

# TOWN OF HALTON HILLS – GENERAL INFORMATION PACKAGE

## COUNCIL MEETING – May 24, 2022

### ADVISORY/SPECIAL COMMITTEES AND BOARD MEETING MINUTES

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27-34	OFFICE OF THE SOLICITOR GENERAL – Provincial Animal Welfare Services Act, 2019 (PAWS Act) (April 22, 2022)
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## PASSED RESOLUTIONS

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46-68	HALTON REGION – Resolution passed at its Council meeting held on April 20, 2022 regarding 2022 Municipal Election – Update of the Use of Regional Resources Policy and Joint Compliance Audit Committee Terms of Reference.
59-128	HALTON REGION – Resolution passed at its Council meeting held on April 20, 2022 regarding Halton Region’s Response to Provincial Affordable Housing Initiatives and Bill 109.
129-139	HALTON REGION – Resolution passed at its Council meeting held on April 20, 2022 regarding Update on the Proposed Milton Quarry East Expansion (Dufferin Aggregates) in the Town of Halton Hills, Receipt of Complete Application.
140-148	HALTON REGION – Resolution passed at its Council meeting held on April 20, 2022 regarding Allocation Programs Update.
149-160	HALTON REGION – Resolution passed at its Council meeting held on April 20, 2022 regarding Basement Flooding Mitigation Program.
161-251	HALTON REGION – Resolution passed at its Council meeting held on April 20, 2022 regarding Optional Vacant Homes Tax in Halton Region.
252-256	CITY OF BURLINGTON – Resolution passed at its Council meeting held on April 19, 2022 regarding GTA West Corridor (Highway 413).
257-258	TOWN OF OAKVILLE – Resolution passed at its Council meeting held on April 25, 2022 regarding The More Homes for Everyone Act, 2022 and Implications for Oakville.
259	COUNTY OF LENNOX & ADDINGTON – Resolution passed at its Council meeting held on April 27, 2022 regarding Build it Right the First Time (Town of Halton Hills).
260-261	TOWNSHIP OF CRAMAHE – Resolution passed at its Council meeting held on April 27, 2022 regarding Bill 109 - More Homes for Everyone Act.
262	TOWN OF ARNPRIOR – Resolution passed at its Council meeting held on April 25, 2022 regarding Support for Humanitarian Efforts in Ukraine.
263-264	GUELPH ERAMOSIA TOWNSHIP – Resolution passed at its Council meeting held on April 19, 2022 regarding Moratorium on New Aggregate Operations.
265-266	TOWN OF COCHRANE – Resolution passed at its Council meeting held on April 5, 2022 regarding Year of the Garden.



**SITE ALTERATION COMMITTEE  
MEETING**

Minutes of the Site Alteration Committee held on Thursday April 21, 2022, at 3:00 p.m., via Zoom meeting.

**MEMBERS PRESENT:** Councillor Ted Brown (Chair)  
Andrew Stabins (Vice-Chair)  
Councillor Clark Somerville  
Councillor Bryan Lewis  
David McKeown  
Bill Allison

**REGRETS:** Ralph Padillo

**STAFF PRESENT:** Jeff Jelsma, Director of Development Engineering  
Maureen Van Ravens, Director of Transportation  
Steve Burt, Development Engineering Coordinator  
Andrew Mason, Development Inspector  
Nova Bonaldo (Recording Secretary)

**OTHERS PRESENT:** Rob Russell, C.F. Crozier & Associates Inc.  
Travis Gibson, C.F. Crozier & Associates Inc.  
Mike Grayhurst, C.F. Crozier & Associates Inc.  
Paul Brown, Stantec Consulting Ltd.  
Chris Overholt, Stantec Consulting Ltd.

**1. CALL TO ORDER**

**2. DISCLOSURE OF PECUNIARY/CONFLICT OF INTEREST**

Nil.

**3. DELEGATIONS**

- a) SA-22006, Delegations: Rob Russell, Travis Gibson, Mike Grayhurst, Agents representing 2810007 Ontario Ltd. o/a Essence Homes Ltd., Property Owners – 11571 to 11605 Trafalgar Road, Halton Hills (Trafalgar Meadows Site Condominium Development)

The Applicant has applied for a Site Alteration Permit for the purpose of commencing earthworks as they proceed through the Site Plan process. To provide a buffer between the seasonably high groundwater in this area and the proposed house foundations, the Applicant is proposing to raise the site between 0.3m and 2.5m above the existing grade which requires the importation of approximately 24,000m<sup>3</sup> (± 2,400 truckloads) of fill.

## **Facts**

On July 27, 2020, Town of Halton Hills Council approved a Zoning By-Law Amendment for 11571 – 11605 Trafalgar Road to amend the property from Development (D) to Medium Density Two. On December 20, 2021, the Applicant submitted a Site Plan Application to the Town for a 131 unit (21 Block) Condominium Townhouse complex. The first submission has been reviewed and comments returned to the owner. Staff are waiting for the second submission.

The area to be developed covers 3.1 hectares of land and the importation of 24,000m<sup>3</sup> of fill to raise the site will assist in protecting the house foundations from groundwater.

The Applicant indicated the Developer wishes to get a head start on the ground works to install services this year for the development prior to site plan approval.

## **Analysis and Discussion**

All necessary erosion and sediment control will be installed prior to the importation of fill such as silt fences and cut-off swales. As part of the long-term servicing plan an underground storage tank will be installed. The Developer will continue to work towards Site Plan approval so that as soon as the site is filled and compacted, underground servicing and installation of the storm water pipes will commence along with the implementation of the long-term stormwater management solutions.

Once the record of site condition is obtained the importation of fill can commence. Weather permitting, to shorten the length of the project, the Developer will maximize the number of truckloads, 100 truckloads per day, per the Site Alteration By-law. The start date and duration of the project is currently unknown. A notice to the local Councillors and neighbouring residents and businesses will be delivered, by the owner, to communicate the start date once confirmed.

The haul route will be determined by staff as a condition for the permit once the source site is determined. The Developer will follow testing protocols and operate outside of school hours.

## Conclusion

The Site Alteration Committee Members support the application for a Large Scale/Commercial Site Alteration permit as per Site Alteration By-law 2017-0040.

### Recommendation No. SA-2022-0001

THAT Staff support the Large Scale/Commercial Site Alteration application for the Site Alteration By-law 2017-0040 at 11571 – 11605 Trafalgar Road, Halton Hills, subject to the following conditions:

1. The applicant satisfies the Terms and Conditions in Schedules B and C of By-law No. 2017-0040 as applicable.
2. The applicant provides the administration fee in the amount of \$6,783.62 (Paid).
3. The applicant provides clearance from Halton Region that the Record of Site Condition has been satisfactorily completed.
4. The applicant provides clearance from the Conservation Authority that a permit has been issued or is not required.
5. The applicant and their contractor shall adhere to the proposed haul route(s) as approved by the Commissioner of Transportation and Public Works.
6. The applicant shall provide written notification from the adjacent landowner (11551 Trafalgar Road) confirming there is an agreement in place to allow the contractor to encroach onto 11551 Trafalgar Road lands to complete the proposed works.
7. The applicant provides the Town with satisfactory copies of the following items related to soil testing and movement:
  - a. Assessment of Past Uses
  - b. Sampling and Analysis Plan
  - c. Soil Characterization Chart
  - d. Excess Soil Destination Assessment Report

AND FURTHER THAT the Site Alteration Committee supports the works, subject to the applicant meeting all conditions to the satisfaction of staff.

CARRIED

- b) SA-22015, Delegations: Paul Brown and Chris Overholt, Agents representing 662073 Ontario Ltd. o/a Gellert Family, Property Owners – Hornby Lands Shared Services Project, Part of Lot 15 Concession 7, Halton Hills (Halton Region Partnered to Facilitate the New Halton Regional District 1 Station)

The Applicant has applied for a Site Alteration Permit for the purpose of commencing earthworks as they proceed through their planning application process. To grade the site to allow for proper drainage and excavate for a stormwater management pond the movement of approximately 40,300m<sup>3</sup> of material is required.

The site has been designed with a cut/fill balance, meaning there will be no importing or exporting of material, just movement of material around the site.

## **Facts**

The Developer is in partnership with Halton Region to facilitate a new Halton Region District 1 police and EMS multi-functional station. The Developer is advancing these lands with one street, named Street A, from Steeles Avenue.

The application is to accommodate Halton Region's schedule to commence works on May 24, 2022, with the intension of having all servicing, including asphalt and municipal services, completed by September 2022. Within a couple of months, Halton Region will submit a site plan application. SIS has been completed and approved by the Town of Halton Hills, the Conservation Authority, and Halton Region.

The application is for the most westerly area of the site which is located between Hornby Park at Sixth Line and the Hornby Tributary. No fill will be imported or exported, the fill on site will be balanced and moved from one side of the site to the other. A SWM pond will also be excavated.

## **Discussion and Analysis**

The earth works program will commence on May 24, 2022, and will be completed by mid-July for the serving to commence.

The Developer is coordinating with, and has approval from, Canada Post to relocate the mail posts to an agreed location on Street A for the subdivision.

Hornby Park will be accessed by a driveway connected to the cul-de-sac of Street A. The road will go by the pond and down the valley to the park allowing access to the ball diamond and new parking lot. The existing access to Hornby Park will not be closed off until the driveway is completed in the fall, allowing continued use of the park during the summer. The Developer will ensure dust control and road cleaning services and will not be operating on weekends.

## **Conclusion**

The Site Alteration Committee Members support the application for the Site Alteration By-law 2017-0040 at Part of Lot 15 Concession 7, Halton Hills.

### Recommendation No. SA-2022-0002

THAT Staff support the application for the Site Alteration By-law 2017-0040 at Part of Lot 15 Concession 7, Halton Hills, subject to the following conditions:

1. The applicant satisfies the Terms and Conditions in Schedules B and C of By-law No. 2017-0040 as applicable.
2. The applicant provides the administration fee in the amount of \$5,253.58.
3. The applicant provides clearance from Halton Region for any works required within or adjacent to the Natural Heritage Systems.
4. The applicant provides clearance from the Conservation Authority that a permit has been issued or is not required.
5. The Applicant provides clearance from both Halton Region and the Town of Halton Hills on the proposed method and timing of removing any undesirable material identified in the Phase 2 Environmental Site Assessment.

AND FURTHER THAT the Site Alteration Committee supports the works, subject to the applicant meeting all conditions to the satisfaction of staff.

CARRIED

**4. AMENDMENT TO RECOMMENDATION NO. SA-2021-0001 FOR SA-21023, 10894 32 SIDE ROAD, RYAN MARSHALL**

Ryan Marshall, Owner of 10894 32 Side Road applied for an Exemption or Variance to the Site Alteration By-law 2017-0400 to allow the importation of approximately 4,600m<sup>3</sup> of topsoil at the Site Alteration Committee meeting held on April 15, 2021. The Site Alteration Committee supported the application and included the condition that the haul route be from the source to Trafalgar Road, to 32 Side Road, to Fifth Line. The Owner was not successful in acquiring soil from this source and the permit has not yet been issued.

The Owner notified staff of a potential source and proposed the following haul route: South on Boston Church Road, to James Snow Parkway, to Regional Road 25, to 32 Side Road, to Fifth Line. Staff support the proposed haul route, pending confirmation that the soil meets MOE requirements for Table 1 soil. Staff ask the Site Alteration Committee Members to provide input and consider amending Recommendation No. SA-2021-0001 to support the haul route.

Staff request the ability to approve haul routes in the event that the source and haul routes change. Staff discussed concerns with including haul routes as part of minutes of Site Alteration Committee meetings as applicants may not have a confirmed source at the time of the meeting or the site might change after the meeting has been held. A source may also be lost due to the timing of Site Alteration Committee meetings if the change occurs after the original meeting.

There was extensive discussion regarding the Site Alteration Committee's involvement with determining haul routes. The Site Alteration Committee requested

that Staff bring an agenda item to the next committee meeting, with an application, to discuss further.

The Site Alteration Committee discussed the haul route and agreed to amend the haul route to Boston Church Road, to James Snow Parkway, to Steeles Avenue, to Trafalgar Road, to 32 Side Road, to Fifth Line. This haul route will help keep truck traffic away from the community of Acton and support public interests. Some Members expressed concerns regarding additional truck traffic in the main corridor of Acton.

Staff mentioned that 5 Side Road has a half load restriction which would cause the number of trucks travelling to increase. Staff indicated staff and the Committee can only recommend haul routes within the municipality. The source site is in the Town of Milton and has gone through a development application and does not require a site alteration permit. The Owner of 10894 32 Side Road must ensure the trucks follow the recommended route as truck drivers may look for the shortest route to and from the site.

Recommendation No. SA-2022-0003

THAT the Site Alteration Committee supports the amendment to the haul route of Recommendation No. 2021-0001 to Boston Church Road, to James Snow Parkway, to Steeles Avenue, to Trafalgar Road, to 32 Side Road, to Fifth Line.

CARRIED

**5. FILL OPERATIONS – UPDATE**

Staff provided verbal updates regarding on-going fill operations and responded to Site Alteration Committee questions and concerns.

**6. ITEMS TO BE SCHEDULED FOR NEXT MEETING**

- a) Haul Routes

**7. Next meeting**

Thursday May 19, 2022

**8. ADJOURNMENT**

The meeting adjourned at 4:24 p.m.



**HERITAGE HALTON HILLS COMMITTEE**

**MINUTES**

Minutes of the Heritage Halton Hills Committee meeting held on Wednesday April 20, 2022 Via Zoom

**Members Present:** Councillor T. Brown, Chair, R. Denny, G. Miller, L. Quinlan, M. Rowe,

**Regrets:** A. Walker, B. Cosper, S. Frick, C. Donaldson

**Staff Present:** L. Loney, Senior Heritage Planner; T. Jayaveer, Planner Policy/Development Review; R. Brown, Deputy Clerk

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**1. CALL TO ORDER**

Councillor T. Brown called the meeting to order at 3:30 p.m.

**2. DISCLOSURE OF PECUNIARY/CONFLICT OF INTEREST**

There were no disclosures of a pecuniary or conflict of interest.

**3. RECEIPT OF PREVIOUS MINUTES**

Recommendation No. HH-2022-0014

THAT the Minutes of the Heritage Halton Hills Committee Meeting held on March 30, 2022, be received.

CARRIED

#### **4. SCHEDULED ITEMS FOR DISCUSSION**

##### **4.a Research and Evaluation Report – 26 Queen Street**

L. Loney advised that the owner of the property has requested designation and staff support the request.

Recommendation No. HH-2022-0015

THAT Heritage Halton Hills recommend that Council designate the property at 26 Queen Street under Part IV of the Ontario Heritage Act in accordance with the findings in the Research and Evaluation Report for the property as presented by staff.

CARRIED

##### **4.b Research and Evaluation Report – 76 Bower Street**

L. Loney provided a verbal update that the research and evaluation report is still being worked on and will hopefully be brought forward to the May meeting for final report to Council in June.

##### **4.c Research and Evaluation Update – Limehouse Presbyterian Church**

R. Denny updated the committee on the status of the Limehouse Presbyterian report. He noted that he has completed most of the research including photos and maps. He will complete writing the report shortly and forward to L. Loney for review. He also noted that the board of elders and trustees are in support.

##### **4.d Request for Removal from the Heritage Register – 8140 Hornby Road**

L. Loney advised the committee that the request has been received to remove 8140 Hornby Road from the heritage register. The property falls within the Premier Gateway Secondary Plan and was added to the list in a batch listed as per the CHRA. According to the Heritage Impact Assessment the property is of limited value and therefore can be removed from the list as it does not have enough heritage value under the Ontario Heritage Act for designation.

Recommendation No. HH-2022-0016

THAT Heritage Halton Hills recommend that Council remove property at 8140 Hornby Road from the Heritage Register in accordance with the Heritage Impact Assessment and Structural Assessment submitted by the property owner.

CARRIED

**4.e Summer Student Update – Dawn Chan**

L. Loney advised the committee that Dawn Chan has accepted the position of summer student and will be starting with the Town on May 2, 2022 and will be attending the May Meeting.

**4.f Heritage x Fire Services Video**

In conjunction with Halton Hills Fire Services, Communication and L. Loney, a training video was prepared to educate firefighters about different fire suppression tactics to preserve designated heritage properties. L. Loney played the video for the committee.

**5. SUB-COMMITTEES AND WORKING GROUPS**

NIL

**6. CLOSED SESSION**

NIL

**7. ITEMS TO BE SCHEDULED FOR NEXT MEETING**

- Limehouse Presbyterian Church
- 76 Bower Street

**8. ADJOURNMENT**

The committee determined that the start times for Heritage Halton Hills Committee Meetings should return to pre-pandemic times.

Recommendation No. HH-2022-0016

THAT the Heritage Halton Hills Committee Meeting times return to 6:30 p.m. commencing with the May 18, 2022, meeting.

CARRIED

The meeting adjourned at 4:07 p.m.



## COMMITTEE OF ADJUSTMENT MINUTES

Minutes of the Committee of Adjustment hearing held on **April 6, 2022**, at 6 p.m. via Zoom.

Members Present: Todd Jenney (Chair), Jane Watson, Lloyd Hillier, Neal Panchuk, Thomas Hill

Staff Present: Tharushe Jayaveer, Planner  
Ruth Conard, Planner  
Niloo Hodjati, Secretary-Treasurer, Committee of Adjustment & Consent Official

### 1. CALL TO ORDER

### 2. DISCLOSURE OF PECUNIARY/CONFLICT OF INTEREST

None.

### 3. APPLICATIONS HEARD

The Chair's comments about the procedure were as follows:

- Town staff would speak.
- Owner or agent would be given an opportunity to speak.
- Any members of the public would be given an opportunity to speak (owner or agent would have an opportunity to respond, if needed).
- The Committee would then deliberate, ask any questions, and make a decision.
- A decision would be subject to a 20 day appeal period.

#### a) **Minor Variance D13VAR22.007H – Shantz**

**Location:** 24 Ewing Street, Town of Halton Hills (Georgetown), Regional Municipality of Halton

**Purpose:** Requesting relief from Zoning By-law 2010-0050, as amended,

1. To increase the floor area for an accessory structure from the maximum 20 sq m to permit a floor area of 42.2 sq m.

2. To increase the height for an accessory structure from the maximum 3.5 m to permit a height of 3.9 m.

**To accommodate a proposed accessory structure.**

**Owner(s):** Elwood Shantz

The Town Planner noted no staff objections to approval, subject to condition. The owner was present to speak to the application.

It was MOVED by Jane Watson, SECONDED, and CARRIED

THAT the application be approved, subject to condition.

The Committee considered the requested variance(s) to:

1. Meet the intent and purpose of the Official Plan.
2. Meet the intent and purpose of the Zoning By-law.
3. Be desirable for the appropriate use of the land, building or structure.
4. Be minor in nature.

**b) Minor Variance D13VAR22.008H – Watch Tower**

**Location:** 13893 Highway 7, Town of Halton Hills (Esquesing), Regional Municipality of Halton

**Purpose:** Requesting relief from Zoning By-law 2010-0050, as amended,

1. To increase the floor area for an accessory structure from the maximum 50 sq m to permit a floor area of 51.6 sq m.
2. To increase the height for an accessory structure from the maximum 4.5 m to permit a height of 5.6 m.
3. To increase the number of accessory structures from the maximum 2, to permit 7 existing and 1 proposed accessory structure(s).

**To accommodate a proposed accessory structure.**

**Owner(s):** Watch Tower Bible and Tract Society of Canada, Justin Noseworthy, **Agent(s):** Korsiak Urban Planning, Alison Bucking

The Town Planner stated a correction to the first variance (increasing from 50 sq m, not 20 sq m), and noted no staff objections to approval. The agent was present to speak to the application.

It was MOVED by Todd Jenney, SECONDED, and CARRIED

THAT the application be approved.

The Committee considered the requested variance(s) to:

1. Meet the intent and purpose of the Official Plan.
2. Meet the intent and purpose of the Zoning By-law.
3. Be desirable for the appropriate use of the land, building or structure.
4. Be minor in nature.

**c) Minor Variance D13VAR22.009H – Gougeon**

**Location:** 32 Church Street, Town of Halton Hills (Georgetown), Regional Municipality of Halton

**Purpose:** Requesting relief from Zoning By-law 2010-0050, as amended,

1. To increase the floor area for a detached garage from the maximum 40 sq m to permit a floor area of 44.7 sq m.
2. To increase the height for a detached garage from the maximum 4.5 m to permit a height of 5.09 m.
3. To reduce the side yard setback from the minimum 1 m, to permit a side yard setback of 0.91 m (detached garage).
4. To permit a detached garage to be built closer to the front lot line (6.1 m) than the main building (dwelling) from the front lot line (6.81 m).

**To accommodate a proposed detached garage.**

**Owner(s):** Peter Scholz & Michelle Gougeon, **Agent:** Matthews Design & Drafting, Doug Matthews / Bethany VanRavens

The Town Planner stated that the variances were revised to address an objection that was subsequently withdrawn, and noted no staff objections to approval, subject to condition. The agent was present to speak to the application.

It was MOVED by Thomas Hill, SECONDED, and CARRIED

THAT the application be approved, subject to condition.

The Committee considered the requested variance(s) to:

1. Meet the intent and purpose of the Official Plan.
2. Meet the intent and purpose of the Zoning By-law.
3. Be desirable for the appropriate use of the land, building or structure.
4. Be minor in nature.

**d) Minor Variance D13VAR22.010H – SGR Gillz Holdings Inc.**

**Location:** 0 Wallace Street, Town of Halton Hills (Acton), Regional Municipality of Halton

**Purpose:** Requesting relief from Zoning By-law 2010-0050, as amended,

1. To permit no screening of the outdoor storage for the interior side lot lines.

**To accommodate a proposed transportation terminal.**

**Owner(s):** SGR Gillz Holdings Inc., Prithpal Singh, **Agent:** DSH Planning, Andrew Head

The Town Planner noted no staff objections to approval. The agent, and Sahil Gill (SGR Trucklines) were present to speak to the application.

It was MOVED by Thomas Hill, SECONDED, and CARRIED

THAT the application be approved.

The Committee considered the requested variance(s) to:

1. Meet the intent and purpose of the Official Plan.
2. Meet the intent and purpose of the Zoning By-law.
3. Be desirable for the appropriate use of the land, building or structure.
4. Be minor in nature.

**e) D13VAR22.011H – AMICO 42 MILL LTD**

**Location:** 26, 36, 38, and 42 Mill Street, Town of Halton Hills (Georgetown), Regional Municipality of Halton

**Purpose:** Requesting relief from Zoning By-law 2010-0050, as amended,

1. To reduce the minimum resident parking requirement from 1.5 spaces per apartment dwelling unit (291 spaces) to permit 1.4 resident parking spaces per apartment dwelling unit (272 spaces).

