

Appendix C – Summary of Provincial ERO Consultations (Staff Comments)

1) Proposed amendments to O. Reg 82/98

The proposal makes note that municipalities would likely already have available the additional information. The analysis municipalities prepare relating to this is focused on cashflow management, ensuring there will be alignment of timing of capital spending, DC revenues to fund those needs and overall growth. The proposed reporting would require a more detailed variance analysis on the expenditure side, resulting in additional administrative work. There is also concern on how this data may be scrutinized and used by developers in challenging future development charges background studies, potentially leading to more appeals to the Ontario Land Tribunal and resulting in further delays overall at the Tribunal. Lastly, it is unclear how this supports the stated objective of addressing the housing supply crisis – quantity of housing and affordability of housing.

2) Proposed Planning Act Changes (the proposed More Homes for Everyone Act, 2022)

- Requiring municipalities to partially refund zoning by-law amendment and site plan application fees to applicants who do not receive a decision within specified timeframes for applications made on or after January 1, 2023
 - The requirement to refund planning fees for applications that are not able to be processed within the required timelines have the potential to result in significant burdens on municipal resources – in terms of both staffing and finances. In order to recover the costs of providing the service, this may result in costs shifting to the property tax levy which becomes a financial burden to the entire community and goes against the premise of ‘growth pays for growth’.
 - It’s not clear what authority the municipality will have to enforce timelines from other approval authorities, such as conservation authorities, who also have a role in the approval process.
 - If the municipality has to clarify information from the applicant there should be an ability to ‘stop the clock’ on the approval timeline to prevent developer-driven delays that penalize the municipality and taxpayers in terms of refunds being required.

- Establishing regulation-making authority to prescribe complete application requirements for site plan applications

- In order to meet the timeframes and mitigate the impact of refunding application fees, it will be very important to prescribe the requirements of a complete application.
- Providing the Minister of Municipal Affairs and Housing with regulation-making authority to authorize landowners and applicants to stipulate the type of surety bonds and other prescribed instruments to be used to secure obligations in connection with land use planning approvals.
 - The use of surety bonds and other financial instruments has the potential to result in delays to the municipality in recovering funds which impacts cashflow. Bonds come with a greater risk that the money will not be available immediately when a municipality makes a claim.
 - The financial strength of a bonding company is less than that of the big banks that municipalities accept letters of credit from which creates a greater risk to the municipality.

3) 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?

- a) Overly restrictive zoning by-laws which limit land uses to single detached dwellings. Too onerous requirements for things like parking.
- b) Political/public approval process for Planning applications and appeal process can cause unnecessary delay with opposition generally received on anything different to the existing neighbourhood.
- c) Developer creativity, experience and market responses – many developers seem to only want to build either high density or low density. They build what they know and what has sold.

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?

- a) Embed in the Planning Act requirements that municipalities permit as-of-right zoning for other uses than single detached dwellings. This shouldn't be a blanket permission and municipalities should be given the ability to identify what areas should have more flexible zoning and development criteria that should be met for infilling.

- b)** Support alternative development types such as co-housing, communal development and flexible housing designed to adjust to various household sizes and types.

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?

- a)** Denmark and northern European communities in particular do a better job at delivering alternative housing forms. They have some solid approaches that tend to take a more human and community based approach that is less market and financially driven.

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

- a)** The province needs to provide more funding for infrastructure (e.g. transit) and affordable housing
- b)** The province needs to stop changing the provincial planning framework so that municipalities can complete and implement policies objectives. Stability is needed as well as flexibility for municipalities to respond to their community needs and opportunities.
- c)** Educational and design support with best practice examples. Need to build awareness and understanding of what the missing middle and multigenerational housing looks like and the value it brings to communities. There is information on aging in place (the same building) and having flexible housing forms. However what about being able to age within your neighbourhood so that when a household's needs change they can find alternative housing within the same neighbourhood. Some households may choose to stay within their existing dwelling even though it means being over housed (more bedrooms than needed/wanted) since alternative housing forms aren't available. Additional residential unit policies may work in some situations however the size and design of some residential properties/dwellings may limit this option.