal of creating more transparency and certainty relating to fees or levies charged by municipalities to developers.

Regarding the CBC, municipalities with a community benefits charge by-law will be required to undertake and complete a review, including consulting publicly, on their by-law at least once every five years.

Town staff estimates that these changes will cause minimal increases in administration since the CBC review can be done in conjunction with the Development Charges (DC) study as part of its regular review cycle. Town staff supports increases in transparency, public engagement and public reporting.

Other changes from the *More Homes for Everyone Act, 2022*, include implementing a tiered alternative parkland dedication rate that would only apply to land designated as a Transit-Oriented Community (TOC) under the *Transit-Oriented Communities Act, 2020*:

- Smaller sites that are five hectares or less would be assigned parkland dedication up to 10% of the land or its value.
- Larger sites greater than five hectares would be assigned parkland dedication up to 15% of the land or its value.

These TOC projects are defined and relate to projects in the City of Toronto, York Region, or any other provincial transit project prescribed by regulation. As such, it does not currently apply to Oakville.

However, the town is currently in the midst of finalizing its Parks and Open Space Strategy with the intent of presenting it to Council in the near future. Town staff may

be supportive of some cap on parkland dedication set by the municipality in areas that could be identified as a TOC in the future, for example Midtown Oakville.

Town staff would not be supportive of a cap imposed by the Province without local municipal input and which prevents the Town from establishing adequate ratios of parkland to housing in the town's urban areas.

### **Changes to the *Development Charges Act***

This section responds to changes to the *Development Charges Act*, 1997, from the *More Homes for Everyone Act*, 2022, as proposed through Proposal No. 22-MMAH007.

The changes to the legislation are intended to enhance transparency around DCs by enhancing existing reporting requirements for municipalities that levy DCs.

Currently, municipalities are required to prepare a DC background study, in which they provide projected expenditures on DC - eligible capital. This background study is used to inform the DC bylaw and the charges levied on development.

Forecasting capital projects as input to the DC study is typically based on longer term master planning and detailed analyses undertaken at a point in time. The Town of Oakville engages in such practices and it is standard to update these forecasts on a five-year basis.

The new provincial regulations will require additional detailed annual reporting from the Town. It is not clear from the Province if these new requirements will be focused on service areas, or on individual capital projects within service areas.

In either case, due to the lack of detail provided by the Province at this stage, town staff are uncertain as to the implications of these changes and how they may result in an increased and unplanned administrative burden on the town.

### **Community Infrastructure and Housing Accelerator**

The Province has introduced the Community Infrastructure and Housing Accelerator (CIHA) tool as provided in ERO No. 019-5285.

This new CIHA tool would allow municipalities to submit a request to the Minister of Municipal Affairs and Housing to expedite approvals for local priorities such as market-rate housing, non-profit housing, buildings that facilitate economic development, mixed-use developments, and community infrastructure such as long-term care facilities.

Local councils would be required to pass a council motion, and to host a public meeting to discuss the use of a CIHA for each project. Finally, a municipality would submit a request to the Minister of Municipal Affairs who could impose conditions on the CIHA.

The new CIHA tool largely resembles municipally-requested Minister's Zoning Orders (MZOs), but with added public consultation requirements to ensure that residents have an opportunity to provide feedback on such requests.

Town staff has concerns regarding potential misuse of this tool to for example facilitate ad hoc employment conversions, the provision of servicing outside urban boundaries, and development in areas that may conflict with comprehensive growth management processes that have identified where and how growth should occur in municipalities.

Town staff is of the opinion that this tool should only apply to lands designated for urban uses as identified in official plans, should be aligned with the provision and timing of municipal infrastructure, and should have regard for provincial policies and plans.

### **Changes to Protect Ontario Homebuyers and Renters**

The *More Homes for Everyone Act, 2022* makes changes to the *New Home Construction Licensing Act, 2017* (ORR 22-MGCS010), and the *Ontario New Home Warranties Plan Act* (ORR 22-MGCS011).

These changes are intended to protect residents who buy, own and rent homes in Ontario. This will be achieved by increasing fines and administrative penalties for builders and vendors of new homes that contravene the provisions of the Act which includes failing to meet the standards of competence and conduct, failing to support and promote a fair market place and failing to comply with the code of ethics. Changes are also made regarding extended warranty periods and setting conditions for such an extension so that missing or unfinished work may be completed.

Town staff does not have concerns with new legislation that supports consumer protection in the homebuilding industry.

### **Diversifying Housing Choices in Existing Neighbourhoods**

The Province is seeking input through ERO No. 019-5286 on how to diversify housing choices in existing neighbourhoods. That consultation is focused on finding ways to support gentle density and increase "missing middle" housing, including encouraging multigenerational housing solutions.

Delivering housing supply is something that can only be addressed through the willing participation of all levels of government and the housing industry working towards shared, reasonable goals.

There are also important municipal considerations that must be factored in to the delivery of diverse housing choices in existing neighbourhoods, including:

- Regional / local urban structure
- Water and wastewater services
- Stormwater management and tree canopy coverage
- Cultural heritage conservation
- Local zoning and urban design
- Building standards and fire safety
- Transit service

At its meeting of April 4, 2022, Oakville Council received the “Report of the Ontario Housing Affordability Task Force and Implications for Oakville” which provided commentary on the Task Force Final Report Recommendations.