**To accommodate resident parking for 2 apartment buildings (one under construction and one to be built in the future).**

**Owner(s):** AMICO 42 MILL LTD, Cindy Prince

The Town Planner noted no staff objections to approval. Hal Kersey (AMICO) was present to speak to the application, and noted his agreement with the Planning report.

Committee deliberations included: issues with the requested parking reduction; anticipated overflow parking (onto visitor parking and street); number of vehicles per

household; existing overflow parking issues around town; disagreement with the Parking Study about the walkability of the location; and seeing the reduction as an extreme deficiency.

It was MOVED by Neal Panchuk, SECONDED, and CARRIED

THAT the application be refused.

The Committee considered the requested variance(s) to:

1. Not meet the intent and purpose of the Official Plan.
2. Not meet the intent and purpose of the Zoning By-law.
3. Not be desirable for the appropriate use of the land, building or structure.
4. Not be minor in nature.

#### **4. ADJOURNMENT**

Adjourned at approximately 6:40 p.m.



**MINUTES OF THE  
ACCESSIBILITY ADVISORY COMMITTEE**

Minutes of the Accessibility Advisory Committee meeting held on  
Wednesday March 30, 2022 Via Zoom

Note: Meeting was originally scheduled for March 23, 2022, and was postponed to this date.

Members Present: Councillor J. Hurst, Chair, J. Bray, K. Heffernan, C. Licznerski, M. Lowe, L. McKenzie

Regrets: Councillor W. Farrow-Reed, D. Sebalj, J. Pearce

Staff Present: D. Locey, Transit Supervisor; R. Brown, Deputy Clerk

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**1. CALL TO ORDER**

Councillor J. Hurst, Chair called the meeting to order at 6:35 p.m.

**2. DISCLOSURE OF PECUNIARY/CONFLICT OF INTEREST**

There were no disclosures of pecuniary interest.

**3. SCHEDULED ITEMS FOR DISCUSSION**

**3.a Update to Paratransit and Conventional Transit Services**

D. Locey provided the committee with an update on the Specialized Transit and Conventional Transit Services. She advised the committee that the Specialized Transit Plan was approved in June 2021 and covers until 2031. The plan contains short term and long-term recommendations including cross boundary linkages and connections such as; Milton, Oakville, Mississauga, Brampton and Guelph. These connections and linkages will allow users to transfer from Halton Hills to other municipal transit options improving connectivity and accessibility for Halton Hills registered ActiVan users.

The most requested connections were for Milton and Oakville and specifically for Oakville Hospital, Milton Hospital and Credit Valley Hospital. The recommendations note the best locations for the connections to occur between the different transit systems.

In November 2021 a pilot project commenced that will end June 2022 to provide an ActiVan shuttle service to Oakville Trafalgar Hospital. This pilot project has resulted in 672 trips to date to this location, and services Halton District School Board students using the service to participate in programming at the hospital.

D. Locey will continue to update the committee on specialized and conventional transit services and improvements to services.

### **3.b Community Improvement Plan (CIP) Update**

E. Kaiser provided written update that was shared with the committee about the status of the Community Improvement Plan. The Draft Plan is currently available on the Let's Talk Halton Hills platform for public comment and questions. The committee was advised that if they have any comments on the plan or questions that they can provide those through the Let's Talk platform or by emailing Erin Kaiser at [ekaiser@haltonhills.ca](mailto:ekaiser@haltonhills.ca). A Public Meeting is being held on April 11, 2022 if anyone is interested in attending or participating. The final report to approve the Community Improvement Plan is expected to go before Council in early summer.

### **3.c Verbal Update**

Councillor J. Hurst advised that on behalf of the Committee he applied to the Halton Hills Sports Hall of Fame to have former member Barb Montemurro inducted and that the application was successful, Barb will be inducted on June 9, 2022, as one of four new inductees.

## **4. SUB-COMMITTEES AND WORKING GROUPS**

NIL

## **5. CLOSED SESSION**

NIL

## **6. ITEMS TO BE SCHEDULED FOR NEXT MEETING**

## **7. ADJOURNMENT**

The meeting adjourned at 7:10 p.m.

**Ministry of Northern Development,  
Mines, Natural Resources and  
Forestry**

Resources Planning and Development  
Policy Branch  
Policy Division  
300 Water Street  
Peterborough, ON K9J 3C7

**Ministère du Développement du Nord,  
des Mines, des Richesses Naturelles et  
des Forêts**

Direction des politiques de planification et  
d'exploitation des ressources  
Division de l'élaboration des politiques  
300, rue Water  
Peterborough (Ontario) K9J 3C7

**Subject: Decision Notice - Proposed Regulation Changes under the Aggregate Resources Act**

Greetings,

Further to my letter dated January 11<sup>th</sup>, I am writing to inform you that a decision notice has been posted regarding the Proposed regulatory changes for the beneficial reuse of excess soil at pits and quarries in Ontario ([ERO #019-4801](#)). The Ministry of Northern Development, Mines, Natural Resources and Forestry made changes so that requirements in [Ontario Regulation 244/97](#) under the *Aggregate Resources Act* are consistent with provincial requirements that exist under the *Environmental Protection Act* for excess soil. The proposal was posted for 45 days and during that time we received over 390 comments from key stakeholders including industry, municipalities, Indigenous communities, community groups and individuals. Most comments received were supportive of consistency with the [Rules for Soil Management and Excess Soil Quality Standards](#) referenced in the [On-site and Excess Soil Management Regulation](#) under the *Environmental Protection Act*.

The amendments to *Ontario Regulation 244/97*, which take effect July 1, 2022, include:

- Alignment with the Soil Rules and Excess Soil Standards referenced in *Ontario Regulation 406/19 On-site and Excess Soil Management*
- Requirements for importation, storage, and placement of excess soil
- Specific quality standards for excess soil placed below the water table, or on Crown land
- Record-keeping requirements to document soil quality, quantity, source site(s), and final placement
- Requirements for licensees and permittees to retain a Qualified Person (i.e., professional engineer or geoscientist) for large sites that import more than 10,000 m<sup>3</sup> of excess soil, or sites where excess soil will be placed below the water table
- Self-filing – for licences/permits approved before July 1, 2022, rules have been added that, when followed, enable some conditions to be removed from a site plan when filed with the ministry; and
- Other policy changes to support the beneficial reuse of excess soil at pits and quarries in Ontario

For complete details of these changes please refer to the decision notice posted on the Environmental Registry at the following address: [www.ero.ontario.ca](http://www.ero.ontario.ca); then search for notice: **019-4801**.

If you have any questions about the new requirements, or should you require a French version of this letter, please contact us by email at [aggregates@ontario.ca](mailto:aggregates@ontario.ca).

Sincerely

A handwritten signature in black ink that reads "Jennifer Keyes". The signature is written in a cursive, flowing style.

Jennifer Keyes,  
Director, Resources Planning and Development Policy Branch

**Ministry of Energy**

Office of the Minister

77 Grenville Street, 10<sup>th</sup> Floor  
Toronto ON M7A 2C1  
Tel.: 416-327-6758

**Ministère de l'Énergie**

Bureau du ministre

77, rue Grenville, 10<sup>e</sup> étage  
Toronto ON M7A 2C1  
Tél. : 416-327-6758



April 28, 2022

Dear Head of Council:

I understand that your community has expressed interest in the Ontario government's Natural Gas Expansion Program.

Our government remains committed to being responsive to the needs of communities across Ontario, and I am very pleased to write to you and share that Budget 2022 includes the announcement of a new Phase 3 of the Natural Gas Expansion Program.

This will begin with a consultation in Fall 2022 to ensure the program meets Ontario's evolving energy needs, with additional information on application criteria to follow thereafter.

We know there has been overwhelming demand from communities and businesses across the province, and through this announcement our government continues to demonstrate its commitment to making the meaningful investments that will make a difference in helping communities to thrive.

Regards,

A handwritten signature in black ink, appearing to read "Todd Smith".

Todd Smith  
Minister

**THE TOWNSHIP OF GUELPH/ERAMOSIA  
NOTICE OF PUBLIC MEETING  
(RESCHEDULED)**

Council meetings are being held in a hybrid fashion (in person and virtually). While in-person attendance is permitted, in the interest of ongoing public health and safety concerns, **virtual attendance is encouraged.**

**TAKE NOTICE** that the Public Meeting for the Township initiated Additional Residential Unit (ARU) Amendment has been **rescheduled to Monday, June 6<sup>th</sup>, 2022.**

Pursuant to the requirements of the *Planning Act, R.S.O., 1990*, as amended, the Township of Guelph/Eramosa is initiating a Township-wide housekeeping amendment (ZBA 01-22) to amend Zoning By-law 40/2016. The Council of the Corporation of the Township of Guelph/Eramosa will hold a public meeting to advise the public of the application and to obtain public input prior to making a decision.

**To listen to and/or participate in the public meeting:**

Use the following URL to join from a PC, Mac, iPad, iPhone or Android device:  
<https://us02web.zoom.us/j/84315224619?pwd=VXFPdVVCb3dHOGtmNnhEaXZ2a2NWdz09>

Or join by telephone: **+1 647 558 0588**

Webinar ID: **843 1522 4619**

Passcode: **748057**

**Participation:** To pre-register as a delegate (to speak or provide comment), email [clerks@get.on.ca](mailto:clerks@get.on.ca). Delegates are encouraged to pre-register by **Friday, June 3<sup>rd</sup>, 2022, at 12:00 p.m.** Instructions on how to make comments will be provided upon confirmation of registration, as well as during the meeting.

**THE PUBLIC MEETING** will be held on **Monday, June 6<sup>th</sup>, 2022, at 1:00 p.m.**, to consider an amendment to Zoning By-law 40/2016, of the Township of Guelph/Eramosa, pursuant to Section 34 of the *Planning Act, R.S.O., Chapter P.13*, as amended.

**TOWNSHIP INITIATED ADDITIONAL RESIDENTIAL UNIT (ARU) AMENDMENT** – The Township of Guelph/Eramosa is proposing an amendment to Zoning By-law 40/2016 to bring the Zoning By-law into conformity with the County of Wellington Official Plan policies regarding ARU's and to enhance the current permissions based on best practices.

**ANY PERSON** may attend the public meeting and/or make written or verbal representation in support of or in opposition to the proposed amendment. If you wish to be notified of Council's Decision with respect to the proposed zoning by-law amendment, you must make a written request to the Township Clerk at the address shown below.

**APPEAL RIGHTS** – Any person or public body who, prior to the passing of the by-law, made oral submissions at a Public Meeting or who submitted written comments to the Corporation of the Township of Guelph/Eramosa, has the right to appeal within 20-days of the Notice of Decision.

If a person or public body does not make oral submissions at a public meeting or provide written comment before the by-law is passed, the person or public body does not have the right to appeal and may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

The above information is being collected pursuant to the *Planning Act, R.S.O. 1990, CHAPTER P.13, Section 34*. Information, including opinions, presentations, reports, documentation, etc., provided for or at a Public Meeting is considered public record. This information may be posted on the Township of Guelph/Eramosa website and/or made available to the public upon request. Questions about this collection should be directed to the undersigned.

**ADDITIONAL INFORMATION** regarding the proposed amendment, including information about appeal rights, can be obtained by contacting **Amanda Roger**, Planning Technician, at [planning@get.on.ca](mailto:planning@get.on.ca) between 8:30 a.m. and 4:30 p.m.

Dated at the Township of Guelph/Eramosa this **28<sup>th</sup> day of April 2022.**

Amanda Knight, Director of Legislative Services/Clerk  
8348 Wellington Road 124, P.O. Box 700 Rockwood,  
Ontario N0B 2K0  
Email: [clerks@get.on.ca](mailto:clerks@get.on.ca)

This document is available in larger font on the Township's website at [www.get.on.ca](http://www.get.on.ca). If you require an alternative format, please contact [clerks@get.on.ca](mailto:clerks@get.on.ca).

**THE TOWNSHIP OF GUELPH/ERAMOSIA  
NOTICE OF COMPLETE APPLICATION &  
PUBLIC MEETING**

The Municipal Office has reopened to the public. Public meetings will now be held both virtually and in-person. While in-person attendance is *permitted*, in the interest of ongoing public health and safety concerns, **virtual attendance is encouraged**.

To attend the meeting virtually, download the Zoom app on your smart phone or visit: [https://zoom.us/download#client\\_4meeting](https://zoom.us/download#client_4meeting) and download “Zoom Client for Meetings” to your PC or laptop computer. Please note that your phone or computer will be muted upon entrance.

**To listen to and/or participate in the public meeting:**

Use the following URL to join from a PC, Mac, iPad, iPhone or Android device: <https://us02web.zoom.us/j/83721382260?pwd=Q24rd0JaWkZ4bEtSSXJ1L25OdFJCQT09>

Or join by telephone: **+1 647 558 0588** Webinar ID: **837 2138 2260** Passcode: **840990**

**Participation:** To pre-register as a delegate (to speak or provide comment), email [clerks@get.on.ca](mailto:clerks@get.on.ca). You are encouraged to pre-register as a delegate by **Friday, April 29<sup>th</sup>, 2022, at 12:00 p.m.** Instructions on how to make comments will be provided upon confirmation of registration, as well as during the meeting.

**TAKE NOTICE** that pursuant to the requirements of the *Planning Act, R.S.O., 1990*, as amended, the Township of Guelph/Eramosa is initiating a Township-wide housekeeping amendment (ZBA 01-22) to amend Zoning By-law 40/2016. The Council of the Corporation of the Township of Guelph/Eramosa will hold a public meeting to advise the public of the application and to obtain public input prior to making a decision.

**THE PUBLIC MEETING** will be held on **Monday, May 2<sup>nd</sup>, 2022, at 1:00 p.m.**, to consider an amendment to Zoning By-law 40/2016, of the Township of Guelph/Eramosa, pursuant to Section 34 of the *Planning Act, R.S.O., Chapter P.13*, as amended.

**TOWNSHIP INITIATED ADDITIONAL RESIDENTIAL UNIT (ARU) AMENDMENT** – The Township of Guelph/Eramosa is proposing an amendment to Zoning By-law 40/2016 to bring the Zoning By-law into conformity with the County of Wellington Official Plan policies regarding ARU’s and to enhance the current permissions based on best practices.

**ANY PERSON** may attend the public meeting and/or make written or verbal representation in support of or in opposition to the proposed amendment. If you wish to be notified of Council’s Decision with respect to the proposed zoning by-law amendment, you must make a written request to the Township Clerk at the address shown below.

**APPEAL RIGHTS** – Any person or public body who, prior to the passing of the by-law, made oral submissions at a Public Meeting or who submitted written comments to the Corporation of the Township of Guelph/Eramosa, has the right to appeal within 20-days of the Notice of Decision.

If a person or public body does not make oral submissions at a public meeting or provide written comment before the by-law is passed, the person or public body does not have the right to appeal and may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

The above information is being collected pursuant to the Planning Act, R.S.O. 1990, CHAPTER P.13, Section 34. Information, including opinions, presentations, reports, documentation, etc., provided for or at a Public Meeting is considered public record. This information may be posted on the Township of Guelph/Eramosa website and/or made available to the public upon request. Questions about this collection should be directed to the undersigned.

**ADDITIONAL INFORMATION** regarding the proposed amendment, including information about appeal rights, can be obtained by contacting **Amanda Roger**, Planning Technician, at [planning@get.on.ca](mailto:planning@get.on.ca) between 8:30 a.m. and 4:30 p.m.

Dated at the Township of Guelph/Eramosa this **7<sup>th</sup> day of April 2022**.

Amanda Knight, Director of Legislative Services/Clerk  
8348 Wellington Road 124, P.O. Box 700 Rockwood, Ontario N0B 2K0  
Email: [clerks@get.on.ca](mailto:clerks@get.on.ca)

This document is available in larger font on the Township’s website at [www.get.on.ca](http://www.get.on.ca). If you require an alternative format, please contact [clerks@get.on.ca](mailto:clerks@get.on.ca).



## **NOTICE OF OPEN HOUSES AND PUBLIC MEETING: DRAFT BRAMPTON PLAN (NEW OFFICIAL PLAN)**

### **Virtual Public Open Houses:**

**May 18, 2022 at 7:00pm – Hosted by City**

**May 19, 2022 at 1:00pm – Hosted by City**

### **Statutory Public Meeting (Hybrid):**

**May 30, 2022 at 7:00pm – Hosted by City  
City Hall Council Chambers**

### **Purpose and Effect**

A comprehensive review of the City's current Official Plan commenced in January, 2020. Following extensive community engagement, a Draft Official Plan, known as 'Brampton Plan' has been prepared. The purpose of this Statutory Public meeting and associated Open Houses is to present the draft plan and provide an opportunity to receive public comment on the plan, in accordance with Section 17(15) and 17(16) of the *Planning Act*, R.S.O. 1990.

The draft Official Plan apply to all lands within the municipal boundary of the City of Brampton. As such, no key map is provided.

The current proposed plan has been made available on the Brampton Plan website for review in accordance with Section 17(15) of the *Planning Act*, R.S.O. 1990. The Draft Brampton Plan document can be viewed at the following link: [www.brampton.ca/Bramptonplan](http://www.brampton.ca/Bramptonplan).

### **How can I get involved?**

- Attend the Virtual Public Open House on Wednesday, May 18 2022 at 7:00 pm, or on Thursday, May 19 at 1:00 pm. Pre-registration is required to join/attend the Open House by

e-mailing: [opreview@brampton.ca](mailto:opreview@brampton.ca) or calling: (905) 874-2557 prior to 4:30pm on May 16<sup>th</sup> 2022. A link to join/attend the virtual meeting will be email upon registration. A live presentation will be provided followed by questions and answers. Questions can be typed into the Q & A chat function and responded to by the City. Note: This will be a virtual (digital) session only. The same materials will be presented at each of the two public open houses.

- Attend the Statutory Public Meeting on Monday, May 30 at 7:00 pm: Please note that City Hall is now permitting in-person attendance at Public Meetings in the Council Chambers. A hybrid virtual option is also offered. Pre-registration is required to speak at the meeting. Please email [cityclerksoffice@brampton.ca](mailto:cityclerksoffice@brampton.ca) by no later than 4:30 pm on Tuesday, May 24, 2022 to pre-register.
  - Submit an audio or video recording (up to 5 minutes), to be played at the Statutory Public Meeting. Submissions may be sent to [cityclerksoffice@brampton.ca](mailto:cityclerksoffice@brampton.ca) and must be received no later than 4:30 pm on May 24, 2022.
  - View the Statutory Public Meeting through the following links:
    - [www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx](http://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx)
    - <http://video.isilive.ca/brampton/live.html>.
  - Send comments to [opreview@brampton.ca](mailto:opreview@brampton.ca) or call 905-874-2557.
  - Mail comments to: City Planning and Design Division, 2 Wellington Street West, 3rd Floor Brampton ON L6Y 4R2
- 

### More Information

- For more information about this matter, including information about preserving your appeal rights contact the City Planner identified in this notice or visit City Hall, Third Floor, between 9:00 am and 4:00 pm during the regular business week. Supporting studies and drawings that have been submitted with the application are available on the City's website under Current Development Applications on the Planning and Development page.
- If you wish to be notified of the decision of the City in respect to the draft Official Plan, you must make a written request to the Clerk, City of Brampton, 2 Wellington Street West Brampton, ON L6Y 4R2.

**Note:** in accordance with Section 17(15) and 17(16) of the *Planning Act*, R.S.O. 1990, the City will receive comments on the Draft Brampton Plan and report back to a future meeting of Council with a recommendation report.

### Important Information about making a submission:

If a person or public body does not make oral submissions at a statutory public meeting or make written submissions to the City of Brampton before the proposed official plan is adopted:

(a) The person or public body is not entitled to appeal the decision of the City of Brampton to the Local Planning Appeal Tribunal; and,

(b) The person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

**Note:** Attendance at the Virtual Public Open House does not provide a person or public body with appeal rights or a right to party status at the Ontario Land Tribunal.

**Solicitor General**

Office of the Solicitor General

25 Grosvenor Street, 18<sup>th</sup> Floor  
Toronto ON M7A 1Y6  
Tel: 416 326-5000  
Toll Free: 1-866-517-0571  
SOLGEN.Correspondence@ontario.ca

**Solliciteur général**

Bureau du solliciteur général

25, rue Grosvenor, 18<sup>e</sup> étage  
Toronto ON M7A 1Y6  
Tél. : 416 326-5000  
Sans frais : 1-866-517-0571  
SOLGEN.Correspondence@ontario.ca



132-2022-1423

**By email**

April 22, 2022

Dear Heads of Council:

As part of the province's commitment to review and update regulations under the *Provincial Animal Welfare Services Act, 2019* (PAWS Act) to keep animals safe, Ontario has been reviewing the existing standards of care for dogs that live outdoors under the PAWS Act.

On January 21, 2022, the Ministry of the Solicitor General posted a consultation summary of the proposed updated standards on the Ontario Regulatory Registry. The posting was open for public comment until March 7, 2022.

I am happy to notify you that the updated standards of care for outdoor dogs were filed as an amendment to Ontario Regulation 444/19 (Standards of Care and Administrative Requirements) on April 19, 2022. The amending regulation can be read by visiting [Ontario e-Laws](#). The updates will also appear on the [Ontario e-Laws page for Ontario Regulation 444/19](#) shortly.

The updated standards will come into force on **July 1, 2022**.

The updated standards are based on stakeholder and public feedback, jurisdictional reviews, academic literature and other published information as well as expert technical advice from veterinarian care, animal sheltering, industry, animal advocacy, enforcement and subject matter experts.

The updated standards replace the previous standards of care for dogs that live outdoors under the PAWS Act and create more comprehensive requirements related to:

- **General care** – including access to shade, food and water, grooming and nail care, and health and welfare maintenance.
- **Outdoor dog shelter** – including when an outdoor dog shelter is required (with exceptions for livestock guardian dogs and dogs that have access to a structure housing livestock), as well as design features and size-related specifications for an outdoor dog shelter.
- **Use of tethering** – including when dogs cannot be tethered, the safe usage of tethers, minimum space requirements when a dog is tethered, and maximum time a dog can spend on a tether (with limited exceptions).
- **Use of housing pens** – including the use of housing pens, minimum housing pen size and restrictions on outdoor dogs that can be penned together (with limited exceptions).

.../2

- **Tethering and housing pen containment area** – including adequate cleaning and sanitation, as well as features to support the physical comfort and welfare of a dog while they are contained outdoors.

