

CITY OF HAMILTON

NOTICE OF MOTION

Council: December 7, 2022

MOVED BY COUNCILLOR M. FRANCIS.....

Impacts of Bill 23, *More Homes Built Faster Act, 2022*

WHEREAS, the changes in Bill 23 will significantly limit the City’s ability to provide and make important housing-related infrastructure and service investments resulting in increased costs for Hamilton residents;

WHEREAS, the changes in Bill 23 will have an impact on the City’s quality of life and revenues to support complete communities;

WHEREAS, the City has limited revenue sources and as result of Bill 23, residents may face higher property taxes and higher water, wastewater and stormwater bills;

WHEREAS, Bill 23 will also affect the City’s ability to provide much needed capital infrastructure to support growth such as roads, parks, community centres and other community amenities; and

WHEREAS, Bill 23 received Proclamation and Royal Assent on November 28, 2022.

THEREFORE, BE IT RESOLVED:

- (a) That the Mayor and City Council request the province to:
 - (i) Repeal the amendments to the *Planning Act* and *Development Charges Act* as a result of Bill 23 with respect to the ability to regulate urban design and sustainable design features, parkland dedication and changes to the Development Charges regarding mandatory discounts for market rate development to facilitate responsible growth.
 - (ii) Request the Province of Ontario to extend the commenting period on Bill 23, *More Homes Built Faster Act, 2022* to at least January 31, 2023 to enable time for consultation, consideration of alternative options and thorough analysis of both short and long-term impacts.
 - (iii) Request the Province not to proceed with developing regulations, as per Bill 23, to limit the City of Hamilton’s ability to protect and require the replacement of affordable and rental housing as a condition of development approvals.

- (iv) Request the province to amend the *Planning Act* to enable the implementation of Inclusionary Zoning across the City and incorporate definitions of affordable rental housing that respond to low and moderate household income.
 - (v) Request the province to enact a Regulation to permit the use of conditional zoning, pursuant to Section 34(16) of the *Planning Act*.
 - (vi) Request the province to include an “opt-out” provision for municipalities and applicants with respect to refunds for development applications and delay the implementation of refunds for development applications in light of the significant changes to the Planning regulations and internal City processes regarding development.
 - (vii) Request that the Provincial government to provide funding and funding tools to the City matching the amount of revenue lost through development charges, community benefits charges, and Section 42 of the *Planning Act* in Bill 23 to ensure the services needed to facilitate responsible growth continue to be delivered; and
- (b) That City Council work with the City Manager to make public through communications and letters to local Members of Parliament and Members of Provincial Parliament outlining the impacts of Bill 23 on specific growth enabling infrastructure projects and housing projects which will not proceed within the City of Hamilton.