

Key Changes in the More Homes for Everyone Plan

- The Minister is authorized to refer Municipal Comprehensive Reviews (MCRs) Official Plan Amendments (OPAs), or new Official Plans (new OP), to the Ontario Land Tribunal (OLT) for a recommendation or decision on whether an official plan, or part of it, should be approved, approved with modification, or refused;
- Where the Minister refers all or part of an Official Plan to the Tribunal for a recommendation, there is no right of appeal;
- Allow the Minister to pause the 120-day decision-making timeline on official plans;
- Requiring municipalities to refund fees if decisions on Zoning By-law Amendment and Site Plan Control Applications within the prescribed timelines are not met;
- Requiring municipalities to delegate site plan approval authority from municipal Councils to staff, extending site plan review timelines, and applying complete Application rules to site plan control;
- Increasing the timeline to appeal a site plan Application for non-decision from 30 days to 60 days;
- Allow municipalities a one-time discretionary authority to extend draft plan approval for plans of subdivision that have lapsed within the last five years, subject to consumer protection provisions;
- Increased powers for the Minister to:
 - Prohibit certain matters from being the subject of conditions of draft plan approval;
 - Require public reporting from municipalities to monitor development Applications/Approvals; and,
 - The type of securities that can be used to secure municipal requirements as part of the approval process;
- A new process for municipalities to request the Minister to make a zoning order, which is being called the “Community Infrastructure and Housing Accelerator” (CIHA). Guidelines for its use include a Council motion and a public meeting;
- Alternative parkland requirements for lands in a designated transit-oriented community;
- Regular reviews of community benefits charge by-laws and rules respecting such reviews;

- The ability of the province to declare land in a transit-oriented community that has easements or below-grade infrastructure as being “encumbered”, with the effect that the land must be conveyed for parkland contribution requirements;
- An investment of \$19 M increased funding for the Ontario Land Tribunal in order to address backlogs and streamline appeal processes;
- Increasing the Non-Resident Speculation Tax (NRST) rate to 20% and expanding it province wide;
- The creation of a Housing Supply Working Group to collect data and monitor progress on the municipal implementation of provincial initiatives and determine improvements to annual housing supply action plans;
- The creation of a Centre of Realty Excellence (CORE) that would assess the Provincial surplus land portfolio for projects such as long-term care facilities and non-profit housing opportunities;
- Changes to the Ontario Building Code have been included to reflect modern building practices and address challenges that slow the delivery of housing projects:
 - Allowing up to 12-storey mass timber buildings;
 - Streamlining modular multi-unit residential building approvals across the province;
 - Enabling more low-rise and infill multi-residential opportunities by allowing one entrance/exit for 4-6 storey residential buildings; and,
 - Exploring options to allow residential and commercial occupancy for super-tall buildings that are still under construction.
- Increased Provincial jurisdiction on local planning processes and decision making;
- Penalizing municipalities financially for decision-making timelines not being met when delays may not rest with municipalities;
- Decreased opportunity for public engagement;
- Increasing appeal rights and uploading decision-making to the OLT;
- Reduction in development fees and increase in legal tribunal fees;
- Limited opportunity for staff to work collaboratively on Applications with the development industry;

- Improved transparency regarding growth-related funding tools (i.e. development charges, parkland dedication and community benefits charge), but with increased administrative processes;
- Pivoting away from growth paying for growth leading to the cost of growth being shifted to existing ratepayers through higher user fees and property taxes;
- The emphasis is on expediting approvals, but not providing tools or mechanisms to ensure proposed developments are actually built and in a reasonable time; and,
- Increase in staff resources across the organization to meet the legislated timeframes.

A full analysis of each recommendation is provided in Appendix “A” – City of Hamilton Response to *Bill 109*, More Homes for Everyone Act, 2022, attached to Report PED22112.

Through the Council approval of Report PED22071 (which received Council approval on March 30, 2022), staff comments were provided to request the Province requesting consideration for the following gaps on the HATF Report:

- Supply of housing is not just about the number of units, but also about the type of housing, including diversity of form, tenure, and size (e.g. number of bedrooms);
- Decisions about how to increase supply must be sustainable in terms of the cost to service, the cost to deliver and maintain those services, environmental performance, as well as providing necessary social infrastructure and other forms of infrastructure required to build complete communities;
- Recognition that development approval processes involve other agencies and approval authorities that may contribute to processing delays (heritage permits, conservation authorities, CN rail, etc.) outside of the municipalities control;
- Narrowly focusing on planning approvals to boost supply does not necessarily equate to making homes affordable enough to combat the housing affordability crisis that the Province is facing. The More Homes for Everyone Plan fails to address labour shortages, material costs, and living wage incomes and other factors contributing the cost disparity; and,
- The proposed changes fail to provide any tool or mechanism to provide deeply affordable housing, similar to the HATF Report, it appears to be an afterthought, and not a strategic objective.