Please refer to the attached fact sheet as well as the Frequently Asked Questions (FAQs) for more information. We welcome you to share the link to the regulation, fact sheet and FAQs with others who may be interested in learning more about the updates.

Please note, the updated standards will not impose any new requirements on municipal by-law enforcement departments. Animal Welfare Services, a branch within the ministry, is the primary body responsible for the enforcement of the PAWS Act and its regulations.

In the event of a conflict between a municipal by-law and the updated standards, section 67 of the PAWS Act continues to apply. Section 67 of the PAWS Act specifies that if there is a conflict between a provision of the PAWS Act or its regulations and a municipal by-law related to the welfare of animals or the prevention of cruelty to animals, the provision that provides the greater protection to animals prevails.

As a next step, the ministry will develop a guidance document that will help impacted owners and custodians understand the updated standards of care and set out additional recommended best practices to assist in meeting the new requirements.

We remain committed to ensuring that appropriate and effective measures are in place to provide animals with the protections they deserve. These updated standards of care will help ensure the welfare, health and safety of outdoor dogs in Ontario.

Sincerely,



Sylvia Jones  
Solicitor General

Enclosures

## Shade, Shelter and Protection from the Elements:

 **Sufficient protection from the elements** to prevent heat or cold-related distress, and **shade** as required by the weather, including to protect from direct sunlight

-  **A dog shelter**, available at all times, that:
- Is waterproof and provides protection from the elements
  - Is structurally sound and does not cause injury
  - Has an insulated roof, a level, elevated and dry floor, and is ventilated
  - Has a doorway free from obstructions
  - Has bedding at least 3 inches thick, changed as needed to stay clean, dry, comfortable and unsoiled

**Size of the shelter** must allow all dogs using it to turn around, lie down with their legs extended and stand with their heads held at normal height



**Livestock guardian dogs** and dogs with access to a structurally sound building used to house livestock do not require a dog shelter



A dog “kept outdoors” is a dog that is outdoors for more than 60 minutes without its owner or custodian present

## Food and Water:

 **Food** that meets daily caloric requirements, is fit for consumption, not spoiled and does not contain dirt, feces, urine or toxic substances

 **Water** at all times that is not frozen, does not contain dirt, feces, urine or toxic substances, and is replaced at least once every 24 hours

**Food and water containers** must be constructed to avoid injury and difficulty accessing food and water

## Health and Grooming:



**Daily health and welfare checks**

**Isolation** from other healthy dogs if the dog is at high risk of or suffering from a contagious disease (with exceptions)

**Dogs must not be kept outdoors** if they have an injury or illness that affects their ability to regulate temperature or restricts mobility (with exceptions)



**Grooming**, as needed, of nails and to avoid matting of the dog's coat or accumulation of ice or mud on its coat or under its paws

## Tethers:



**Tethers** must:

- Permit 3 metres of horizontal movement
- Allow the dog to move about safely
- Be a size, type and weight that won't cause discomfort or injury
- Have a swivel at both ends
- Be in good condition and well-attached to prevent escape



**Collars and harnesses** used with a tether must be of a size, type, design and fit that won't cause discomfort or injury

**When tethering a dog kept outdoors**, an owner/custodian must not:

- ⊗ Use a **choke, pinch, prong, slip, head halter or martingale collar**
- ⊗ Tether **dogs under 6 months or that are in heat, whelping or nursing**
- ⊗ **Cause undue distress**, including because of the age, health or reproductive status of the dog or objects or hazards they can reach

## Housing Pens:



Use of housing pens must not **cause undue distress** and housing pens must be constructed to prevent escape and provide protection from predators.

**Housing pen minimum size** must be scaled to the height of the dog (measured at shoulder):

- **1.5m<sup>2</sup>** for each additional dog housed in the same pen (with exceptions)

Height (cm)	Area (m <sup>2</sup> )
70 or greater	15
>= 40 and < 70	10
>= 20 and < 40	6
less than 20	4

**Aggressive dogs** must not be housed together, and **dogs in heat or coming into heat** must not be housed with male dogs (with exceptions)

## Housing Pen and Tether Area:



Must provide enough space for **natural behaviours** and **distinct areas** for feeding and drinking and defecating and urinating



Dog must not be forced to stand, sit or lie in feces, urine, mud or water; area must be cleaned as needed to prevent the accumulation of waste; **keep sanitary and minimize parasites**

## Additional Standards for Dogs Tethered Outdoors:



**Dogs tethered outdoors for 23 hours in a 24-hour period**, whether the 23 hours are consecutive or not, must be taken off the tether for at least 60 continuous minutes to allow for exercise and enrichment (with exceptions)

Note: the definition of "kept outdoors" does not apply to this requirement

## Frequently Asked Questions (FAQs)

### Updates to the Standards of Care for Outdoor Dogs under the *Provincial Animal Welfare Services Act, 2019 (PAWS Act)*

#### 1. What do these updates mean for owners and custodians that have their dogs outdoors? What requirements do I need to meet?

Currently, Ontario Regulation 444/19, the Standards of Care and Administrative Requirements regulation under the *Provincial Animal Welfare Services Act (PAWS Act)*, includes standards of care for dogs that “live primarily outdoors”.

With this amendment, the existing standards of care for dogs that “live primarily outdoors” will be replaced with a new set of standards. The updated standards establish a definition of a dog “kept outdoors” – a dog that is outdoors continuously for 60 or more minutes without being in the physical presence of its owner or custodian – and create associated care requirements. The updated standards will also set out a maximum amount of time that a dog may be tethered outdoors in a 24-hour period before it must receive off-tether time for exercise and enrichment.

The updated requirements create more comprehensive requirements related to:

- **General care** – including access to shade, food and water, grooming and nail care, and health and welfare maintenance.
- **Outdoor dog shelter** – including when an outdoor dog shelter is required (with exceptions for livestock guardian dogs and dogs that have access to a structure housing livestock), as well as design features and size-related specifications for an outdoor dog shelter.
- **Use of tethering** – including when dogs cannot be tethered, the safe usage of tethers, minimum space requirements when a dog is tethered, and maximum time a dog can spend on a tether (with limited exceptions).
- **Use of housing pens** – including the use of housing pens, minimum housing pen size and restrictions on outdoor dogs that can be penned together (with limited exceptions).
- **Tethering and housing pen containment area** – including adequate cleaning and sanitation, as well as features to support the physical comfort and welfare of a dog while they are contained outdoors.

Please review the attached fact sheet or review the amending regulation by visiting [Ontario e-Laws](#).

To assist the public, the Ministry of the Solicitor General (ministry) will develop a guidance document that provides examples of different ways that owners and custodians of outdoor dogs can meet the updated requirements.

**2. Is there a deadline for when the public and businesses will need to meet these new requirements?**

The updated standards will apply across Ontario as of July 1, 2022. This provides time for the public and businesses that choose to keep and tether their dogs outdoors to meet these updated requirements to help ensure the welfare, health and safety of outdoor dogs in Ontario.

**3. Who will be responsible for enforcing these new requirements once they are in effect on July 1, 2022?**

The updated standards will be enforced by the province's animal welfare enforcement body, Animal Welfare Services (AWS). AWS is responsible for the enforcement of the PAWS Act and its regulations. Provincial inspectors carry out inspections and investigations and respond to concerns of distress. They also conduct outreach and education on animal care best practices.

**4. What are the penalties for someone who breaches these updated standards when they come into effect on July 1, 2022 (for example, fines or jail time)?**

The penalties for [contravening the standards of care and administrative requirements for animals under the PAWS Act](#) are:

- In the case of individuals, a fine of up to \$75,000 and/or up to six months imprisonment for a first offence and a fine of up to \$100,000 and/or up to one year imprisonment for a subsequent offence.
- In the case of corporations, a fine of up to \$100,000 for a first offence and a fine of up to \$250,000 for a subsequent offence.

Animal welfare inspectors may apply their discretion to enforce based on the circumstances. Inspectors also engage in providing education and use compliance-related tools to encourage adherence to the PAWS Act (for example, warnings and orders).

**5. Where can I report breaches of the new standards, once they are in effect on July 1, 2022?**

If you believe the new standards are not being met after they have come into effect on July 1, 2022, or that an animal is in distress, you can call the Ontario Animal Protection Call Centre (OAPCC) at 1-833-9ANIMAL (1-833-926-4625) to report your animal welfare concerns. This call centre is available 24 hours a day, seven days a week. Reporting to the OAPCC ensures prompt and appropriate triaging. Kindly note, the call centre cannot provide information about what calls have been received or the status of ongoing investigations.

## **6. Who was consulted to help develop these updated standards?**

To help inform the development of updated and new regulations under the PAWS Act, in November 2020, the ministry established a multi-disciplinary [PAWS Advisory Table](#) made up of a group of experts including veterinarians and animal advocates.

Additionally, in March 2021, the ministry formed an Outdoor Dogs Technical Table (Technical Table) to seek further technical expertise. The Technical Table included representation from various dog-related industries (sled and sporting dogs, livestock guardian dogs, kennels and breeders), veterinarians, enforcement entities and other subject matter experts.

Feedback from the PAWS Advisory Table and Technical Table, public and stakeholder submissions received through Ontario's Regulatory Registry and a review of laws and policies in other Canadian and international jurisdictions, academic literature and other reports helped to inform these updated standards.

## **7. Why not apply the updated standards to all dogs? What protections exist for other dogs?**

The PAWS Act and its regulations ensure that all animals covered under the Act are protected and treated in a humane manner.

Ontario Regulation 444/19 (Standards of Care and Administrative Requirements) contains basic standards that apply to all animals covered under the Act. These standards have general requirements to provide adequate and appropriate food, water, medical attention and care, sanitary conditions, and space to enable natural movement and exercise and more. More details on the basic standards of care can be found at: <https://www.ontario.ca/page/animal-welfare>.

Due to the risks faced by outdoor dogs, the ministry has determined that additional specific standards are required for the health and safety of outdoor dogs.

## **8. Why do the updated standards have an exemption from the requirement for a dog shelter for livestock guardian dogs and dogs that have access to a building that houses livestock?**

Livestock guardian dogs that are of a typical breed used for protecting livestock from predation and living with the flock or herd they are protecting do not require a dog shelter as they are likely to receive protection from the elements and shelter from living alongside the livestock (for example, livestock guardian dogs will burrow into the centre of the flock to block out wind). Dogs that have access to a building that is housing livestock, such as a barn, are likely to receive warmth and protection through their access to a barn which is warmed by livestock and do not require a dog shelter.

## **9. Will the updated standards impact First Nation communities?**

Animal Welfare Services endeavours to engage with First Nation leadership as a matter of practice prior to enforcing the PAWS Act in First Nation communities. The ministry also respects that First Nations have the authority to make their own by-laws related to animals.

## **10. Will the updated standards impact municipalities? How will these updated standards work with municipal by-laws that govern the care of outdoor dogs?**

The updated standards will not impose any new requirements on municipal by-law enforcement departments. In the event of a conflict between a municipal by-law and the updated standards, [Section 67 of the PAWS Act](#) continues to apply. Section 67 of the PAWS Act specifies that if there is a conflict between a provision of the PAWS Act or its regulations and a municipal by-law related to the welfare of animals or the prevention of cruelty to animals, the provision that provides the greater protection to animals prevails.



May 5, 2022

### **In This Issue**

- Provincial Election watch.
- Call for nominations to AMO Board of Directors.
- ?Ontario heavy vehicle inspection changes.
- AMO 2022 Early Bird registration rate ends soon!
- Request for Provincial Delegation Meetings now open.
- Advanced Land Use Planning Training - A Deeper Dive: May 31 virtual session.
- Jump-start your digital transformation with an e-signature solution.
- Watch OMERS 2022 Annual Meeting.
- The benefit of energy training for your staff.
- Boost staff productivity and morale with LED upgrades.
- Annual Energy Reports due before July 1.
- A digital CRM/311 solution for municipalities.
- Careers: TBS, Durham Region, Orillia, Hamilton and Southgate

### **AMO Matters**

Visit the AMO website to review [AMO's 2022 Provincial Election Strategy](#) and election monitoring updates. Follow AMO on [Twitter](#) and [LinkedIn](#) and share election updates with your networks.

Please be advised that in accordance with the Association's governing by-law, the Secretary-Treasurer is requesting nominations to the 2022-2024 AMO Board of Directors. [Nomination package available here.](#)

### **Provincial Matters**

Starting this spring, the Ministry of Transportation (MTO) is making changes to heavy vehicle emissions and safety inspections through the [DriveON](#) program. MTO has asked that this information be shared with the municipal officials that manage municipal fleets, transit and other appropriate departments

### **Eye on Events**

You have until **May 13** to take advantage of the AMO 2022 [early bird registration rate](#). That is soon! The City of Ottawa awaits AMO delegates August 14 - 17, 2022.

Registered AMO conference delegates can now [request an in-person meeting](#) with a minister or parliamentary assistant at the AMO conference. The deadline to submit your request is June 24, 2022.

AMO has developed advanced land use planning training that supports Ontario's elected officials in the strategic decision making and management of the many facets of land use planning. Limited space available. Register [here](#).

As municipalities move from paper to electronic filing, authentication of these files is a critical challenge. On May 25 at 12 pm ET, join AMO's partner, Notarius, and learn

how ConsignO Cloud can reduce the signing time of documents and allow anyone to sign legally reliable documents electronically with a phone, a tablet, or a computer. [Register here](#).

## **MEPCO**

On April 11, OMERS held its Annual meeting, where it presented 2021 financial results and other updates. Watch the recording [here](#) on [omers.com](#).

## **LAS**

[LAS Energy Training workshops](#) have uncovered energy savings worth hundreds of thousands of dollars. More than 300 attendees have already discovered the benefits of a custom workshop and treasure hunt at their facilities. Contact [Christian Tham](#) to book your customized workshop for this fall.

Do you know that improved lighting boosts productivity and staff morale? LAS and Conrad Lighting Solutions deliver high-quality LED lighting upgrades through our turnkey [Facility Lighting Service](#). Contact [Christian Tham](#) for a free no obligation quote/proposal.

Get a jump on energy reporting! The Ministry of Energy is now accepting annual energy reports under [O. Reg. 507/18](#). Reporting is for energy used in 2020 and due by July 1, 2022. Ministry hosted reporting webinars will be from 11am to 12pm on [June 7](#) and [21](#). For questions, email [BPSsupport@ontario.ca](mailto:BPSsupport@ontario.ca).

## **AMO Partnerships**

[Frequency Foundry](#) offers members a scalable, intuitive, and affordable digital citizen relationship management (CRM)/311 solution through its [Signal system](#). Built on the Microsoft Dynamics 365 and Azure platforms, Signal allows you to manage service requests and engage with residents seamlessly. Contact [Charles Finstad](#) for more information and preferred pricing.

## **Careers**

[Director, Indigenous Equity Branch - Treasury Board Secretariat](#). Are you an Indigenous (First Nations, Métis, Inuit) leader looking for a challenging opportunity to lead the Ontario Public Service in eliminating systemic barriers, and the advancement of, Indigenous OPS employees? If so, we would like to hear from you! Closing date: May 16.

[Program Manager, Community Engagement & Change Management - Durham Region Transit Commission](#). Oversees year-round community engagement efforts including service and business initiatives, projects, marketing and promotion. Closing date: May 20.

[Senior Financial Planning Analyst - City of Orillia](#). Participate in the development and implementation of policies and internal control processes reflecting industry best practice. Applications will only be accepted by [applying online](#). Closing date: May 18 at noon.

[City Solicitor - City of Hamilton](#). The position provides strategic leadership to a specialized workforce engaged in the analysis of services. [Apply online](#). Closing date: June 1.

[Chief Administrative Officer - Township of Southgate](#). Assists Council with their responsibilities by acting as a resource, facilitator and change agent. Apply to [employment@southgate.ca](mailto:employment@southgate.ca) by June 2 at 2 pm.

## About AMO

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## AMO Contacts

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## AMO's Partners



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April 28, 2022

## AMO Policy Update – 2022 Provincial Budget and AMO's 2022 Provincial Election Strategy

### 2022 Provincial Budget - Municipal Highlights

Today, the Honourable Peter Bethlenfalvy, Minister of Finance, delivered the government's 2022 Provincial Budget.

The Budget will not pass as the House is now in recess until September. It will not bind the Government of Ontario unless it is reintroduced after the provincial election.

The Budget includes a wide array of supports targeted to specific regions, sectors and industries.

Items of direct interest to municipal leaders include:

**Broadband Access** – The government's extensive broadband investments are itemized within the budget. AMO is very appreciative of the government's commitment to broadband and rural access.

**Business Improvement Areas (BIAs)** – The government will consult on legislative amendments to the *Municipal Act* to provide BIAs with access to grants and funding.

**Community Care programs** - Ontario is investing nearly \$100 million in additional funding over the next three years to expand community care programs such as adult day programs, meal services, transportation, assisted living services and caregiver supports.

**Community Paramedicine** – The budget commits to \$60 million over two years to expand community paramedicine for long-term care for eligible seniors across Ontario.

**COVID prevention in long-term care** - \$244 million is provided to support the prevention and containment of COVID-19 in long-term care homes. In addition, \$34 million will support long-term care homes with maintaining supplies of personal protective equipment.

**COVID related support for public transit** – continued support for municipal transit services is offered with matching provincial assistance of \$316.2 million. With federal support, this assistance represents \$632 million.

**COVID support** – The government calls on the federal government to renew municipal supports for ongoing COVID related assistance.

**Health care providers support in underserved communities** – The government will invest \$142 million to recruit and retain health care workers in underserved communities through two programs – the Community Commitment Program for Nurses which will provide tuition reimbursement for up to 1,500 nurses and next year a new Learn and Stay grant for up to 2,500 postsecondary students after graduation.

**Municipal Vacant Homes Taxes** – The government will convene a municipal working group to share best practices related to the municipal use of vacant home taxes and discourage land speculation on approved but unbuilt developments.

**Natural Gas Expansion** – The government will begin consulting in the fall on a third phase of natural gas expansion.

**Ontario Community Infrastructure Fund (OCIF)** – As previously announced in the Fall Economic Statement, OCIF funding has been doubled to nearly \$2 billion over five years.

**Paramedic services** – An additional \$7 million to the existing funding to be allocated to reduce offload delays at hospitals. As well, the province will continue its cost-shared provincial funding support of paramedic services by \$56.8 million in 2022–23 which will assist increase capacity.

**Provincial Gas Tax for Transit** – The temporary reduction of gasoline and other fuel taxes will not affect municipalities receiving funding under the provincial Gas Tax program.

**Streamlining Development Approvals** - \$45 million for Ontario's 39 largest municipalities to accelerate planning approvals. The government is also seeking to develop digital data standards for planning and development applications across municipalities (and AMO is involved in this on-going work).

## **AMO's 2022 Provincial Election Strategy**

As the 2022 provincial election approaches, municipal governments in Ontario have a strong and clear message for all political parties: our success is foundational to the success of Ontario.

[AMO's election strategy](#) sets out 8 key commitments that municipalities want to see reflected in all party platforms and provides the foundation for the next four years of provincial-municipal cooperation and accountability. Once the election writ is issued, AMO will catalogue the platform commitment of all parties in relation to the AMO 8-point plan and keep members informed and updated of platform commitments that reflect municipal priorities.

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April 28, 2022

### **In This Issue**

- Call for Nominations to AMO Board of Directors.
- PJ Marshall Awards - Call for submissions for 2022 now open.
- Decision on temporary suspension of Excess Soil Regulations to January 1, 2023.
- Ontario announces pilot of electric-assisted large quadricycles on Ontario roads.
- AMO Conference registration - early bird available until May 13.
- Sponsorship and exhibitor opportunities for AMO 2022 - Live and in-person.
- The Hybrid Office - Blog.
- Annual Energy Reports due in two months.
- Canoe vendor spotlight: Fieldturf.
- Celebrate Doctor's Day on May 1.
- Careers:

### **AMO Matters**

Please be advised that in accordance with the Association's governing by-law, the Secretary-Treasurer is requesting nominations to the 2022-2024 AMO Board of Directors. [Nomination package available here.](#)

Every year at the AMO Conference the [PJ Marshall Awards](#) recognize municipal excellence and innovation in capital projects, operating efficiencies, and new approaches to service delivery. If you have something you are proud to share, the deadline for [2022 submissions](#) is May 27, 2022.

### **Provincial Matters**

The Ministry of the Environment, Conservation and Parks [has temporary suspended](#) the need to comply with the requirements under O. Reg. 406/19: On-Site and Excess Soil Regulation that came into effect on January 1, 2022, until January 1, 2023.

A new [regulation](#) sets out pilot parameters to allow electric large quadricycles on roads in Ontario beginning April 21, 2022. Municipalities must opt-in to the pilot program. More information is available [here](#).

### **Eye on Events**

The AMO Conference registration is officially open! [Register here](#) before May 13 for your early bird rates. Haven't booked your room yet? [The AMO conference website](#) contains all the hotel information you need. Questions: contact [events@amo.on.ca](mailto:events@amo.on.ca).

AMO 2022 is a premier educational event for Ontario's municipal sector. Become a conference sponsor or exhibitor and make face-to-face communications with over 3000 delegates, promoting your products or services. View unparalleled opportunities to support municipalities [here](#).

### **LAS**

As restrictions eased, many organizations have returned to the office, adopting a hybrid model. LAS have experienced this work schedule for one month. How does it really feel to be back in the office after all this time cooped up in our homes? [Read our latest blog](#).

The Ministry of Energy is now accepting annual energy reports under [O. Reg. 507/18](#). Reporting is for energy used in 2020 and due by July 1, 2022. Ministry hosted reporting webinars will be from 11 am - 12 pm on [June 7](#) and [21](#). For questions, email [BPSsupport@ontario.ca](mailto:BPSsupport@ontario.ca).

The [Canoe Procurement Group](#) is excited to welcome Fieldturf to the program, offering turf and court equipment to keep your sports facilities ready for use. Use the Canoe contract to save time and money on your purchases. [Contact Simon](#) to learn more.

### **Municipal Wire\***

[Doctors' Day](#) happens every May 1 for Ontarians to show their appreciation for the extraordinary doctors who have been on the front lines during the COVID-19 pandemic. For the last two years, various landmarks, city halls and other municipal centres have lit up blue to celebrate physicians and we hope this year will be the biggest yet, from the CN Tower to Niagara Falls. Mark the occasion on your social media platforms, recognizing the efforts of Ontario doctors with the hashtag #DoctorsDay.

### **Careers**

[Manager, Employee Services Operations - Niagara Region](#). Position has a key role in building and maintaining client relationships, and operationalizing strategic HR priorities. Apply to [arthur@wmc.on.ca](mailto:arthur@wmc.on.ca) by May 22.