That report expressed support for measures to deliver housing supply that included:

- Permitting secondary suites as-of-right which has broad-based municipal support.
- Permitting multi-tenant housing as-of-right but subject to appropriate by-law and licensing frameworks for safety and maintenance.
- Permitting as-of-right zoning of six to 11 storeys (with no minimum parking requirements) on streets served by higher order public transit. In Oakville, the town-wide urban structure identifies opportunities along Dundas Street and Trafalgar Road north of Midtown Oakville.

### **Oakville's Next Steps**

The delivery of housing is subject to forces often beyond a municipality's control; and not necessarily singularly focussed on the amount of supply. Housing affordability can be affected by many factors including federal immigration policy, financial factors (e.g. labour, supply chain challenges, interest rates), and geographic location.

The Town of Oakville will continue to examine housing matters locally and in conjunction with agency partners, the development industry and the community.

There will be a housing information report containing a preliminary policy analysis tabled for Council discussion at the May 16, 2022 Planning and Development Council meeting. The purpose of that report is to provide:

- An overview of housing-related legislation, plans and policies at the federal, provincial, regional, and town levels;
- Commentary on various emerging housing matters, trends and themes; and,
- A preliminary assessment of the town's housing policies in the Livable Oakville Plan and the North Oakville East Secondary Plan, identifying issues and matters to be addressed.

As part of the town's ongoing Official Plan Review, staff will be advancing the Residential Areas Policy Review focused on the Residential Areas of the town's Urban Structure. That review will examine the land use designations and policies within the Residential Areas, and propose updates to address growth, change and housing options in the context of the framework for growth established by Council through the Urban Structure.

In terms of concerns that remain outstanding, town staff offer the following:

- The absence of regulatory and operational details to support the function of the legislation has created uncertainty around the Province's amendments.
- With this uncertainty, it is difficult to understand the complete range of implications for municipalities and how to respond appropriately and efficiently.
- As a result of some of the Province's amendments, increased and unplanned administrative burdens for municipalities are anticipated.
- Some of the new legislation is predicted to cause significant delays and increased costs for municipal staff and consultants in litigation at the OLT.
- The punitive approach to refunding planning application fees creating revenue shortfalls that need to be funded by the town's tax levy is problematic.

In the face of uncertainty, increasing administrative burdens and costs from litigation, erosion of local municipal planning and decision making authority and timing delays in the planning process, it is not clear how the Provincial measures will increase housing supply and improve housing affordability.

Town staff are of the opinion that the opposite will occur and that some aspects of the new Provincial legislation will have unintended consequences to increase time

and costs in the housing sector. In other words, housing supply and affordability will be negatively affected.

## **CONSIDERATIONS:**

### **(A) PUBLIC**

Members of the public may provide comments on the *More Homes for Everyone Act, 2022*, and related proposals through the postings on the Environmental Registry of Ontario (<https://ero.ontario.ca/>) as well as Ontario's Regulatory Registry (<https://www.ontariocanada.com/registry/>).

### **(B) FINANCIAL**

There are no financial considerations arising from this report. However, the *More Homes for Everyone Act, 2022* changes in respect of refunding planning application fees and increased litigation and appeals of matters to the Ontario Land Tribunal will have substantial financial impacts for the town.

### **(C) IMPACT ON OTHER DEPARTMENTS & USERS**

This report was prepared by the Planning Services department in consultation with the Legal, Finance, Building Services and Oakville Fire departments.

### **(D) CORPORATE STRATEGIC GOALS**

This report addresses the corporate strategic goal(s) to be the most livable town in Canada.

### **(E) CLIMATE CHANGE/ACTION**

The *More Homes for Everyone Act, 2022*, is intended to facilitate the construction of more housing across the Province. Council may mitigate the impact of new housing on our changing climate by directing intensification to existing urban areas in accordance with Oakville's town-wide urban structure.

## **CONCLUSION:**

Staff is recommending that this report be endorsed and submitted to the Province, along with the Council resolution, as the Town of Oakville's comments on the *More Homes for Everyone Act, 2022* and the related proposals.

In the case of minor changes to the legislation from the *More Homes for Everyone Act, 2022* to address municipal administrative process town staff offers support. Town staff also supports changes to legislation that improve transparency and accountability in the housing sector.

Town staff do not support changes that re-inforce ministerial over-reach, increase delays, increase costs from litigation and reduce local municipal planning and decision making authority.

Town staff also does not support changes in the legislation that apply a punitive approach to refunding planning application fees. This will result in a shortfall impact to the town's tax levy where current tax payers would be responsible for covering the difference.

The lack of time for review has undermined the ability of town staff to conduct a comprehensive analysis. An evaluation of these legislative changes and their impacts to the town's ability to plan its future in a manner that retains livability and financial sustainability has been difficult to undertake.

Overall, it is challenging for the Town of Oakville to support legislative changes that the province has pushed through without appropriate and meaningful consultation.

Further information and analysis on housing and related matters will be brought forward for Council consideration as timing permits and as appropriate.

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