[Development Permit Administrator - Town of Oakville](#). Role is responsible for the administration of the review, approval and inspection processes and requirements are followed and legal aspects of current By-laws are met. [Apply online](#) by May 5.

[Manager of Finance - City of Sault Ste. Marie](#). Manage the preparation of periodic financial reporting for management and Finance Committee; ensuring reliability and accuracy. Apply to [human.resources@cityssm.on.ca](mailto:human.resources@cityssm.on.ca) by May 6.

[Business Support Analyst - City of Kingston](#). Communicates with the business community in collaboration with other organizations involved in business support. [Apply online](#) by May 9.

[Supervisor, Public Works, Roads - City of Kingston](#). Responsible for the prioritization of work assignments, condition assessments, site inspections, asset management, contract administration and financial management tasks. [Apply online](#) by May 6.

[Supervisor, Public Works, Parks and Sports Fields - City of Kingston](#). Provides leadership and guidance to unionized employees and is responsible for the safe and efficient delivery of Public Works maintenance operations. [Apply online](#) by May 6.

[Operations Manager, Public Works - City of Kingston](#). Responsible for providing leadership in areas related to roads & sidewalks, parks & sports fields maintenance, and horticulture & forestry. [Apply online](#) by May 6.

[Director, Corporate Projects, Policy and Liaison - City of Brampton](#). Provides collaborative oversight and leadership of multi-discipline teams, on development and delivery of corporate projects. Apply to [arthur@wmc.on.ca](mailto:arthur@wmc.on.ca) by May 22.

Vice President, Operations - Ontario Clean Water Agency. You will provide executive leadership, vision and direction for the management of water and wastewater facilities. Apply online by May 11.

Director of Finance - South Nation Conservation. Seeking an experienced professional, with the knowledge, skills, and abilities to provide financial leadership and risk management. Apply to [careers@nation.on.ca](mailto:careers@nation.on.ca) by May 26.

Director, Black Equity Branch - Treasury Board Secretariat. As Director, you will lead a team of professionals focused on delivering and coordinating OPS-wide strategies and programs to eliminate anti-Black racism in the OPS, through the removal of systemic barriers. Apply online by May 16.

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April 21, 2022

### **In This Issue**

- Minister's Order issued in response to avian influence in Ontario.
- AMO Conference registration - early bird available until May 13.
- Sponsorship and exhibitor opportunities for AMO 2022 - Live and in-person.
- Jump-start your digital transformation with an e-signature solution.
- It's time to report your annual energy consumption.
- Canoe vendor spotlight: Yokohama and Fountain Tire.
- Road & Sidewalk Assessment info session.
- 2022 is the Year of the Garden.
- Careers: Greater Sudbury and Brampton.

### **Provincial Matters**

To limit the spread of avian influenza (H5N1), a Minister's Order under the *Animal Health Act*, 2009 has been issued to prohibit events where birds co-mingle, including fair exhibitions.

### **Eye on Events**

The AMO Conference registration is officially open! Register here before May 13 for your early bird rates. Haven't booked your room yet? The AMO conference website contains all the hotel information you need. Questions: contact [events@amo.on.ca](mailto:events@amo.on.ca).

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The Ministry of Energy is now accepting annual energy reports under O. Reg. 507/18. Reporting is for energy used in 2020 and due by July 1, 2022. Ministry hosted reporting webinars will be from 11 am - 12 pm on June 7 and 21. For questions, email [BPSsupport@ontario.ca](mailto:BPSsupport@ontario.ca).

We are excited to welcome Yokohama and Fountain Tire as new vendors under the Tire Category! They join Michelin, Goodyear, and Kal Tire to offer high quality on and off-road tires to those using the Canoe Procurement Group. Need new tires for your fleet? Contact your local retailer to take advantage of special Canoe pricing or contact Simon to learn more.

Our popular [Road & Sidewalk Assessment Service](#) helps your municipality manage some of their most expensive assets. Combine the right data with a cutting-edge software to not only save money but improve the quality of these networks. Join LAS and StreetScan on April 21 at 10 am to learn more - [Register here](#).

### **Municipal Wire\***

2022 has been unanimously proclaimed by the House of Commons as the Year of the Garden. [The Canadian Garden Council](#) is inviting municipalities to celebrate their garden culture and the benefits it provides to the quality of life of their communities.

### **Careers**

[Supervisor of Payroll - City of Greater Sudbury](#). Supervise and coordinate the payroll functions and develop policies, procedures and training tools as required. Apply by email at [hrjobs@greatersudbury.ca](mailto:hrjobs@greatersudbury.ca) by April 29.

[Director, Human Resources - City of Brampton](#). The role has oversight and accountability over employee and labour relations, health, safety and wellness, compensation and benefits, talent acquisition, integrated disability management. Apply online in confidence to [arthur@wmc.on.ca](mailto:arthur@wmc.on.ca) by May 22.

[Director, Purchasing - City of Brampton](#). Responsible for building the Purchasing team into a strategic sourcing operation that provides outcome-based, effective and efficient services to acquire goods and services for the City. [Apply online](#) by May 22.

---

### **About AMO**

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VIA EMAIL

April 29, 2022

Kevin Arjoon, City Clerk, City of Burlington  
Meaghan Reid, Town Clerk, Town of Milton  
Vicki Tytaneck, Town Clerk, Town of Oakville  
Valerie Petryniak, Town Clerk, Town of Halton Hills

---

Legislative & Planning Services  
Department  
Office of the Regional Clerk  
1151 Bronte Road  
Oakville ON L6M 3L1

Please be advised that at its meeting held Wednesday, April 20, 2022, the Council of the Regional Municipality of Halton adopted the following resolution:

**RESOLUTION: LPS33-22 - 2022 Municipal Election – Update of the Use of Regional Resources Policy and Joint Compliance Audit Committee Terms of Reference**

1. THAT the updated “Use of Regional Resources Policy” appended to Report No. LPS33-22 as Attachment #1 be approved.
2. THAT the updated Terms of Reference for the Joint Compliance Audit Committee appended to Report No. LPS33-22 as Attachment #2 be approved.
3. THAT the Regional Clerk forward a copy of Report No. LPS33-22 to the City of Burlington, Town of Halton Hills, Town of Milton and Town of Oakville for their information.

Included please find a copy of Report No. LPS33-22 for your information.

If you have any questions please contact me at the e-mail address below.

Sincerely,

Graham Milne  
Regional Clerk  
[graham.milne@halton.ca](mailto:graham.milne@halton.ca)

**Regional Municipality of Halton**

HEAD OFFICE: 1151 Bronte Rd, Oakville, ON L6M 3L1  
905-825-6000 | Toll free: 1-866-442-5866



## The Regional Municipality of Halton

Report To:	Regional Chair and Members of Regional Council
From:	Bob Gray, Commissioner, Legislative and Planning Services and Corporate Counsel
Date:	April 20, 2022
Report No:	LPS33-22
Re:	2022 Municipal Election – Update of the Use of Regional Resources Policy and Joint Compliance Audit Committee Terms of Reference

### RECOMMENDATION

1. THAT the updated “Use of Regional Resources Policy” appended to Report No. LPS33-22 as Attachment #1 be approved.
2. THAT the updated Terms of Reference for the Joint Compliance Audit Committee appended to Report No. LPS33-22 as Attachment #2 be approved.
3. THAT the Regional Clerk forward a copy of Report No. LPS33-22 to the City of Burlington, Town of Halton Hills, Town of Milton and Town of Oakville for their information.

### REPORT

#### **Executive Summary**

- The *Municipal Elections Act, 1996* (the “MEA”) requires that municipalities establish a Use of Resources Policy prior to May 1<sup>st</sup> in an election year, and establish a Compliance Audit Committee prior to October 1<sup>st</sup> in an election year.
- Halton Region has a Use of Regional Resources Policy in place and staff are recommending minor updates to the policy for the 2022 Municipal Election through this report.
- In prior years Halton Region has established a Joint Compliance Audit Committee with the Local Municipalities and staff are recommending that this approach continue and that the Terms of Reference for the Committee be updated for the 2022 Municipal Election.

## **Background**

Section 88.18 of the Municipal Elections Act requires municipalities and local boards to establish rules and procedures with respect to the use of their resources during an election campaign period. The intent of such rules and procedures is to provide guidelines for sitting elected officials and candidates, Regional employees, any registered third parties and members of the public regarding the use of Regional facilities and resources for political campaigning and any election related activities. The Region has an existing policy for the Use of Regional Resources, which includes a section which specifically outlines the use of such resources in an election year. This policy was developed and approved in 2003, then updated and approved again in 2018.

Section 88.37(1) of the MEA requires municipalities and local boards to establish compliance audit committees. A qualified elector who believes on reasonable grounds that a candidate or a registered third party has contravened a provision of the MEA relating to election campaign finances may apply to this committee for a compliance audit of the candidate's or the registered third party's election campaign finances.

In 2018, Regional Council approved terms of reference establishing a Joint Compliance Audit Committee with participating Local Municipalities for the current term of Council. The Regional Clerk did not receive any applications for a compliance audit for the 2018 election. In accordance with the terms of reference, the mandate of the Compliance Audit Committee is considered complete at the end of each four year term of Council at which time a successor committee shall be appointed.

The purpose of this report is to recommend updates to the Use of Regional Resources Policy and the Joint Compliance Audit Committee Terms of Reference.

## **Discussion**

### *Use of Regional Resources Policy*

This policy applies at all times, however, also focuses on the use of resources during an election period, prohibiting the use of any Regional resources to promote, oppose, assist or hinder any election campaign by any individual or organization. For the 2022 Municipal Election, the election period is considered to run from the first day nominations can be filed (May 2, 2022) to Voting Day (October 24, 2022). Nomination Day, when some additional restrictions come into effect as itemized in the policy, is August 19, 2022.

It is recommended that the existing policy on the use of Regional resources be updated as outlined in Attachment #1 to this report. The contents have been reorganized in order to be adapted to the Region's current policy template. The recommended changes are primarily to streamline and clarify rules and remove some redundant and unclear wording. All additions are noted in bold in Attachment #1.

This update is being brought forward at this time to ensure that it is approved prior to the May 1<sup>st</sup>, 2022 MEA deadline. Upon approval, the policy will be circulated to Halton's Local Municipalities and will be included as part of the official package issued to candidates for the position of Regional Chair who have registered their nomination with the Regional Clerk. The policy will also be made available for public viewing on [www.halton.ca](http://www.halton.ca).

### *Joint Compliance Audit Committee*

The purpose of a Compliance Audit Committee is as follows, as set out in Sections 88.33 – 88.37 of the MEA:

- To review and grant or reject applications for compliance audits of the campaign finances of a candidate or registered third party, and appoint an auditor when an application has been granted; and
- To review the auditor's report of any such compliance audits and decide whether to commence legal proceedings against the candidate or registered third party for apparent contraventions of the MEA, if any are found.

Staff recommends that a Joint Compliance Audit Committee be established with the Local Municipalities for the November 15, 2022 to November 14, 2026 term of Council. Taking into consideration the competition for qualified applicants as well as the potential for conflicts for those applicants with accounting/auditing and legal backgrounds, a Joint Compliance Audit Committee offers the greatest potential to reach the broadest spectrum of interested applicants across Halton in a cost effective manner.

Following approval of these Terms of Reference by Regional Council staff will work with the Local Municipalities to determine their interest in participating and bringing reports requesting approval of the Terms of Reference to their respective Local Councils.

### Terms of Reference

The Terms of Reference for the Joint Compliance Audit Committee were approved by Regional Council and the respective Councils of the participating Local Municipalities in 2018. Minor administrative changes, including reflecting the possibility of holding electronic meetings and also mandating that a clerk or designate be present during all private Committee deliberations, are being recommended as updates from the 2018 version. Changes to the Terms of Reference are noted in bold in Attachment #2. Also, the enabling legislation and mandate sections have been combined from the previous version and the resulting sections re-numbered accordingly. Minor typographical changes are not noted.

Upon approval of the revised Terms of Reference by Regional Council and the Councils of the participating Local Municipalities recruitment of members for the Joint Compliance Audit Committee will commence. According to the MEA the Committee must be established by October 1, 2022.

The MEA specifies that compliance audit committees be composed of between 3 and 7 members. Employees of the municipalities, Members of its Councils and any candidates or registered third parties in the election for which the Committee is established are ineligible for membership.

Ideally, a compliance audit committee should include, and has included in the past, auditors, accountants, lawyers, academics and other individuals with knowledge of the MEA's campaign financing rules. Prior experience on a committee or task force would be an asset. Staff propose that a targeted recruitment of Joint Compliance Audit Committee members will be coordinated by the Regional Clerk. This committee opportunity will be advertised locally in Halton and through organizations such as the Institute of Chartered Accountants of Ontario and the Law Society of Ontario. Area universities and colleges will be contacted. Information and an application form will also be made available on the website of each participating Local Municipality.

The selection committee, composed of the Clerks of the participating municipalities, will meet to review the applications and appoint Committee members. The Terms of Reference set out the criteria that will be considered when appointing Joint Compliance Audit Committee members.

When a participating municipality receives an application for a compliance audit, the Clerk of that municipality will call a meeting of the Joint Compliance Audit Committee, prepare the necessary notices, agendas, minutes, etc. Any costs associated with the holding of meetings or the decisions of the Committee will be the responsibility of the municipality requesting the services of the Joint Compliance Audit Committee.

The Terms of Reference include a retainer of \$400 per Member and a per diem of \$250 for attendance at each meeting, plus mileage at the current rate of the municipality requesting the services of the Joint Compliance Audit Committee. The cost of the retainer for the Members will be shared by each municipality, while the per diem and mileage will be paid only by the municipality requesting the services of the Committee. These rates are consistent with the rates paid by the other Regional Municipalities for their respective Compliance Audit Committees.

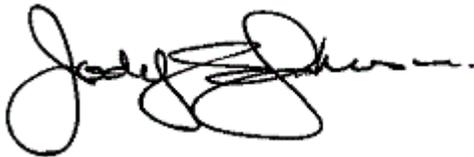
Should Halton Region require the services of the Joint Compliance Audit Committee, Committee Members will be covered by the Region's errors and omissions and general liability policies to protect and defend against claims from third parties while performing duties outlined in the Terms of Reference for their position as a Committee Member.

## FINANCIAL/PROGRAM IMPLICATIONS

There are no financial or program implications to the update to the Use of Regional Resources Policy.

Costs associated with the Joint Compliance Audit Committee, including advertising and administration costs, will be funded from the Regional Clerk's Operating Budget. The Operating Budget will also cover the cost of the Region's share of the retainer fee, and any auditor's costs should the Committee order an audit of the election campaign finances of a candidate for Regional Chair.

Respectfully submitted,



Jody Johnson  
Director, Legal Services



Bob Gray  
Commissioner, Legislative and Planning  
Services and Corporate Counsel

Approved by



Jane MacCaskill  
Chief Administrative Officer

If you have any questions on the content of this report,  
please contact:

Jody Johnson

Tel. # 7254

Attachments: Attachment #1 – Updated Draft Use of Regional Resources Policy  
Attachment #2 – Updated Draft Terms of Reference for the Joint Compliance Audit  
Committee

# DRAFT - Use of Regional Resources Policy

**Policy Number:** N/A  
**Author:** Regional Clerk  
**Authority:**  
**Required by Legislation:** Y  
**Effective Date:** April 20, 2022  
**Review by Date:** 4 years from Effective Date

**Related Documents**

- None

**Relevant Legislation**

- Municipal Elections Act, 1996, S.O. 1996, c. 32, Sched.

## 1.0 Policy Statement

This policy establishes general guidelines clarifying the use of Regional corporate resources by the Regional Chair, Councillors, Halton Regional employees, the public, **and registered third parties.**

## 2.0 Purpose

This policy also establishes guidelines for the use of Regional corporate resources during an election campaign period. Section 88.18 of the *Municipal Elections Act*, 1996 requires municipalities to establish rules and procedures with respect to the use of municipal resources during the election campaign period. These rules and guidelines, as set out in this policy, seek to ensure that, among other things, sitting members of Regional Council do not receive

any benefits or advantages in relation to their municipal election campaign by virtue of their office. The policy further seeks to establish that municipal resources may not be used in a federal or provincial election.

### 3.0 Scope

This policy applies to the Regional Chair, Members of Council, candidates for election, registered third parties, Regional employees and members of the public.

### 4.0 Definitions & Acronyms

“Campaign Period” begins the date a Candidate files their nomination through to Voting Day in a municipal election or by-election. For federal and provincial elections the campaign period begins with the issuance of the writ through to voting day.

“Candidate” means a person who is running in a municipal, provincial or federal election.

“Election” means any municipal, federal, or provincial election including by-elections.

**“Members of Council” or “Councillors” means those individuals elected to and serving on Regional Council.**

**“Nomination Day” means the last day in a municipal election campaign where nominations may be registered or withdrawn, defined in the *Municipal Elections Act, 1996* as the third Friday in August of a year when a municipal election is held.**

**“Regional resources” includes, but is not limited to, the Regional name and logos, Regional budgets for Councillors, secretarial and administrative support, program staff time, Regional facilities, equipment (including electronics) owned by the Region and program-related services provided by Regional employees.**

**“Regional employees” means any individual(s) working for or receiving compensation from Halton Region, including those in part-time, seasonal and contract positions.**

“Registered Third Party” means an individual resident in Ontario, a corporation carrying on business in Ontario or trade union who has filed with the clerk of the municipality responsible for conducting an election a notice of registration to be a registered third party for the election pursuant to Section 88.6 of the Municipal Elections Act, 1996.

“Trade Union” means a trade union as defined in the Labour Relations Act, 1995 or the Canada Labour Code (Canada) and includes a central, regional or district labour council in Ontario.

“Voting Day” means the day on which the final vote is to be taken in an election.

## 5.0 Requirements

### Background

Members of Council may wish to draw upon Regional resources in the performance of their roles. The Office of the Regional Clerk provides some administrative support to Councillors, including preparation of correspondence and minutes of Committee and Council meetings. The Clerk also administers the Councillors’ budgets provided by the Region (see “Councillor Budgets” below). However, Councillors receive most of their staff assistance and resources from the staff at the local municipalities. Administrative support for the Regional Chair is provided by the Chair’s Office, liaising as required with the Clerk’s Office.

### Resources Available to Council

All Members of Council are entitled to use Regional resources for purposes connected with the performance of their duties as members Members of Council over the course of their term of office. **Typical (and non-exclusive) examples of such use may include the development of communication materials for ward constituents, or the hosting of meetings at Regional facilities. The use of such resources should always be consistent with approved Regional policies and positions.** Regional resources may not be used in any manner that involves financial gain to a Member of Council.

## Councillor Budgets

Councillors receive a budget allocation for the four-year term of Council, from which they may pay both external expenses, such as conference fees (if they are not a sponsored delegate of Regional Council for said conference) and internal expenses for the use of Regional resources, such as advertising or printing services. Budgets may only be used to purchase resources required in connection with the performance of duties as a member of Regional Council.

The Regional Clerk may establish separate procedures and guidelines applicable to the use of Councillors' budgets pursuant to this policy. **Councillor budgets cannot be used for any election related purpose as explained more fully below.**

## 6.0 Roles & Responsibilities

### Use of Resources During an Election

**The Region is prohibited from contributing to a candidate's election campaign, whether the candidate is an incumbent seeking re-election, an incumbent seeking election to a different office, or an individual who presently holds no elected office. The Region is further prohibited from contributing to any campaigns being undertaken by registered third party advertisers in any election.**

The use of Regional resources for election-related purposes is prohibited, whether the election is municipal, provincial or federal, including those specified below:

- i) Use of the facilities, equipment, supplies, services or other resources of the Region for the creation or distribution of any election campaign or campaign-related print or electronic material, including, but not limited

to, desktop publishing, graphic services, photocopying, postage, fax machines, **computers, tablets, or smartphones.**

- ii) Use of Regional Information Technology (IT) assets, infrastructure or data (e.g. computers, wireless devices, portals, corporate email, web pages, blogs, telephone or any Regional social media accounts) to communicate election-related messages **that endorse or oppose any particular candidate or party. Note – this does not preclude the distribution of public information messages such as the date of the election or voting registration or location information, provided that all such messaging is strictly non-partisan.**
- iii) Use of the Region’s website for election-related campaign material, inclusive of establishing links on the Region’s website to promote a registered candidate’s website, email, blog or social media accounts. **Note – this does not preclude the listing of websites and contact information for candidates for Regional Chair during a municipal election, provided such listing is for the purposes of public information only and does not imply endorsement of, or opposition to, any particular candidate.**
- iv) Use of a Councillor’s budget for the production of election materials such as flyers, pamphlets or signs which promote or oppose the candidacy of any person for elected office.
- v) Use of a Councillor’s budget for the production of a campaign website, election social media outreach program or any electronic or paper databases designed for campaign-related uses.
- vi) Use of Regional property to hold campaign events such as rallies, celebrations or other logistical coordination of campaign activities. **Note – this does not preclude engaging individually with residents in Region-**

**owned facilities such as the Long Term Care facilities or Halton Community Housing Corporation Properties.**

- vii) Use of the services of Regional employees during working hours, unless those employees are on a leave of absence without pay, lieu time, or vacation.
- viii) Use of business cards, envelopes, letterhead or other printed material imprinted with the Regional logo for election purposes.
- ix) Use of the Regional logo on a registered candidate website and any and all social media accounts associated with a campaign or a registered third party. A campaign website may link to the Region's website for information on the election only.
- x) Use of **existing or new** photographs of Regional facilities or property, including the Regional headquarters building at 1151 Bronte Road in the Town of Oakville, in any promotional material associated with a campaign, either in print or **electronic** media.

Use of Resources During an Election – Regional Chair

The following communications-related services for the Regional Chair are to be discontinued after Nomination Day in a municipal election, **barring exceptions noted below:**

- i) Links to the Regional Chair's social media accounts on the Region's website
- ii) Quotes from the Regional Chair in media releases
- iii) Chair's Corner/other written releases (blog posts, etc.)
- iv) Regular mail/email correspondence to Chair's database of residents (individual emails to residents in response to issues or emails received is still permitted, but such emails may not contain any partisan or campaign messaging, e.g. "Vote for X" as a footer to the email, etc.)
- v) Any advertising featuring the Regional Chair, including Regional publications, whether print or web-based

Exceptions:

- Speaking notes for events where the Regional Chair has been invited in their capacity as incumbent Chair, and not as a candidate for the office of Chair, are permitted after Nomination Day. The Regional Chair is not permitted to use such events as opportunities to campaign.
- **If the incumbent Regional Chair is not seeking re-election and has publicly declared that they are not seeking re-election, the above restrictions do not apply; however, the Regional Chair may not use these communications to endorse or promote any individual candidate seeking election to any office.**

#### Duties of Regional Employees During an Election

Regional employees should attempt to minimize events and programs that Councillors would normally be expected to attend between Nomination Day and Voting Day in a municipal election, recognizing that it may not be possible to schedule events or programs that are time-sensitive or involve dignitaries from other levels of government in this manner. When events are scheduled during this period, all candidates who attend such events should be introduced. Communications will be issued to employees to remind them of these provisions and of their responsibilities during the election campaign period.

As noted in the Halton Employee Code of Conduct, the Region recognizes the right of all employees to participate in a personal capacity in election campaigns. However, employees must be and must appear to be politically neutral in their official duties in order to promote public trust in local government, and must recognize that political activity can give rise to perceived conflicts of interests.

Regional employees should be aware that **assisting with election campaigns at any level (federal, provincial or municipal)** even in a personal capacity outside working hours could potentially lead to the public perception of bias. Such activities could include, but are not limited to: phone and email solicitations, signing nomination papers, distribution of brochures, sharing a candidate's social media posts on their personal social media, or wearing campaign/candidate paraphernalia. Employees should refer to the Halton Employee Code of Conduct, consult with their supervisor or with Human Resources if they **wish to participate in a campaign and** have concerns regarding these matters.

## 7.0 Monitoring & Compliance

The Region reserves the right to prohibit or limit the use of Regional resources by any person in circumstances which, in the Region's sole discretion, merit such prohibition or limitation.

**The Region specifically reserves the right to do so in circumstances where the use of such resources is inconsistent with the principles of equity, diversity and inclusion. If any person has questions about these principles, they may contact the Executive Lead, Equity, Diversity & Inclusion.**

## 8.0 Approval

Regional Council, April 20, 2022.

DRAFT

Joint Compliance Audit Committee  
Draft Terms of Reference

The Participating Municipalities will select Committee members jointly. In the event a Participating Municipality receives an application for a Compliance Audit, that Municipality will be solely responsible for Meeting administration and covering all costs associated with the Committee, including audits, if required.

1. Definitions

“Act” means the *Municipal Elections Act, 1996*, S.O. 1996, c. 32, as amended from time to time.

“Applicant” means the individual who submitted the application requesting a Compliance Audit.

“Auditor” means a person appointed by the Committee, licensed under the *Public Accounting Act, 2004*, **S.O. 2004, c. 8** to conduct a Compliance Audit of a Candidate's election campaign finances pursuant to Section 88.33(10) of the Act.

“Auditor's Report” means a report prepared by an Auditor for the Committee pursuant to Section 88.33(12) of the Act.

“Candidate” means the candidate whose election campaign finances are the subject of an application for a Compliance Audit.

“Clerk” means, as the context provides, the Clerk of any of the Participating Municipalities, or his or her designate.

“Committee” means the Joint Compliance Audit Committee established pursuant to Section 88.37(1) of the Act.

**“Committee Member(s)” means a member or members, as appropriate, of the Joint Compliance Audit Committee established pursuant to Section 88.37(1) of the Act.**

“Compliance Audit” means an audit of a Candidate's election campaign finances conducted by an Auditor appointed by the Committee.

“Contributor” means an individual or organization that has made a financial donation to a candidate or registered third party in an election campaign.

“Council” means, as the context provides, the Council of any of the Participating Municipalities.

“Family Member” means a parent, spouse, or child of a Committee member, as defined in the Municipal Conflict of Interest Act, and shall also include a grandparent, grandchild, brother, sister, uncle, aunt, nephew or niece, whether related by blood, marriage or adoption.

“Halton Region” means The Regional Municipality of Halton.

“Meeting” means a meeting of the Committee.

“Municipal Conflict of Interest Act” means the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50, as amended from time to time.

“Participating Municipalities” means all or some of the following municipalities participating in the joint compliance audit committee process: The Regional Municipality of Halton, The City of Burlington, The Town of Halton Hills, The Town of Milton and the Town of Oakville.

“Pecuniary Interest” means a direct or indirect interest within the meaning of the Municipal Conflict of Interest Act.

“Regional Clerk” means the Clerk of Halton Region.

“Selection Committee” means the committee, composed of the Clerks of the Participating Municipalities that will choose the members of the Committee.

“Registered Third Party” means an individual resident in Ontario, a corporation carrying on business in Ontario or trade union who has filed with the clerk of the municipality responsible for conducting an election a notice of registration to be a registered third party for the election pursuant to Section 88.6 of the Act.

“Trade Union” means a trade union as defined in the *Labour Relations Act, 1995* or the *Canada Labour Code* (Canada) and includes a central, regional or district labour council in Ontario.

## 2. Enabling Legislation and Mandate

Section 88.37(1) of the Act requires that before October 1st in an election year, Council establish a compliance audit committee. **The mandate of the Committee is to carry out the functions of a compliance audit committee as set out in the Act.**

3. Roles and Responsibilities

The Committee shall:

	Timeline/Section of the Act
Consider Compliance Audit applications for Candidates and/or Registered Third Parties and decide whether they should be granted or rejected.	Within 30 days after receipt of the application - ss. 88.33(7) and <b>88.35(4)</b>
Provide written reasons for the decision to grant or reject the applications.	ss. 88.33(8) and <b>88.35(4)</b>
If an application is granted, appoint an Auditor to conduct a Compliance Audit of the Candidate's election campaign finances.	ss. 88.33(10) and (11) and <b>88.35(4)</b>
Receive the Auditor's Report.	ss. 88.33(14) and <b>88.35(4)</b>
(i) Once the Auditor's Report is received, consider the Report if it contains a conclusion of apparent contravention of the Act, and decide whether to commence a legal proceeding against the Candidate for the apparent contravention	Within 30 days of receipt of the Auditor's Report - ss. 88.33(17) and <b>88.35(4)</b>
Receive a Clerk's Report identifying any Contributor to a Candidate or Registered Third Party who appears to have contravened established contribution limits.	s. 88.34(4) s. 88.36(4)
Once the Clerk's Report is received, consider the Report and decide whether to commence a legal proceeding against the Contributor for the apparent contravention.	Within 30 days of receipt of the Clerk's Report - s. 88.34(8), s. 88.36(5)
In addition, the Committee shall:	
<ul style="list-style-type: none"> <li>- Participate in the selection of an Auditor in response to the request for proposal prepared by staff from the Participating Municipalities;</li> <li>- Provide instructions to the selected Auditor about the scope of each Compliance Audit, as needed;</li> <li>- Determine a timeline for the Auditor to complete each Compliance Audit.</li> </ul>	

4. Term

The term of the appointment is concurrent with the term of Council. Upon the term's expiry, Committee members may reapply to the Selection Committee to serve additional terms.

5. Composition

The Committee shall be composed of not fewer than three (3) and not more than seven (7) members and shall not include:

- (a) employees or officers of the Participating Municipalities;
- (b) members of Council of the Participating Municipalities;
- (c) any persons who are Candidates in the election for which the Committee is established, or Family Members of same, or any person connected to a Candidate through an employment, contractual, business or partnership relationship;
- (d) any persons who have participated as a Candidate for an office or Registered Third Party in the Participating Municipalities or run for Regional Chair in the past two regular elections, or who have conducted audits or provided financial or legal advice in respect of such campaigns;
- (e) any persons who do or intend to assist any Candidate or Registered Third Party, as a volunteer or for compensation, in the election for which the Committee is established.

6. Selection of Members

Information pertaining to the Committee, including the terms of reference and an application for appointment to the Committee will be posted on the websites of the Participating Municipalities.

Committee membership will be drawn from the following groups:

- accounting and audit – accountants or auditors, preferably with experience in preparing or auditing the financial statements of municipal candidates;
- academic – college or university professors with expertise in political science or local government administration;
- legal; and
- other individuals with knowledge of the campaign finance provisions of the Act.

The following criteria may be considered in the selection of members:

- demonstrated knowledge and understanding of the Act's municipal election campaign financing provisions;
- experience in administrative law;
- proven analytical and decision-making skills;
- experience working on a committee, task force or in a similar setting;
- availability and willingness to attend meetings;
- demonstrated oral and written communication skills; and
- any other criteria as may be prescribed under the Act.

The Regional Clerk will be responsible for the recruitment of applicants. All applicants will be required to submit an application form outlining their qualifications and experience to the Regional Clerk by a specified deadline. After the deadline has passed, the Selection Committee will meet to review the applications, and appoint Committee members.

To avoid possible conflicts of interest, any auditor or accountant appointed to the Committee must **confirm and** agree in writing that they have not undertaken and shall not undertake the audits or preparation of financial statements of any Candidates seeking election to Councils or Registered Third Parties in the Participating Municipalities during the term of the Committee. In addition, any lawyer or other legal professional appointed to the Committee must **confirm and** agree in writing that they have not provided and will not provide legal advice to any Candidates seeking election to Councils, or any Registered Third Parties or contributors to Candidates and Registered Third Parties in the election in the Participating Municipalities during the term of the Committee.

## 7. Notice

Posting of the Committee Meeting agenda on the website of the Participating Municipality requiring the services of the Committee shall constitute notice of a Committee Meeting.

The Clerk shall give notice of a Committee Meeting to the Committee by email, telephone or by regular mail.

Where an application will be considered at the Meeting, the Clerk shall give reasonable notice by email, telephone or by regular mail to the Applicant and Candidate or Registered Third Party, as applicable, of the time, place and purpose of the Committee Meeting, and of the fact that if either party fails to attend the Meeting, the Committee may proceed in the party's absence and the party will not be entitled to further notice concerning the Meeting.

Where a Clerk's Report regarding contribution limit exceedances will be considered at the Meeting, the Clerk shall give reasonable notice by email, telephone or by regular mail to the Contributor and Candidate or Registered Third Party as applicable, of the time, place and

purpose of the Committee Meeting, and of the fact that if either party fails to attend the Meeting, the Committee may proceed in the party's absence and the party will not be entitled to further notice concerning the Meeting.

8. Meetings

The Clerk shall call a Meeting of the Committee when **they receive an application for a Compliance Audit under Section 88.33 or Section 88.35 or where they have prepared a Clerk's Report under Section 88.34 or Section 88.36.** The Applicant and the Candidate or Registered Third Party or their representative will be provided with an opportunity to address the Committee and provide written submissions.

Meeting dates, start times and locations shall be set by the Clerk. **Meetings may be held by electronic means, including such applications as Zoom, Microsoft Teams or other, similar software applications, if public health measures advising limits on in person gatherings are in place or it is otherwise deemed advisable by the Clerk. Such electronic Meetings shall be conducted in such a manner as to permit public observation of the proceedings, with the exception noted below.**

Committee Meetings will be open to the public but the Committee may deliberate in private, as noted in Section 88.33(5.1). **A Clerk or designate must be present during any private deliberation sessions.** No votes may be taken in private session.

9. Quorum

A quorum shall be a majority of Committee members.

If a quorum is not present within fifteen (15) minutes of the time fixed for the commencement of the Meeting, the Committee Meeting will be rescheduled to a future date.

10. Selection of the Chair

The Chair shall be selected from among the Committee members at the first Meeting of the Committee. If there is no consensus on a Chair, selection will be carried out by way of nomination and vote of the Committee members present.

11. Duties of the Chair

The Chair shall:

- (i) call Committee Meetings to order when there is a Quorum, preside over Committee discussions, facilitate Committee business, follow Meeting procedures, identify the order of proceedings and speakers and rule on points of order.

- (ii) participate as an active member.
- (iii) encourage participation by all members.

If the Chair is not present within the first ten minutes of a Committee Meeting or is absent through illness or otherwise, the Committee shall select another member as Acting Chair. While presiding, the Acting Chair shall have all the powers of the Chair. Selection of the Acting Chair will be made by resolution.

## 12. Duties of Committee Members

The duties of Committee members are as follows:

- (i) carry out all statutory obligations of the Committee in accordance with the Act.
- (ii) attend all Committee Meetings, sending regrets otherwise.
- (iii) understand their role, the Committee's mandate and Meeting procedures.
- (iv) declare any pecuniary interest in any matter prior to consideration by the Committee and refrain from discussion and voting on the matter. If the declaration relates to a matter being discussed during a closed portion of the meeting, the member must leave the Meeting during all discussion on the matter.
- (v) where the pecuniary interest of a member has not been disclosed by reason of the member's absence from the Meeting, the member shall disclose the pecuniary interest and otherwise comply with subsection (iv) at the next Meeting of the Committee attended by the member.
- (vi) participate as an active and voting member, asking questions, and seeking clarification through the Chair.
- (vii) assist in drafting the reasons for a decision, as applicable.
- (viii) develop and maintain a climate of mutual support, trust, courtesy and respect.
- (ix) work together to utilize the knowledge, expertise and talents of all members.
- (x) respect the decisions of the Committee and that such decisions reflect the majority view.

13. Selection of an Auditor

Committee members will participate in the selection of an Auditor in response to a request for proposal prepared by staff. The Auditor will be appointed by resolution of the Committee. The engagement letter will indicate that the Auditor has been engaged by the Committee and will be prepared and executed by the Clerk, or other officer of the municipality as may be designated, on behalf of the municipality.

14. Resources

The Clerk will provide administrative support to the Committee, including the taking of minutes, the distribution of minutes and agendas, and the coordination of Meetings.

15. Committee Records

The Clerk will co-ordinate and retain Committee records including agendas and minutes.

16. Declaration of Interest

Legislated requirements as set out in the *Municipal Conflict of Interest Act* shall apply to all Committee members. It is the responsibility of each member to disclose any pecuniary interest prior to discussion of a particular matter. Members are encouraged to seek independent legal advice if they are unsure of whether or not they have a pecuniary interest in a matter. Staff from the Participating Municipalities will not provide advice or interpretation related to declarations.

17. Compensation

Each member appointed to the Committee will receive a retainer of \$400 for the term. This cost will be shared by each Participating Municipality. Should a Meeting of the Committee be requested, each member will be paid a per Meeting fee of \$250 by the Participating Municipality requiring the Committee's services, plus mileage (**if travel to the place of Meeting is required**) at the current rate of the Participating Municipality.

18. Practices and Procedures

The Clerks of the Participating Municipalities shall establish administrative practices and procedures for the Committee in accordance with Section 88.37(6) of the Act and shall carry out any other duties required under the Act to implement the Committee's decisions.

The Clerks of the Participating Municipalities are delegated the authority to make administrative changes to these Terms of Reference that may be required from time to

time due to legislative changes, or if, in the opinion of the Clerks, the amendments do not change the intent of the Terms of Reference.

DRAFT



**VIA EMAIL**

April 29, 2022

Legislative & Planning Services  
Department  
Office of the Regional Clerk  
1151 Bronte Road  
Oakville ON L6M 3L1

The Honourable Ted Arnott, MPP, Wellington-Halton Hills  
The Honourable Jane McKenna, MPP, Burlington  
The Honourable Parm Gill, MPP, Milton  
Stephen Crawford, MPP, Oakville  
Effie Triantafilopoulos, MPP, Oakville North – Burlington  
Brian Rosborough, Association of Municipalities of Ontario  
Kevin Arjoon, City Clerk, City of Burlington  
Meaghen Reid, Town Clerk, Town of Milton  
Vicki Tytaneck, Town Clerk, Town of Oakville  
Valerie Petryniak, Town Clerk, Town of Halton Hills

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Please be advised that at its meeting held Wednesday, April 20, 2022, the Council of the Regional Municipality of Halton adopted the following resolution:

**RESOLUTION: LPS38-22/FN-21-22 - Halton Region's Response to Provincial Affordable Housing Initiatives and Bill 109**

1. THAT Report No. LPS38-22/FN-21-22 and Attachment #1 be endorsed as a basis for Regional comments on the Affordable Housing Task Force Report.
2. THAT Report No. LPS38-22/FN-21-22 and Attachment #2 be endorsed as a basis for Regional comments on Bill 109.
3. THAT the Regional Chair submit a letter to the Minister of Municipal Affairs and Housing highlighting the Region's comments on the Report of the Ontario Housing Affordability Task Force and Bill 109, More Homes for Everyone Act, 2022.
4. THAT the Regional Clerk forward a copy of Report No. LPS38-22/FN-21-22 to the City of Burlington, the Town of Halton Hills, the Town of Milton, the Town of Oakville, the Association of Municipalities, and the Halton Members of Provincial Parliament (MPPs) for their information.

**Regional Municipality of Halton**

HEAD OFFICE: 1151 Bronte Rd, Oakville, ON L6M 3L1  
905-825-6000 | Toll free: 1-866-442-5866

Included please find a copy of Report No. LPS38-22/FN-21-22 for your information.

If you have any questions please contact me at the e-mail address below.

Sincerely,

A handwritten signature in blue ink, appearing to read 'G. Milne', is positioned below the word 'Sincerely,'.

Graham Milne  
Regional Clerk  
[graham.milne@halton.ca](mailto:graham.milne@halton.ca)



## The Regional Municipality of Halton

Report To:	Regional Chair and Members of Regional Council
From:	Bob Gray, Commissioner, Legislative and Planning Services and Corporate Counsel Cyndy Winslow, Commissioner, Finance and Regional Treasurer
Date:	April 20, 2022
Report No:	LPS38-22/FN-21-22
Re:	Halton Region's response to Provincial Affordable Housing Initiatives and Bill 109

### RECOMMENDATION

1. THAT Report No. LPS38-22/FN-21-22 and Attachment #1 be endorsed as a basis for Regional comments on the Affordable Housing Task Force Report.
2. THAT Report No. LPS38-22/FN-21-22 and Attachment #2 be endorsed as a basis for Regional comments on Bill 109.
3. THAT the Regional Chair submit a letter to the Minister of Municipal Affairs and Housing highlighting the Region's comments on the Report of the Ontario Housing Affordability Task Force and Bill 109, *More Homes for Everyone Act, 2022*.
4. THAT the Regional Clerk forward a copy of Report No. LPS38-22/FN-21-22 to the City of Burlington, the Town of Halton Hills, the Town of Milton, the Town of Oakville, the Association of Municipalities, and the Halton Members of Provincial Parliament (MPPs) for their information.

### REPORT

#### **Executive Summary**

There has been a number of Provincial actions including a series of recent reports that address the current housing crisis including the following:

- On Jan 19, 2022, Council received Report No. [LPS16-22/FN-01-22](#). This report was in response to the Provincial-Municipal Housing Summit for Ontario's Big City Mayors and Regional Chairs to identify opportunities to address the housing

affordability crisis. The report discussed Halton's housing supply situation and opportunities for Provincial and Federal collaboration.

- On March 23, 2022, staff presented Report No. [LPS24-22 FN-16-22](#) that provided comments on the [Ontario Housing Affordability Task Force](#) recommendations released February 8, 2022. At the meeting, Regional Council expressed concerns with many of the aspects of the Task Force Report and recommendations and passed a unanimous motion directing staff to consult further with Halton's Local Municipalities and stakeholders and report back.
- On March 30, 2022, the Provincial Government took the first step towards implementing recommendations made by the Ontario Housing Affordability Task Force by introducing its [More Homes for Everyone Plan](#) and [Bill 109, More Homes for Everyone Act, 2022](#).
- If passed, Bill 109 would make a number of significant changes 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*, in an effort to bring housing to market by incentivizing the timely processing of certain applications, addressing market speculation, and the protection of homebuyers.
- A number of public consultations are underway on the more Homes for Everyone Plan including:

Ontario's Regulatory Registry Postings:

- [Proposed Planning Act Changes](#) (comments close April 29, 2022);
- [Proposed Regulatory Changes \(amendments to O. Reg. 509/20 Community Benefits Charges and Parkland\)](#) (comments closed April 6, 2022);
- [Proposed Development Charges Act changes](#) (comments close April 29, 2022);
- [Proposed Regulatory Changes \(amendments to O. Reg. 82/98\) of the Development Charges Act, 1997](#) (comments closed April 6, 2022);
- [Proposed New Home Construction Licensing Act, 2017, changes](#) (comments close April 29, 2022);
- [Proposed Ontario New home Warranties Plan Act changes](#) (comments close April 29, 2022);

- [Proposed Regulatory Changes – Condominium Cancellations](#) (comments close April 22, 2022);
- [Access to Provincial Financing for Not-for-Profit Housing Providers](#) (comments close April 29, 2022);

Environmental Registry of Ontario Postings:

- Consultations on the More Homes for Everyone Plan, (comments close April 29, 2022); [ERO # 019-5283](#);
  - Proposed Planning Act changes – The Proposed *More Homes for Everyone Act, 2022*, (comments close April 29, 2022), [ERO # 019-5284](#);
  - Community Infrastructure and Housing Accelerator – Proposed Guideline, (comments close April 29, 2022); [ERO # 019-5285](#);
  - Opportunities to increase the missing middle housing and gentle density, including supports or multigenerational housing, [ERO # 019-5286](#);
  - Housing Needs in Rural and Northern Municipalities (comments close April 29, 2022), [ERO #019-5287](#).
- The purpose of this report is to provide Regional Council with staff's comprehensive response to the Provincial Government on affordable housing and housing supply based on three main components:
    - Key aspects of Halton's position on housing supply;
    - The Ontario Housing Task Force Report ("Task Force Report") recommendations based on consultation with Halton's Local Municipalities and other stakeholders; and,
    - A response to Bill 109, *More Homes for Everyone Act, 2022*, in order to meet the April 29, 2022, public consultation deadline.

## Background

On January 19, 2022, the Minister of Municipal Affairs and Housing hosted a Provincial-Municipal Housing Summit for Ontario's Big City Mayors and Regional Chairs. The purpose of the Summit was to identify opportunities for collaboration between all levels of government to address the housing affordability crisis and to develop performance indicators that governments can use to accelerate and incent new housing supply across the Province. Report No. LPS16-22/FN-01-22 provided Regional Council with feedback on how the Province characterized Halton's progress related to specific tools aimed at advancing housing supply and affordability. The report noted that the Provinces' profile

of Halton's housing supply progress were either not accurately evaluated or warranted greater explanation on how the reporting tool was characterized. The report also identified important actions that are necessary to address housing affordability and housing needs across Halton recognizing that a strong partnership with the Provincial government is vital to the Region's long term goals of advancing housing supply.

On February 8, 2022, the Provincial Government released the Report on the Ontario Housing Affordability Task Force which includes recommendations that, if implemented, would decrease municipal authority and responsibility over housing developments by giving the Province the authority to impose standards related to various planning processes and other matters. The Task Force Report contained 55 recommendations covering five theme areas which the Task Force suggested will quickly increase the supply of market housing over the next 10 years.

On March 23, 2022, staff provided Report No. LPS24-22/FN-16-22 to Regional Council which provided a detailed review of the Task Force Report and staff's response to the recommendations. At the March 23<sup>rd</sup> meeting, Regional Council passed a unanimous motion to defer, directing staff to consult further with Halton's Local Municipalities and stakeholders and to report back.

On March 30, 2022, the Provincial Government took the first step towards implementing the recommendations of the Ontario Housing Affordability Task Force by introducing the More Homes for Everyone Plan and Bill 109, *More Homes for Everyone Act, 2022*. The Provincial Government has indicated that the recommendations of the Task Force will continue to be implemented on a yearly basis over the next four years. This new legislation, if passed, would make a number of significant changes 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* in an effort to, among other goals, incentivize the timely processing of certain applications to bring housing to market quicker, and to increase transparency. The *Planning Act* which is applicable to Halton Region and its Local Municipalities is one of the statutes that appear to be most impacted by Bill 109.

Key changes that are proposed to the *Planning Act* under Bill 109 include:

- Discretion of the Minister of Municipal Affairs and Housing to refer Municipal Comprehensive Reviews (MCRs), Official Plan Amendments (OPAs), or new Official Plans (new OPs), to the Ontario Land Tribunal (OLT) for either a recommendation on whether the Minister should approve, modify or refuse the MCR, OPA/new OP or for a final decision from the OLT on whether the MCR/OPA/new OP should be approved, modified or refused. Where the Minister refers all or parts of an MCR, OPA or new OP to the OLT for a recommendation, there is no right of appeal;
- Allowing the Minister to pause the 120-day decision-making timeline on Official Plans;

- Requiring municipalities to provide a pro-rated fee refund to an applicant if decisions on site plan, official plan amendment and zoning by-law amendment applications are not made within prescribed timelines;
- 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 applications;
- Providing discretionary powers to municipalities to extend draft plan approval for plans of subdivision that have lapsed;
- Providing the Minister with new regulatory authorities as follows:
  - Prohibiting certain matters from being the subject of conditions of draft plan approval;
  - Setting out planning matters that the Minister can require a municipality to report on (including development applications and approvals);
  - Regarding the types of securities that can be used to secure municipal requirements as part of the approvals process.
- Creating a new tool (which is being called the “Community Infrastructure and Housing Accelerator”) for a municipality to request that the Minister provide land use approvals outside of normal processes, similar to a Ministerial Zoning Order (MZO);
- Providing alternative parkland requirements for land in designated transit-oriented communities;
- Prescribing regular reviews of community benefits charge by-laws and rules respecting such reviews; and,
- Enabling the Minister to declare land in transit-oriented communities that have easements or below-grade infrastructure as being “encumbered”, with the effect that the land must be conveyed for parkland, with full credit for parkland dedication.

Other impacts of Bill 109 include changes to the Ontario Building Code; financial investments in the OLT and the Landlord and Tenant Board to improve decision making timelines; developing a process to streamline access to surplus provincial lands for housing providers; improvements to data collection across all levels of government; increases to the Non-Resident Speculation Tax to prioritize Ontario homebuyers over non-residents; and increased protections for new homebuyers who face cancelled or delayed projects.

In addition, the Provincial Government is establishing a Housing Supply Working Group 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 monitor progress and determine improvements to annual housing supply action plans.

The Provincial Government is seeking feedback on the changes proposed under the legislation as well as on a number of other initiatives intended to increase housing supply, through a series of housing related public consultations.

A memorandum released by the Deputy Minister on March 31, 2022, stated that the Province is committed to prioritizing implementation of all of the Housing Affordability Task Force's recommendations over the next four years, with a housing supply action plan every year, starting in 2022/2023.

## **Discussion**

The following sections of this report outline staff's comprehensive response on housing supply and affordable housing and are organized as follows:

- Key aspects of Halton's position on housing supply;
- Halton's comments on the Ontario Housing Task Force Report to address Council's deferred motion on Report No. LPS24-22/FN-16-22; and,
- A response to Bill 109, *More Homes for Everyone Act, 2022*.

### Housing Supply Position

Housing supply is a complex issue driven by economic and market forces. Effectively addressing housing supply challenges requires a coordinated and strategic approach across all levels of government. Halton Region continues to be one of the fastest growing regions in Ontario with the Region's Comprehensive Housing Strategy providing the strategic roadmap to address housing supply needs across the housing continuum.

The Region's Official Plan establishes the policy framework to promote market-based housing, affordable housing<sup>1</sup> and housing mix consistent with the Region's vision for growth based on the Provincial Growth Plan. Progress is monitored through annual updates including the Region's annual State of Housing Report.

It is recognized that a strong partnership with the Provincial government is vital to the Region's long term goals of advancing housing supply. Through the Association of Municipalities Ontario (AMO) and other forums, the Chair and Members of Regional Council have long advocated for:

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<sup>1</sup> Affordable housing for the purposes of this report means housing with a market price or rent that is affordable to households of low and moderate income spending no more than 30 percent of the gross household income, as defined in the Regional Official Plan.

- A coordinated, provincial infrastructure investment plan and funding connected to the Growth Plan, to support high-growth communities in advancing critical Provincial infrastructure, including:
  - New schools to support families in high growth areas including North Oakville and Milton;
  - Capital investments in hospitals, including Georgetown;
  - All day, two-way GO service on the Milton line;
  - Investments to unlock growth potential in important growth nodes such as the Mid-Town Oakville Urban Growth Centre;
- Reform to the Ontario Land Tribunal (OLT) that upholds local and Regional planning decisions as well as provides quick delivery of decisions; and,
- Dedicated provincial funding and cost-sharing programs for assisted and affordable housing opportunities.

In addition to the above, regional staff's comments on the [Province's Housing Supply Action Plan](#) emphasized the following priorities that require intervention from the Province:

- New housing supply is dependent on significant municipal infrastructure investments that must be fully recovered through development charges. The Province should take steps to increase municipalities' ability to finance growth through development charges by removing limits placed on collection;
- Timing to deliver new housing supply is impacted by Provincial policies that impose rigid and unnecessary requirements on municipal land use and infrastructure planning and policy. Some examples include:
  - Reforms to the Municipal Class Environmental Assessment process: Construction of critical infrastructure to service growth is often significantly delayed due to the Municipal Class Environmental Assessment planning process when there are frivolous requests to elevate the undertaking to comply with Part II of the *Environmental Assessment Act*. There is an opportunity for the Province to streamline this process especially when infrastructure is identified by an approved Official Plan; and,
  - Continuous Provincial planning reforms divert municipal resources away from implementing existing policies that support housing supply: Over the last several years municipalities across the Greater Golden Horseshoe have not been afforded an opportunity to plan for and implement growth through updates to municipal official plans due to an ever changing policy environment. There needs to be a 'pause' on provincial planning reforms to allow municipalities to develop and implement their growth plans for new housing supply.

## Comments on the Ontario Housing Affordability Task Force Report

In response to Council direction, regional staff engaged with staff from the City of Burlington, Town of Halton Hills, the Town of Milton, and the Town of Oakville, to discuss the Task Force recommendations and other factors that contribute to housing supply challenges that were not addressed in the Task Force Report. Response reports have been prepared by the City of Burlington ([Report PL-27-22](#)), the Town of Milton ([Report DS-017-22](#)), and the Town of Oakville (Oakville's [Report](#)), responding to the Task Force recommendations. The Town of Halton Hills is currently working on a report that will be presented to its Council in May.

Regional staff also reviewed a range of comments and perspectives from around the GTHA on the Task Force Report and recommendations including those from [Ontario's Big City Mayors](#), [Small Urban GTHA Mayors](#), Association of Municipalities Ontario (AMO), Municipal Finance Officer's Association (MFOA), Regional Planning Commissioners of Ontario, and other GTHA municipal perspectives (including municipalities outside of Halton, and other Regional municipalities including Durham, Peel, Niagara, and York). As a result of this consultation and in response to Council's March 23, 2022 motion, Attachment #1 to this report represents Halton's comments on the Affordable Housing Task Force Report.

The consensus amongst Halton's Local Municipalities and other GTHA partners is that the Task Force Report places undue focus on municipal processes and policies without acknowledging that municipalities are significantly engaged in the provision of housing (including assisted housing, affordable housing and market-based housing) through a number of initiatives. The general points of consensus are summarized as follows:

- Failure to include municipal representation on the Task Force is a significant oversight and of critical concern since many of the recommendations place an undue focus on municipal processes suggesting there is a lack of accountability or support for housing options and supply at the municipal level;
- Many of the recommendations are falsely premised on the failure of the planning system at the local municipal level (slow development approvals, outdated zoning, and high fees), failing to recognize that municipalities are fully engaged in the provision of affordable housing options, intensification and increasing the supply of rental housing;
- Narrowly focussing on changes to planning and development charge processes are not going to increase the supply of market-rate housing nor solve the housing affordability crisis in Ontario;
- The Task Force Report fails to identify factors that affect affordability that are far beyond the control of municipalities such as low interest rates, investor demand, immigration, building industry capacity, and supply chain issues;

- Many of the directions in the Task Force Report conflict with other recommendations within the report which propose to advance housing supply (such as reinstating additional appeal rights) that would only prolong the development approval process;
- The Task Force recommendations focus on housing supply and assume that increasing supply will improve housing affordability, however, a majority of the recommendations will have a significant negative impact on municipal finances and processes as well as community development;
- The Provincial Government needs to undertake direct and meaningful consultation with the Region and Local Municipalities prior to the implementation of any of the recommendations of the Task Force Report as they will have significant implications; and,
- The Provincial Government needs to take on a leadership role to create more investment and funding options and tools to get a broad range and mix of housing built and the only way to do this is through continuous engagement and collaboration with municipalities.

Based on consultation with Halton's Local Municipalities and GTHA partners, it is a commonly held position that the Task Force Report recommendations are over-arching and lack important details about how they are intended to be implemented, including their anticipated yearly implementation of the Task Force's recommendations. The comments expressed by Halton Region on the Task Force recommendations in Attachment #1 to this report align with those of the Region's Local Municipalities and with the perspectives of our GTHA partners.

### Comments on Bill 109, *More Homes for Everyone Act, 2022*

On March 30, 2022, the Provincial Government took the first step in implementing recommendations of the Ontario Housing Affordability Task Force by introducing its More Homes for Everyone Plan and Bill 109, *More Homes for Everyone Act, 2022*. Bill 109 received a second reading on April 5, 2022, and has been referred to Standing Committee in the Ontario Legislative Assembly for consideration on April 11, 2022.

If passed, Bill 109 will introduce a number of *Planning Act* changes of which will have direct implications for the municipal planning approvals process, particularly for local municipalities that have jurisdiction over planning tools that are subject to change such as site plan control, parkland dedication, and community benefits charges. If passed as currently written, Bill 109 will significantly alter municipal planning and appeals process in Ontario by uploading more decision-making authority about local planning from municipalities to the Province and OLT. A summary of the changes proposed in Bill 109, including Halton's comments, are identified in more detail in Attachment #2 to this report.

The proposed changes that have a significant impact on the Region are outlined as follows:

### *Minister's Approval of Official Plans:*

Bill 109 proposes significant changes to the *Planning Act*, particularly to the Minister's decision making powers on Upper-Tier Official Plans and amendments.

Of great concern to regional staff are the proposed changes to the *Planning Act* that would enable the Minister to refer Municipal Comprehensive Reviews, Official Plan Amendments (OPAs), or new Official Plans, to the Ontario Land Tribunal (OLT) for either a recommendation on whether the Minister should approve, modify or refuse the OPA or for a final decision. This new legislation will also allow the OLT to hold a hearing or other proceeding before making their recommendation. This legislation is also unclear as to whether or not a municipality would have any ability to address the Tribunal or if the Tribunal can simply make a decision. These proposed changes will not increase nor speed up the process to advance housing supply, which is contrary to the goal of Bill 109. Rather, it will lead to significant delays in the approval of comprehensive growth management official plans that have taken years to develop and that are based on rigorous background study, policy analysis and extensive public and stakeholder consultation. It also creates uncertainty amongst all parties and takes local decisions out of the hands of elected Councils and their communities, and places them in the hands of an unaccountable tribunal.

Another substantive proposed change is that the Minister will have the authority to refer Upper-Tier Official Plan amendments to the OLT even if they were adopted and sent to the Minister for approval prior to Bill 109 *Planning Act* changes coming into effect. This will result in transitioning these Upper-Tier Official Plans for potential referral to the OLT. Regional staff do not support this change as it would further delay approvals and add to the financial burden of the Region and Local Municipalities due to time and costs associated with OLT hearings.

In addition, Bill 109 proposes to enable the Minister to pause the 120-day timeline that is prescribed for the Minister to make a decision on an Upper-Tier Official Plan or Official Plan amendment (presently a non-decision appeal can be filed 120 days after the official plan or OPA is received by the Minister). It has not been demonstrated how this change will assist with any increase in the supply of housing. This new process may give the Minister additional time to consult with a municipality to clarify or resolve matters that may impact the Minister's decision, however, it could also result in increased timing for a decision and implementation that would cause further delays.

### *Community Infrastructure and Housing Accelerator Tool (CIHA):*

Bill 109 introduces a proposed "Community Infrastructure and Housing Accelerator Tool" (CIHA) that would enable municipalities to request a CIHA order designed to accelerate planning processes for municipalities. The CIHA tool is intended to help municipalities expedite approvals for housing and community infrastructure, such as housing (including community housing, affordable housing and market based housing), public services (health, long-term care, education, recreation, socio-cultural activities, safety and

security), buildings that would facilitate employment and economic development, and mixed-use developments. This tool would largely resemble the current Minister's Zoning Order (MZO), however, a CIHA request would require public consultation undertaken by the requesting municipality, a council vote in favour, and a formal request to the Minister of Municipal Affairs and Housing. The Minister may impose conditions on the issuance of a CIHA order that must be addressed before the zoning can come into effect.

Prior to an Order being made under the CIHA, guidelines would need to be in place. Proposed subsection 34.1 (25) of the *Planning Act* would require the Minister to establish guidelines governing how community infrastructure and housing accelerator orders may be made. The province is currently consulting on the Draft Proposed [Community Infrastructure and Housing Accelerator Guidelines under ERO # 019-5285 as part of Bill 109 \(refer to Attachment #3 to this report\)](#). [The proposed guidelines are very vague and do not offer a detailed framework as to how and when this tool will be used. The proposed guidelines identify that the CHIA can apply to any lands within a municipality's geographic boundaries \(with the exception of lands within the Greenbelt Area\) and allows the Minister to provide an exemption from the Provincial Policy Statement, municipal official plans and other provincial plans \(such as those that ensure the protection of natural heritage, water and agricultural resources\) that may be required.](#)

There are concerns regarding potential misuse of this tool to facilitate ad hoc employment conversions, the provision of servicing outside urban boundaries, and development in areas that may undermine comprehensive growth management processes that have identified where and how growth should occur in municipalities. If this tool is implemented, it should only apply to lands designated for urban uses as identified in Official Plans, and be aligned with the provision and timing of municipal infrastructure and should not have disregard for provincial policies and plans.

#### *Refunding Application Fees:*

Additional changes to the legislation will require municipalities to provide a pro-rated fee refund for site plan, zoning by-law and official plan amendment application fees if a decision is not made within the legislated timelines of receiving the complete application. The implementation of this measure will have financial impacts for Halton Region as well Local Municipalities. To avoid any loss in revenue, municipalities may need to hire additional staff to review technical studies to ensure they meet the required standards before an application is deemed complete as technical issues are often not dealt with correctly by the applicant on the first submission of these reports. If implemented, this measure may have the unintended consequence of making applications more difficult to deem complete or more applications ending up at the OLT due to refusal appeals. Additionally, if this change is implemented it will force municipalities to adopt procedures and approaches that do not serve to solve problems and advance proposals. As such, this would likely have the opposite effect of speeding up the development process. It will be time consuming and expensive for Regional and Local Municipal staff and any loss in revenue may need to be absorbed by municipal levies. It will also require more upfront

work on the part of applicants in coordination with external agencies for permits and approvals.

#### *Subdivision Conditions:*

If passed, Bill 109 will allow the Minister to prescribe matters that are not permitted to be imposed as conditions to subdivision approval. It is not clear why there is a need for greater provincial intervention into local municipal affairs for subdivision approvals and how this new regulation will increase housing supply or address housing affordability. Municipalities have varying requirements that need to be addressed prior to development occurring. Standardizing conditions to a 'one-size fits all' approach will have the effect of creating greater confusion and difficulty. It will not allow for new and innovative approaches for municipalities to pre-solve legitimate issues related to development. The feasibility of implementing standard province-wide legal agreements and plans of subdivision would take significant effort and would be extremely difficult. Every area of Ontario has unique geography, building conditions, water and wastewater supply, funding arrangements, etc. Municipalities have varying degrees of complexity and this proposed legislation encroaches on municipal autonomy and decision making for matters within their jurisdiction. Regional staff do not support a "one size fits all" approach to set standards for subdivision conditions. Municipalities should retain authority to set conditions that are reasonable and in keeping with the development proposed in the subdivision.

#### *Other matters:*

Additional changes to municipal processes are proposed through Bill 109 changes and are covered in greater detail in attachment #2.

### **Conclusion**

Housing supply and affordability are complex issues and require a coordinated and strategic approach across all levels of government. Halton Region has had a long standing partnership and commitment with its Local Municipalities with practical actions for growth and development that conform to Provincial targets in efforts to increase housing supply across the continuum. Halton Region cannot advance housing supply on its own and requires a meaningful partnership with Provincial and Federal Governments as well as housing advocates, the non-profit, and co-operative housing sectors to develop strategic and coordinated responses to the housing supply crisis.

The Housing Affordability Task Force Report has provided some positive ideas for further investigation, in particular, increasing the supply of rental housing, missing middle housing, increasing secondary suites and increasing density in targeted areas. However, the Task Force Report fails to recognize that municipalities are fully engaged in supporting creation of more housing options, intensification, transit-oriented development and increasing the supply of rental housing. The report provides little evidence to

suggest, but contains strong accusations, that perceived municipal red tape is responsible for the slow progress of new housing options, which is not the case.

Building new affordable housing is not part of the Task Force Report nor is it explicit in the intent of Bill 109. Market-rate housing is an important part of the puzzle and solution to meet residential demand and keep up with growth, however, an affordable housing strategy that solely focusses on adding market-rate housing will not solve the housing crisis in Ontario. A range of policies are needed to curb speculation, increase the supply of non-market, genuinely affordable housing options and ensure tenants have adequate protections through rent control polices.

The current Provincial response to the housing crisis is narrow, focusing on recommendations to alter municipal processes intended to rapidly increase the supply of market-based housing while failing to recognize or address issues that are central to making housing more affordable in Ontario. The changes proposed in both the Task Force Report and through Bill 109 will not speed up the process to advance housing supply but will instead lead to significant delays in the approval of comprehensive growth management plans and places local level decisions in the hands of the unaccountable OLT. The Provincial Government is encouraged to examine, in a meaningful way, and in collaboration with municipalities and stakeholders, topics such as, rental housing incentives, investor speculation, innovative funding options and permanent on-going financial tools to create additional community housing.

Although not part of the impact for the most recent suggested changes, the Province's proposal indicates that "the Province is committed to implementing the Task Force's recommendations with a housing supply action plan every year over four years" which implies that all recommendations from the task force will be implemented. Halton would like to note the challenge in continuous change and implementation over four years which would result in planning delays and would be in direct conflict of this Bills intent. Further, Halton does not agree with many of the recommendations in the Housing Task Force paper and there has not been a fulsome discussion of impacts that each recommendation could have and how it addresses the housing crisis.

A more robust analysis of issues and broader engagement will ensure that practical evidence-based solutions can be developed and implemented to achieve affordability for all Ontarians.

FINANCIAL/PROGRAM IMPLICATIONS

There are no immediate financial implications associated with the recommendations contained in this report. However, if changes are implemented through Bill 109 such as changes to review timelines, refunding applications, and new OLT procedures, there may be significant impacts that will have to be reviewed in further detail.

Respectfully submitted,



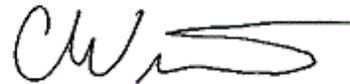
Curt Benson  
Director, Planning Services and Chief  
Planning Official



Bob Gray  
Commissioner, Legislative and Planning  
Services and Corporate Counsel



Matthew Buist  
Director, Capital and Development  
Financing



Cyndy Winslow  
Commissioner, Finance and Regional  
Treasurer

Approved by



Jane MacCaskill  
Chief Administrative Officer

If you have any questions on the content of this report,  
please contact:

Curt Benson

Tel. # 7181

- Attachments: Attachment #1 – Halton Region comments on the Ontario Affordability Task Force Report Revised  
Attachment # 2 – Bill 109 Table  
Attachment #3 – Community Infrastructure and Housing Accelerator – Proposed Guideline  
Attachment #4 – Comments on proposed changes to the Development Charges Act, 1997

## Halton Region's Comments on the Ontario Affordability Task Force Report

Recommendation	Staff Comments
<b>Getting More Homes Built</b>	
<p>1. Set a goal of building 1.5 million new homes in ten years.</p>	<p><b>Do not support unless the goal(s) responds to other aspects of the housing issue.</b></p> <ul style="list-style-type: none"> <li>• While it is important to set clear goals and targets for housing, there needs to be a focus on housing affordability and not exclusively on the issue of supply. As the report itself suggests, "affordable housing is a societal responsibility". Collectively we cannot rely exclusively on for-profit developers or on increases in the supply of market housing to fully solve the problem.</li> <li>• The Provincial Growth Plan contains specific forecasts that municipalities in the Greater Golden Horseshoe are directed to plan for. If the Province is to adopt this goal, there needs to be an analysis prepared to determine to what degree the Growth Plan forecasts are in line with the goal and what changes might be required in those plans if the goal is adopted.</li> <li>• There are other important goals related to the housing issue that need to be pursued given the complexity of the problem. For example, the Province should include targets (as well as tools and supports for municipalities) that speak to affordability and tenure. New supply should be geared to affordable rental and ownership units in a range of unit sizes that is responsive to societal demand. The task Force Report fails to address these aspects of the housing continuum, instead favours a rudimentary and flawed approach that "all or any supply is good".</li> </ul>
<p>2. Amend the <i>Planning Act</i>, Provincial Policy Statement, and Growth Plans to set "growth in the full spectrum of housing supply" and "intensification within existing built-up areas" of municipalities as the most important residential housing priorities in the mandate and purpose.</p>	<p><b>Do not support unfettered and ad hoc residential intensification in the absence of balancing other key community objectives.</b></p> <p><b>Support the intensification in built-up areas in accordance with a defined urban structure in approved Official Plan policies.</b></p> <ul style="list-style-type: none"> <li>• Any and all housing supply through residential intensification should not override good planning. It should be achieved by balancing goals, objectives, municipal capacity to support intensification, access to employment, and the creation of complete and sustainable communities.</li> </ul>

Recommendation	Staff Comments
	<ul style="list-style-type: none"> <li>• Recommendation related to “growth in the full spectrum of housing supply” needs to be clarified and should not be used as a basis to expand urban boundaries.</li> <li>• Municipalities continue to struggle with maintaining existing social housing stock in a state of good repair. There are social housing units being decommissioned due to health and safety concerns at a time when we face significant shortages and long waitlists. Policy documents must promote innovative approaches and provide capital funding to rehabilitate the existing stock of social housing.</li> <li>• The Province must provide dedicated and ongoing rehabilitation funding to social housing providers. One approach could be to dedicate 25% of Land Transfer Tax revenue towards the initiative.</li> <li>• Local municipalities have been actively engaged in the Provincial mandate to plan for intensification areas, with the most recent efforts directed towards Area Specific Planning of Major Transit Station Areas.</li> <li>• Strengthening the language in Provincial documents regarding intensification within built-up areas has the potential to be helpful, if the role of municipalities continues to be providing the best local solution that supports the local urban structures and approaches to address Provincial interests and Provincial targets for residential housing.</li> </ul>
<b>Making Land Available to Build</b>	
<p>3. Limit exclusionary zoning in municipalities through binding provincial action:</p> <p>a) Allow “as of right” residential housing up to four units and up to four storeys on a single residential lot.</p> <p>b) Modernize the Building Code and other policies to remove any barriers to affordable construction and to ensure meaningful implementation (e.g., allow single-staircase construction for up to four storeys, allow single egress, etc.).</p>	<p><b>Do not support unless municipalities are enabled to implement tailored approaches to enact “as of right” residential housing.</b></p> <ul style="list-style-type: none"> <li>• To implement this recommendation the <i>Planning Act</i> should remove the ability for third party appeals for all new residential intensification that is supported by an approved Official Plan.</li> <li>• In the absence of zoning controls, municipalities would have limited tools to plan and service development and as such the opportunity to implement the concept needs to be reflected in the individual approach to be taken by municipalities.</li> <li>• Intensification necessitates infrastructure improvements (due consideration must be given to servicing costs and requirements – these may be problematic despite as of right permissions).</li> <li>• From a servicing perspective, intensification around identified strategic growth nodes and transit corridors is preferred since that growth is planned with clear infrastructure upgrade requirements defined.</li> </ul>

Recommendation	Staff Comments
	<ul style="list-style-type: none"> <li>Do not support the removal of all zoning controls in favour of a province-wide regulation since municipalities would have limited tools to plan and service development. The opportunity to implement the concept should be reflected in the individual approach to be taken by municipalities.</li> </ul> <p><b>Recommendation 3 b) – Support Continuous Improvements.</b></p> <ul style="list-style-type: none"> <li>Continuous improvements should be combined with any necessary and concurrent revisions to the <i>Building Code Act, 1992</i> and its regulations and the <i>Fire Protection and Prevention Act, 1997</i> and its regulations to ensure continued public safety for all types of housing and building.</li> </ul>
<p>4. Permit “as of right” conversion of underutilized or redundant commercial properties to residential or mixed residential and commercial use.</p>	<p><b>Do not support in the absence of additional information.</b></p> <ul style="list-style-type: none"> <li>The absence of details makes it difficult to understand the broad context of this recommendation.</li> <li>For example, this would circumvent municipal official plan policies and Municipal Comprehensive Reviews with respect to the conversion of lands within employment areas to non-employment uses</li> <li>This recommendation, if implemented, has the potential to compromise employment lands and erode aggregate commercial areas. There is a need to balance conversions with protecting economic viability of commercial areas.</li> <li>As-of-right zoning should be supported where it adds to opportunity and vibrancy of communities and where it could be provided for through official plan policies that are supported by a municipality. Where these conversions are permitted through municipal official plan policies there should be restrictions on appeals that implement the approach.</li> <li>Any such permission should be combined with any necessary and concurrent revisions to the <i>Building Code Act, 1992</i> and its regulations and the <i>Fire Protection and Prevention Act, 1997</i> and its regulations to ensure continued public safety for all types of housing and building.</li> </ul>
<p>5. Permit “as of right” secondary suites, garden suites, and laneway houses province-wide.</p>	<p><b>Support the general approach.</b></p> <ul style="list-style-type: none"> <li>The <i>Planning Act</i> could be amended to enable municipalities to adopt policies to address local circumstances to implement 'gentle density' that are sheltered from appeals to the Ontario Land Tribunal.</li> </ul>

Recommendation	Staff Comments
	<ul style="list-style-type: none"> <li>• The Province should consider providing information, support and financial resources to home owners to foster an understanding of the role of being a landlord, and safety considerations. The implementation period should provide time for municipalities to address local factors such as parking and snow removal strategies, or consideration of tools such as licensing to ensure health and safety.</li> <li>• Such continuous improvements should be combined with any necessary and concurrent revisions to the <i>Building Code Act, 1992</i> and its regulations and the <i>Fire Protection and Prevention Act, 1997</i> and its regulations to ensure continued public safety for all types of housing and building.</li> <li>• The <i>Development Charges Act</i> includes exemptions for secondary suites. Is the Province going to provide support to offset the foregone revenue? If there is significant uptake these units could have a huge impact on infrastructure requirements.</li> </ul>
<p>6. Permit “as of right” multi-tenant housing (renting rooms within a dwelling) province-wide.</p>	<p><b>Support the general approach.</b></p> <ul style="list-style-type: none"> <li>• Support the concept of a municipality's ability to implement multi-tenant housing subject to meeting criteria established by each municipality through their zoning by-laws and licensing regulations.</li> <li>• Support the concept of no appeals of municipal decisions on multi-tenant housing.</li> <li>• Multi-tenant housing is an important part of the affordable rental housing market (providing single-room accommodation to diverse communities, including students, seniors, new immigrants and low/moderate income residents).</li> <li>• While the municipalities support permitting multi-tenant houses as a form of housing it is important that the zoning standards be accompanied by the following: enhanced operator licensing requirements; an enforcement and compliance program; initiatives to support tenants and assist with maintaining the affordability of housing; and a phased implementation plan, all of which should be informed by municipalities.</li> <li>• It will be critical that the Province provide clear guidance, support and financial resources to ensure that health and safety are held at the forefront, should this recommendation be pursued.</li> <li>• Such continuous improvements should be combined with any necessary and concurrent revisions to the <i>Building Code Act, 1992</i> and its regulations and the <i>Fire Protection and Prevention Act, 1997</i> and its</li> </ul>

Recommendation	Staff Comments
	<p>regulations to ensure continued public safety for all types of housing and building.</p>
<p>7. Encourage and incentivize municipalities to increase density in areas with excess school capacity to benefit families with children.</p>	<p><b>Support the general concept.</b></p> <ul style="list-style-type: none"> <li>• Increasing density needs to be evaluated on the basis of a broad range of factors including developing complete communities and infrastructure considerations.</li> <li>• This recommendation appears to be redundant given what is proposed in Recommendation #3.</li> <li>• The Province should ensure that investments for new schools are better coordinated with the approved municipal growth strategies (especially in high-growth communities, like Halton).</li> <li>• There needs to be better alignment between Ministry of Municipal Affairs and Housing, Ministry of Education, Ministry of Infrastructure, Ministry of Finance to ensure schools are adequately planned and funded so that schools are in place to serve growing municipalities.</li> <li>• School boards should be consulted to ensure that school capacity issues can be addressed through this recommendation.</li> <li>• Effective implementation of this recommendation will require significant nuance to address the wide range of school location characteristics, such as rural, suburban and urban schools, schools well served by public transit, community character, and other important considerations. Given the wide range of unique factors to be considered, if this recommendation were to be accepted by the Province, implementation should be in the hands of local governments in close partnership with School Boards.</li> </ul>
<p>8. Allow “as of right” zoning up to unlimited height and unlimited density in the immediate proximity of individual major transit stations within two years if municipal zoning remains insufficient to meet provincial density targets.</p>	<p><b>Do not support.</b></p> <ul style="list-style-type: none"> <li>• The concept of unlimited height and density is problematic. Planning for growth around the MTSA's are based on long-range planning as set out by the province. To determine success or failure in 2 years disregards provincial timelines that municipalities are currently working towards.</li> <li>• This proposal would amount to unplanned growth and would not address the qualitative and quantitative components of increasing density.</li> <li>• Municipalities are identifying Major Transit Station Areas (MTSA's) as part of their Municipal Comprehensive Reviews and applying targets to achieve significant densities. In the absence of a timely approval by the Province of MTSA's this would be an unrealistic timeline with respect to zoning.</li> </ul>

Recommendation	Staff Comments
	<ul style="list-style-type: none"> <li>• This concept would place significant pressure on existing hard and soft services, making it challenging to undertake the necessary infrastructure planning to support the creation of new housing.</li> <li>• Density to support transit is desirable but it still must be context sensitive.</li> <li>• This recommendation could increase speculation and drive up land values even further.</li> <li>• The recommendation does not take into account other key objectives that must accompany growth.</li> <li>• This recommendation would remove the opportunity to seek Community Benefit Charges (formerly Section 37 under the <i>Planning Act</i>) where additional height and density increases are sought.</li> <li>• The Province should create a Planning Modernization Fund that provides grants to municipal planning departments to obtain sufficient resources to update zoning and/or implement a CPPS to conform with new Official Plans. This can be funded by allocating 1% of Land Transfer Tax revenue to the program on an ongoing basis to support municipal planning capacity.</li> </ul>
<p>9. Allow “as of right” zoning of six to 11 storeys with no minimum parking requirements on any streets utilized by public transit (including streets on bus and streetcar routes).</p>	<p><b>Only support if municipalities are able to implement in such a way that addresses local municipal conditions.</b></p> <ul style="list-style-type: none"> <li>• Throughout Halton many streets that are utilized by public transit run through low-rise stable residential neighbourhoods that may be unable to accommodate increased heights and density. The recommendation disregards exiting communities, local contexts and local decision making.</li> <li>• An alternative to this Recommendation could be to allow as of right zoning for "purpose-built rental and/or affordable rental housing" of six to 11 storeys. This will recognize and incentivize the type/tenure of housing supply most needed by the cities.</li> <li>• Removing all parking requirements may negatively impact people with disabilities who rely on paratransit and may make servicing buildings more difficult.</li> <li>• An alternative to this recommendation could be to allow as of right zoning for "purpose-built rental and/or affordable rental housing" of six to 11 storeys. This will recognize and incentivize the type/tenure of housing supply most needed by the cities.</li> <li>• Reduced parking should be accompanied with mandatory requirements for Carshare parking spots and secure bicycle/e-bike parking.</li> </ul>

Recommendation	Staff Comments
<p>10. Designate or rezone as mixed commercial and residential use all land along transit corridors and re-designate all Residential Apartment to mixed commercial and residential zoning in Toronto.</p>	<p><b>Support the general approach subject to support from City of Toronto.</b></p> <ul style="list-style-type: none"> <li>• For the Halton scenario, lands considered as 'mixed commercial' may overlap with lands that are designated 'employment'.</li> <li>• Through the Municipal Official Plan reviews and MCR's, municipalities are able to consider the introduction of residential uses on employment lands.</li> <li>• Do not support in Halton as this approach could contradict the conversion of employment lands through Municipal Official Plan Reviews and MCRs. It could impact the protection of essential employment lands that are located along transit corridors.</li> </ul>
<p>11. Support responsible housing growth on undeveloped land, including outside existing municipal boundaries, by building necessary infrastructure to support higher density housing and complete communities and applying the recommendations of this report to all undeveloped land.</p>	<p><b>Do not support.</b></p> <ul style="list-style-type: none"> <li>• Do not support ongoing unplanned urban expansion into natural heritage or agricultural lands in the Greater Golden Horseshoe. This would be counter to the Growth Plan's goals and place a strain on urban fringes and other goals related to building a more livable region.</li> <li>• "Undeveloped land" should not include parkland.</li> <li>• The implementation of this recommendation would undermine long held Provincial Policy goals and the orderly system of land use planning in Ontario.</li> <li>• Additional infrastructure planning, legislative requirements and costs need to be addressed where supporting higher density housing and complete communities on undeveloped land, including outside existing municipal boundaries.</li> <li>• There could be significant cost implications to this recommendation. If building infrastructure in advance of planned growth, how are costs to be recaptured? Is it expected that municipalities would front-end finance the cost of infrastructure?</li> <li>• This recommendation could increase speculation and drive up land values.</li> <li>• This recommendation supports irresponsible encroachment beyond the urban boundary outside of Municipal Comprehensive Review process (which is counter to Growth Plan objectives).</li> </ul>
<p>12. Create a more permissive land use, planning, and approvals system:</p> <p>a) Repeal or override municipal policies, zoning, or plans that prioritize the</p>	<p><b>Do not support.</b></p> <ul style="list-style-type: none"> <li>• This recommendation would result in 'over-stepping' municipal decision-making which takes into account local planned context.</li> </ul>

Recommendation	Staff Comments
<p>preservation of physical character of neighbourhood</p> <p>b) Exempt from site plan approval and public consultation all projects of 10 units or less that conform to the Official Plan and require only minor variances</p> <p>c) Establish province-wide zoning standards, or prohibitions, for minimum lot sizes, maximum building setbacks, minimum heights, angular planes, shadow rules, front doors, building depth, landscaping, floor space index, and heritage view cones, and planes; restore pre-2006 site plan exclusions (colour, texture, and type of materials, window details, etc.) to the <i>Planning Act</i> and reduce or eliminate minimum parking requirements; and</p> <p>d) Remove any floorplate restrictions to allow larger, more efficient high-density towers.</p>	<ul style="list-style-type: none"> <li>• It would result in development that is incompatible and inconsistent with community planning objectives. The value of distinct neighbourhoods is defined by their physical character. Local municipal policies that allow for sensitive new building designs that are sympathetic to community character is a better approach.</li> <li>• Contextually appropriate urban design is a better approach and results in better outcomes for the local municipal context.</li> <li>• If this is implemented it should apply to affordable purpose-built housing only, not ‘development in general’, otherwise this completely undermines the purpose of the planning policy system in Ontario.</li> </ul>
<p>13. Limit municipalities from requesting or hosting additional public meetings beyond those that are required under the <i>Planning Act</i>.</p>	<p><b>Do not support.</b></p> <ul style="list-style-type: none"> <li>• Public participation is an integral part of the Planning process at the regional and local level. Denial of the democratic processes by eliminating engagement poses consequences for the community and local governance.</li> <li>• Public information centres and engagement meetings provide decision makers with a better understanding of community values, interests, needs, and concerns.</li> <li>• Public information and engagement meetings help to inform and educate the community at large on new approaches and changes.</li> <li>• A cornerstone of good planning is providing an opportunity for a variety of voices to be heard.</li> <li>• Limiting consultation will limit the capacity for change.</li> </ul>
<p>14. Require that public consultations provide digital participation options.</p>	<p><b>Support</b></p> <ul style="list-style-type: none"> <li>• Since the beginning of the COVID-19 pandemic, municipalities have been using digital platforms to engage with residents.</li> <li>• Digital engagement options will continue to improve its engagement processes to remove barriers to participation for those with limited access to Internet and digital devices.</li> <li>• Consultation should be tailored to the communities that are being served. Requiring digital participation should be accompanied with in-person consultation</li> </ul>

Recommendation	Staff Comments
	in all cases (as some communities do not have access to technology).
<p>15. Require mandatory delegation of site plan approvals and minor variances to staff or pre-approved qualified third-party technical consultants through a simplified review and approval process, without the ability to withdraw Council's delegation.</p>	<p><b>Support in principle the delegation of certain matters to municipal councils.</b></p> <ul style="list-style-type: none"> <li>• Bill 13 provided the delegation of certain matters to municipal councils. Municipal councils should continue to have this ability to determine which matters be delegated.</li> <li>• However, the Province should go further and provide heads of planning departments with the authority to approve certain minor applications. These delegated approvals could be “bumped-up” to Council at its discretion.</li> <li>• This would speed up the approval process by authorizing expert planning staff to review and approve technical implementation aspects of housing projects instead of waiting for Council meetings and agenda time.</li> <li>• Delegation by elected Councils is a proven method to reduce approval timelines. A recent survey, conducted by Ontario Provincial Planner’s Institute, found that where delegations were in place, 63% of heads of planning departments reported a reduction in development approval timeline of 2-3 months and 11% reported a reduction of 4-5 months.</li> <li>• The initial list of technical approvals that should be at the discretion of heads of planning departments include Draft Plan of Subdivisions, Site Plan, Lifting of Holding Provisions and Part Lot Control, Consents within the Built-Up Area, and Validation Certificates.</li> </ul> <p><b>Do not support approval of third party technical consultants.</b></p> <ul style="list-style-type: none"> <li>• While there are parts of this recommendation that can be supported, staff <u>do not support</u> sole reliance pre-approved qualified third-party technical consultants. In addition, there is a lack of information regarding pre-approved qualified technical consultants.</li> <li>• If this recommendation is pursued consideration should be given to a legislative model akin to that contained in the <i>Building Code Act, 1992</i> where there is limited challenge available to the decisions of the Chief Building Official (for example, see Section 25). This would provide more certainty and finality in regard to decisions as compared to a structure whereby other avenues of review and appeal might be available (such as general judicial review of administrative action).</li> </ul>

Recommendation	Staff Comments
<p>16. Prevent abuse of the heritage preservation and designation process by:</p> <p>a) Prohibiting the use of bulk listing on municipal heritage registers</p> <p>b) Prohibiting reactive heritage designations after a Planning Act development application has been filed.</p>	<p><b>Do not support.</b></p> <ul style="list-style-type: none"> <li>• Implementation of this recommendation would undermine the purpose and intent of the <i>Ontario Heritage Act</i>. Bill 108 changes to the <i>Heritage Act</i> are not reflected in the Task Force Report.</li> <li>• Use of the term “abuse” in this recommendation is confusing as the actions of 16a) and 16b) are both permitted and expected actions under the <i>Ontario Heritage Act</i>. The current heritage protection regulatory framework (under Bill 108), provides sufficient safeguards and appeals processes to prevent disingenuous use of heritage protection measures that the Report suggests are being used to deliberately thwart the construction of new affordable residential units.</li> <li>• The <i>Ontario Heritage Act</i> (as recently revised through Bill 108) includes statutory timeline limitations on when municipalities can designate a property following the submission of certain applications under the <i>Planning Act</i>. The <i>Act</i> also allows municipalities and owners to mutually extend timelines.</li> <li>• 16b) is contrary to the 2021 provincial changes to the <i>Ontario Heritage Act</i> via Bill 108. The OHA now prevents a municipality from issuing a Notice of Intention to Designate (NOID) after 90 -days of a “prescribed event” taking place (i.e., certain Planning Act applications being submitted). The existing “prescribed event” policies in the OHA triggers a response from municipalities to issue a NOID within 90 -days of an application being received in order to protect and conserve a significant heritage property that might be under threat (which is a provincial interest in the PPS).</li> <li>• Heritage evaluations are a detailed and rigorous process that involves careful research and analysis by staff or consultants who are trained professionals.</li> <li>• Unless a municipality has previously evaluated all properties to identify which properties have heritage value, developments can occur on sites that require a heritage evaluation, the results of which may recommend designation and conservation.</li> <li>• The current legislation, which provides a mechanism for mutually agreed extensions allows for community consultation, rigorous research and evaluation, and for a collaborative approach to the conservation of heritage properties.</li> </ul>

Recommendation	Staff Comments
<p>17. Requiring municipalities to compensate property owners for loss of property value as a result of heritage designations, based on the principle of best economic use of land.</p>	<p><b>Do not support.</b></p> <ul style="list-style-type: none"> <li>• It is unclear how this recommendation would work in practice.</li> <li>• Speculative development is not a right. Heritage designations have community value. The loss of a heritage resource constitutes a loss to the community.</li> <li>• The recommendation assumes that a heritage designation reduces property values. The highest and best use of heritage property should be assessed according to the heritage designation.</li> <li>• Implementation of this recommendation would not support the application of the <i>Ontario Heritage Act</i>. It also would likely lead to increased costs and complexity that would arise from disputes with regard to property value/appraisals/economic impact that would ultimately significantly increase the cost of heritage protection overall.</li> <li>• This recommendation could give rise to the unintended consequence of municipalities declining to preserve historically significant buildings and sites in order to avoid unaffordable compensation.</li> </ul>
<p>18. Restore the right of developers to appeal Official Plans and Municipal Comprehensive Reviews (MCRs).</p>	<p><b>Do not support.</b></p> <ul style="list-style-type: none"> <li>• As proposed, this recommendation will extend timelines due to lengthy MCR appeals. This may create excess pressure to continue development without addressing capacity issues.</li> <li>• The possible appeal by one developer would prolong an entire MCR from coming into force and effect, and thereby significantly delay the implementation of policy changes intended to increase the supply of housing.</li> <li>• This would create unnecessary time delays and financial burden on municipalities to defend Provincial policy conformity matters that have been undertaken through extensive MCR exercises involving robust consultation with the development sector, other stakeholders, the public and the Province.</li> <li>• Note that if appeal rights are restored, concern with limiting rights to only “developers” as opposed to other landowners or residents.</li> <li>• It is unclear how this would increase supply of housing and in particular contribute to the encouragement of affordable housing.</li> <li>• The Province should provide provincial policy stability in land use planning once upcoming changes are in place. Frequent provincial reviews and changes to plans and policies serve as a barrier</li> </ul>

Recommendation	Staff Comments
	<p>to new housing development and prolongs the planning process. Municipal capacity to adapt often lags changes to provincial plans. For example, the Province amended the Growth Plan for the Greater Golden Horseshoe in 2017 and provided municipalities five years to come into conformity. However, the Province made further amendments in 2019 and then again in 2020 before municipalities had a chance to conform to the previous changes. This further delayed the process as many municipalities had to redo studies and planning work.</p> <ul style="list-style-type: none"> <li>• Once the upcoming round of policy changes are in place, the Province should provide a period of policy stability to allow municipalities to adapt to the new policy regime.</li> <li>• Rather than broaden appeal rights for developers, the Province should undertake significant reform to the Ontario Land Tribunal appeal system to further restrictions on appeal rights, especially for third parties to enable more certainty and reduce time delays in implementing planned growth and new housing supply. For instance, the Province should enable restrictions on appeal rights on local official plans that are being updated to conform to upper-tier municipal comprehensive updates and provincial plans and policies.</li> <li>• Additionally, Halton Region Council passed a resolution in 2019 to eliminate the Ontario Land Tribunal (formerly the Local Planning Area Tribunal (LPAT)) on the basis that the LPAT is an antiquated body that slows delivery and adds costs to housing supply via expensive and drawn out hearings.</li> </ul>
<b>Cut the Red Tape, Build Faster, Reduce Costs</b>	
<p>19. Legislate timelines at each stage of the provincial and municipal review process, including site plan, minor variance, and provincial reviews, and deem an application approved if the legislated response time is exceeded.</p>	<p><b>Do not support recommendations with respect to municipal review and deeming an application approved if response time is exceeded.</b></p> <ul style="list-style-type: none"> <li>• Municipalities have consistently raised significant concerns with delays caused by poor quality and incomplete applications submitted by proponents. Deeming approval of these applications creates a risk of substandard or flawed applications.</li> <li>• Such an approach could also encourage applicants to delay responses in order to “run out the clock” so that their applications gets deemed as approved. It could also reduces evaluation processes and force approvals of applications that may contain serious errors and/or omissions. Complex applications and especially intensification require a very intensive</li> </ul>

Recommendation	Staff Comments
	<p>engineering exercise and can easily exceed timelines as a result.</p> <ul style="list-style-type: none"> <li>• How would the legislation regulate complete or incomplete applications?</li> <li>• To improve completeness of applications, the Province should require Planning Justification Reports and submission materials to be signed off by a Registered Professional Planner (RPP) prior to submission. The RPP would use professional judgement to attest to the completeness of the submission.</li> <li>• An upfront rigorous review by an RPP would serve to reduce unnecessary time going back and forth between the proponent and municipality to address missing aspects of the submission.</li> </ul> <p><b>Support legislative timelines for provincial review process to accelerate housing supply.</b></p>
<p>20. Fund the creation of “approvals facilitators” with the authority to quickly resolve conflicts among municipal and/or provincial authorities and ensure timelines are met.</p>	<p><b>Support</b></p> <ul style="list-style-type: none"> <li>• The creation of a fair and unbiased body to help mediate and resolve issues in a timely fashion is supportable.</li> <li>• This recommendation could be best served by creating an independent, unbiased, Provincial Chief Planner position to help municipalities implement provincial policies and resolve conflicts with authorities.</li> </ul>
<p>21. Require a pre-consultation with all relevant parties at which the municipality sets out a binding list that defines what constitutes a complete application; confirms the number of consultations established in the previous recommendations; and clarifies that if a member of a regulated profession such as a professional engineer has stamped an application, the municipality has no liability and no additional stamp is needed.</p>	<p><b>Do not support engineering stamp recommendations.</b></p> <ul style="list-style-type: none"> <li>• Disagree with the engineering stamp recommendation without set guidelines or standards that are current and relevant to specific issues dealing with development and planning.</li> <li>• Would there be mandated insurance requirements for these practitioners? Municipal due diligence is still required to ensure that the public interest is protected.</li> <li>• Issue arises when revisions to plans results in a requirement for new or additional information that was not contemplated during formal consultation.</li> </ul>
<p>22. Simplify planning legislation and policy documents.</p>	<p><b>Support</b></p> <ul style="list-style-type: none"> <li>• Generally support the simplification of Provincial Legislation and policy documents.</li> <li>• Require additional information to understand what is specifically being referenced in this recommendation,</li> </ul>

Recommendation	Staff Comments
	i.e. <i>Planning Act</i> , Growth Plan, and Provincial Policy Statement?
<p>23. Create a common, province-wide definition of plan of subdivision and standard set of conditions which clarify which may be included; require the use of standard province-wide legal agreements and, where feasible, plans of subdivision.</p>	<p><b>Do not support.</b></p> <ul style="list-style-type: none"> <li>• Each municipality may have varying requirements that need to be addressed prior to development occurring. Standardizing conditions to a 'one-size fits all' approach will have the effect of creating greater confusion and difficulty. It will not allow for new and innovative approaches for municipalities to pre-solve legitimate issues related to development.</li> <li>• The feasibility of implementing standard province-wide legal agreements and plans of subdivision would take significant effort and would be extremely difficult. Every area of Ontario has unique geography, building conditions, water and sewer supply, funding arrangements, etc. Municipalities have varying degrees of complexity. This recommendation encroaches on municipal autonomy and decision making for matters within their jurisdiction.</li> <li>• In a complex built-up area, conditions need to address specific challenges and circumstances (i.e. encroachments, easements, combined sewers, drainage) in which a standardized province-wide agreement may not be suitable.</li> </ul>
<p>24. Allow wood construction of up to 12 storeys.</p>	<p><b>Support in principle.</b></p> <ul style="list-style-type: none"> <li>• Support the increased use of low-carbon building materials (like wood/MASS timber).</li> <li>• Municipalities will be responding to the Province's proposed amendments to the Building Code that would amend the Code to allow construction of 'tall wood' buildings using Encapsulate Mass Timber up to 12 storeys.</li> </ul>
<p>25. Require municipalities to provide the option of pay on demand surety bonds and letters of credit.</p>	<p><b>Do not support.</b></p> <ul style="list-style-type: none"> <li>• Through experience it is has been demonstrated that surety bonds create an increased level of risk and difficulty for municipalities and they can be very difficult to draw on.</li> <li>• Letters of credit are proven effective and are a reasonable and straightforward mechanism to secure the undertaking of infrastructure works.</li> <li>• More detail on the type of surety bonds being proposed and how they guarantee payment to the municipalities with no questions or time delays need to be explained further.</li> </ul>

Recommendation	Staff Comments
<p>26. Require appellants to promptly seek permission (“leave to appeal”) of the Tribunal and demonstrate that an appeal has merit, relying on evidence and expert reports, before it is accepted.</p>	<p><b>Partial support.</b></p> <ul style="list-style-type: none"> <li>• Support this recommendation in principle regarding the requirement for timely responses to support an appeal. This will prevent frivolous appeals.</li> <li>• Do not support in totality given that the nature of an appeal may not necessitate the submission of expert reports, how does this recommendation work?</li> <li>• There is support for developing criteria that will allow for third party appeals.</li> <li>• Any “leave to appeal” system would require significant resources on the part of the Tribunal and should be adequately funded in order to ensure administrative success.</li> <li>• The Ontario Land Tribunal Act was amended in 2021 to allow for an appeal to be dismissed where it has no reasonable prospect of success (section 19). Given that, there is already a tool available to prevent frivolous appeals without applying a stricter “leave to appeal” test.</li> </ul>
<p>27. Prevent abuse of process:</p> <p>a) Remove right of appeal for projects with at least 30% affordable housing in which units are guaranteed affordable for at least 40 years.</p> <p>b) Require a \$10,000 filing fee for third-party appeals.</p> <p>c) Provide discretion to adjudicators to award full costs to the successful party in any appeal brought by a third party or by a municipality where its council has overridden a recommended staff approval.</p>	<p><b>Support a) in principle.</b></p> <ul style="list-style-type: none"> <li>• Threshold for no appeal should be increased to a higher percentage of the total units.</li> <li>• It should be clarified that “affordable housing” in this recommendation means housing with rents that are at or below 80 percent of the average market value of the units within the municipality in question. This would be helpful given that the term “affordable housing” is generally used throughout the report to refer to affordable market rent units.</li> <li>• Staff would recommend that the Province incorporate detailed requirements of any such provision, such as ensuring the range of affordable unit types serves the current need for housing types.</li> </ul> <p><b>Do not support b) or c).</b></p> <ul style="list-style-type: none"> <li>• It is unclear what meaning the 40 years in recommendation (a) is, and how a municipality would evaluate/monitor and enforce such a “guarantee”?</li> <li>• It is unclear how this recommendation would work concurrently with recommendation #26 especially if expensive reports and a hefty filing fee are required.</li> <li>• The implementation of recommendations (b) and (c) are likely to have a chilling effect on public participation in the planning process – such a level of filing fee will dissuade or preclude those without financial means, who may have valid appeal ground, from participating and would have a significant effect on access to justice.</li> </ul>

Recommendation	Staff Comments
	<ul style="list-style-type: none"> <li>In addition, Council and its democratically elected councillors will feel increasingly bound to follow staff recommendations, even when they do not believe it is the best course of action for their constituents, in order to possibly avoid the risk of having to pay legal costs should they lose in a legal challenge.</li> </ul>
<p>28. Encourage greater use of oral decisions issued the day of the hearing, with written reasons to follow, and allow those decisions to become binding the day that they are issued.</p>	<p><b>Support in principle.</b></p> <ul style="list-style-type: none"> <li>For certain decisions, written decisions are needed to reflect the complexities of hearing outcomes.</li> <li>This recommendation will be easier to implement when the threshold of the decision is simple and not require additional conditions to be addressed before the Order is issued. It would be impractical to implement a decision that cannot be clearly and readily shared.</li> <li>Implementation of this recommendation would require clarity with regard to confirmation of the commencement of the period in which one could seek to challenge the decision. In addition it is unclear if conditions would be released orally or only become binding (and a time clock starts ticking) when the written reasons are released.</li> </ul>
<p>29. Where it is found that a municipality has refused an application simply to avoid a deemed approval for lack of decision, allow the Tribunal to award punitive damages.</p>	<p><b>Do not support.</b></p> <ul style="list-style-type: none"> <li>Unclear as to the intent of this recommendation, more information is required to understand the implications. An application is deemed complete after 30 days if a decision has not been made by the municipality, and the <i>Planning Act</i> already provides for an applicant to appeal a lack of a decision to the OLT, and the Province controls the timing of hearing these OLT appeals.</li> <li>How would it be determined that an application was denied only to avoid it being deemed approved?</li> <li>The Tribunal should not be permitted to award punitive damages. There may be many reasons why a municipality has not made a decision within a specified timeframe.</li> <li>A hearing at the Tribunal should be not used to punish municipal councils.</li> </ul>
<p>30. Provide funding to increase staffing (adjudicators and case managers), provide market-competitive salaries, outsource more matters to mediators, and set shorter time targets.</p>	<p><b>Support in principle.</b></p> <ul style="list-style-type: none"> <li>There should be less reliance on the Tribunal and more power given back to the municipalities which would free up some resources for this work.</li> </ul>

Recommendation	Staff Comments
<p>31. In clearing the existing backlog, encourage the Tribunal to prioritize projects close to the finish line that will support housing growth and intensification, as well as regional water or utility infrastructure decisions that will unlock significant housing capacity.</p>	<p><b>Support in principle.</b></p> <ul style="list-style-type: none"> <li>• There is support for an approach that has the potential to improve the efficiency of the OLT. Staff further suggest that, in addition to affordable housing projects, the prioritization also capture municipally initiated policies that support affordable housing, as well as New Official Plans that will lead to greater intensification of housing in general.</li> <li>• The Chief Planning Official should have the authority to prioritize developments which will unlock housing supply. This could include but not be limited to developments with Regional infrastructure.</li> <li>• This recommendation assumes that simply getting approval guarantees a project will actually get built on a timely basis or at all. If the province is going to focus on faster approvals, they should also ensure tools are in place to ensure those approved developments actually get built. Perhaps by limiting an applicant's ability to reapply for site specific rezoning/OPA within a certain horizon (5-10 years) to ensure the project that is approved actually moves to completion and occupancy.</li> </ul>
<p><b>Reduce Costs to Build, Buy, Rent</b></p>	
<p>32. Waive development charges and parkland cash-in-lieu and charge only modest connection fees for all infill residential projects up to 10 units or for any development where no new material infrastructure will be required.</p>	<p><b>Do not support.</b></p> <ul style="list-style-type: none"> <li>• This change is not consistent with the principle that "Growth should pay for Growth".</li> <li>• This recommendation requires further analysis and individual municipal approaches. Municipalities may elect to exempt or defer development charges for certain initiatives. In general, development charges facilitate construction of growth related infrastructure. Waiving them would put the burden on another funding mechanism (i.e. result in a revenue shortfall and shift growth costs onto existing homeowners).</li> <li>• Full cost user pricing to include new infrastructure for growth in lieu of development charges translates into municipalities providing all of the upfront financing and carrying the costs of the new infrastructure. By extension, this means ratepayers assume all of the risk of growth for little or no benefit</li> <li>• Need clarification on the definition of "no new material infrastructure". Difficult to interpret and could result in appeals and delays.</li> <li>• What is a "modest" connection fee – municipalities are required to establish fees and charges through the <i>Municipal Act, 2001</i> and case law has clearly provided that there must be a rational connection between the cost of providing the service/item and</li> </ul>

Recommendation	Staff Comments
	<p>the charge – if the “modest” charge is lower than the actual cost of providing the service/item where will the money to make up the difference come from for municipalities?</p> <ul style="list-style-type: none"> <li>• This recommendation may undermine Development Charges background studies in terms of growth and capital forecasts.</li> <li>• While a single higher intensity infill project may not significantly impact infrastructure requirements, several such projects throughout the whole community could indeed stretch infrastructure capacity to its limits.</li> </ul>
<p>33. Waive development charges on all forms of affordable housing guaranteed to be affordable for 40 years.</p>	<p><b>Do not Support.</b></p> <ul style="list-style-type: none"> <li>• Municipalities should retain the ability to waive development charges, building permit fees, planning application fees, parkland dedication fees and municipal taxes for affordable and supportive housing projects.</li> <li>• More information is required on the definition of “affordable” (e.g. is it the Provincial Policy Statement definition of affordable housing, which defines affordable as the lower of an income-based measure and average rent or sale prices?).</li> <li>• Inclusionary Zoning units should not be given exemptions.</li> <li>• Halton Region abides by the <i>Development Charges Act, 1997</i> and has policy in place to defer development charge payments with respect to affordable housing. Development charges are necessary to pay for critical infrastructure to support affordable (and all) housing such as water, wastewater and roads and if they are not collected the burden of these costs shifts, in large part, to residential property taxes, further eroding the principle that “growth pays for growth”.</li> <li>• It is not clear how municipalities can guarantee affordability for 40 years? What tools will be required to evaluate affordability and also to enforce continued affordability? Requiring municipalities to track whether such housing remains in the “affordable housing” category for a minimum of 40 years places an undue administrative burden on municipalities. There is no indication in the recommendation as to what penalty ought to apply if affordable housing is converted to market-priced housing or even to a non-residential use.</li> <li>• Municipalities have other tools to incentivize these types of developments and the exemption of DCs should be discretionary.</li> </ul>

Recommendation	Staff Comments
	<ul style="list-style-type: none"> <li>The Province should align provincial infrastructure funding and financing programs with the Growth Plan for the Greater Golden Horseshoe to ensure provincial support is targeted towards essential servicing for new housing developments.</li> </ul>
<p>34. Prohibit interest rates on development charges higher than a municipality's borrowing rate.</p>	<p><b>Do not support.</b></p> <ul style="list-style-type: none"> <li>Clarification on whether this applies to the s.26.1 or s.26.2 rates under the Development Charges Act, 1997. Are there other alternatives that could meet the intended goal of the recommendation?</li> <li>Concerns with potential funding gap if applying this rate for development charge (DC) freeze.</li> <li>Construction costs have increased at a higher rate than the cost of borrowing.</li> <li>DC instalments have collection risks, as municipalities do not have authority to register agreements on title; interest rates should reflect this risk.</li> </ul>
<p>35. Regarding cash in lieu of parkland, s.37, Community Benefit Charges, and development charges:</p> <p>a) Provincial review of reserve levels, collections and drawdowns annually to ensure funds are being used in a timely fashion and for the intended purpose, and, where review points to a significant concern, do not allow further collection until the situation has been corrected.</p> <p>b) Except where allocated towards municipality-wide infrastructure projects, require municipalities to spend funds in the neighbourhoods where they were collected. However, where there's a significant community need in a priority area of the City, allow for specific ward-to-ward allocation of unspent and unallocated reserves.</p>	<p><b>Do not support.</b></p> <ul style="list-style-type: none"> <li>Recommendation #35 a) amounts to jurisdictional overreach and would impact a municipality's ability to prioritize funding based on local needs, specifically for growth related needs that may cross local boundaries. Municipalities should have flexibility to decide.</li> <li>Development charges (DCs) are very prescriptive in nature and can only be used for capital infrastructure needs. Municipalities are not able to charge more than the cost of the infrastructure required to support growth. If a municipality has large reserves, it is because the DCs collected accumulate until the infrastructure project proceeds.</li> <li>"Use" of funds is unclear. Spend or allocate consistent with current Community Benefits Charge legislation?</li> <li>Recommendation #35 b), further clarity required. How are significant community needs defined? How to balance/or respond to stakeholder defined needs (i.e. Councillor/community, etc.) versus City Council/Committee/Divisional needs? How does this relate to the price of housing?</li> <li>35 b) seeks to micromanage municipalities, it is apt to create an administrative bog while provincially-imposed administrative burdens on municipalities are already far too excessive.</li> <li>Parks and recreation services are planned as systems. Addressing the existing system gaps in low-growth areas is required to support high-growth areas in some cases. How to address needs of</li> </ul>

Recommendation	Staff Comments
	<p>equity-deserving communities not experiencing significant growth?</p> <ul style="list-style-type: none"> <li>• Restriction on use of development charges may result in infrastructure required to support growth to be paid for by general rate or tax.</li> </ul>
<p>36. Recommend that the federal government and provincial governments update HST rebate to reflect current home prices and begin indexing the thresholds to housing prices, and that the federal government match the provincial 75% rebate and remove any clawback.</p>	<p><b>No comment - Provincial / Federal implementation matter.</b></p>
<p>37. Align property taxes for purpose-built rental with those of condos and low-rise homes.</p>	<p><b>Do not support.</b></p> <ul style="list-style-type: none"> <li>• Halton Region’s New Multi-Residential tax rate has been in place since 2002, and is the same as the Residential tax rate since 2017.</li> <li>• Reducing the ratio in Halton for older multi-residential properties would result in a substantial shift in the tax burden to other property classes, most significantly the residential class.</li> </ul>
<p>38. Amend the <i>Planning Act</i> and <i>Perpetuities Act</i> to extend the maximum period for land leases and restrictive covenants on land to 40 or more years.</p>	<p><b>Qualified support subject to more information.</b></p> <ul style="list-style-type: none"> <li>• Uncertain about the effect of this recommendation and more information is needed to fully understand implications and support.</li> <li>• It is not clear why this recommendation exceeds the 40 year threshold set out in other recommendations?</li> </ul>
<p>39. Eliminate or reduce tax disincentives to housing growth.</p>	<p><b>Do not support.</b></p> <ul style="list-style-type: none"> <li>• Unclear by what is meant by tax disincentives, or how this would be practically implemented.</li> </ul>
<p>40. Call on the Federal Government to implement an Urban, Rural and Northern Indigenous Housing Strategy.</p>	<p><b>Support in principle.</b></p> <ul style="list-style-type: none"> <li>• Need to ensure there is meaningful consultation with First Nations, Metis, and Inuit Peoples and Communities.</li> <li>• A Federal Housing Strategy seems like a good thing, however, this recommendation is vague and contains no details regarding what a strategy of this nature would include or how the objectives of the strategy would be accomplished. The information provided is insufficient to demonstrate that the implementation of a Federal Housing Strategy would support the creation of more affordable housing.</li> <li>• This recommendation also fails to mention or address the local housing and homelessness plans of municipal service managers in Ontario. What is the rationale for implementing a federal strategy in</li> </ul>

Recommendation	Staff Comments
	<p>addition to the local plans? Is this needed/would it likely lead to more affordable housing? Would there be any sort of relationship between the local plans and the federal strategy? Would local plans need to be amended to align with the federal strategy? More information should be provided before municipalities decide whether to support this recommendation outright.</p> <ul style="list-style-type: none"> <li>• A comprehensive housing strategy should include a suite of policies that create incentives for affordable housing units within the mix of new supply. These could include: An as-of-right framework developed in partnership with the municipal sector to unlock affordable infill development on existing apartment sites; Allowing municipalities to provide density bonusing in exchange for affordability requirements, including as part of inclusionary zoning by-laws; Requirement for municipalities to have a separate queue for processing affordable housing applications to expedite approval; Financial incentives such as provincial rebates for development charges and HST for affordable housing projects.</li> <li>• The approach should also drive specific design features within new affordable housing units, including: An appropriate mix of unit sizes that align with the nature of households, and in locations with access to local transit options; Net zero heating and cooling, environmentally friendly elements, and higher quality materials. Private-public partnerships could be pursued to achieve some of these objectives.</li> </ul>
<p>41. Funding for pilot projects that create innovative pathways to homeownership, for Black, Indigenous, and marginalized people and first-generation homeowners.</p>	<p><b>Support in principle.</b></p> <ul style="list-style-type: none"> <li>• Same comment as above, this recommendation is too vague to support outright.</li> </ul>
<p>42. Provide provincial and federal loan guarantees for purpose-built rental, affordable rental and affordable ownership projects.</p>	<p><b>Support in principle.</b></p> <ul style="list-style-type: none"> <li>• Review to be required for the conditions of loans, not for municipalities and not for-profit.</li> </ul>
<p><b>Support, Incentivize Scaling Up Housing Supply</b></p>	
<p>43. Enable municipalities, subject to adverse external economic events, to withdraw infrastructure allocations from any permitted projects where construction has not been initiated within three years of build permits being issued.</p>	<p><b>Support the general concept.</b></p> <ul style="list-style-type: none"> <li>• This could prevent land owners from not activating site plan and zoning approvals. This may also allow for better planning and managing of servicing capacity.</li> <li>• Un-actioned approvals generally do not occur after building permits issued, rather on zoning and site</li> </ul>

Recommendation	Staff Comments
	<p>plan approvals that are not actioned by the land owner.</p> <ul style="list-style-type: none"> <li>• Need clarification on the definition of "adverse external economic events", in case of disputes with developer on withdrawing allocations. Also need clarity regarding what happens to a development approval when an allocation is withdrawn.</li> <li>• The recommendation should be broadened to add all <i>Planning Act</i> approvals (Draft Plan of Subdivision, Condominium, Site Plan). Particular concern related to older files that predate current subdivision three year period.</li> </ul>
<p>44. Work with municipalities to develop and implement a municipal services corporation utility model for water and wastewater under which the municipal corporation would borrow and amortize costs among customers instead of using development charges.</p>	<p><b>Do not support.</b></p> <ul style="list-style-type: none"> <li>• Unclear how this could support growth related projects versus development charges (DCs), and what the planning and administrative implications would be.</li> <li>• Municipal DCs models are effectively able to ensure that growth pays for growth.</li> <li>• No aspect of this recommendation, if implemented, should be mandatory for any particular municipality.</li> <li>• Full cost user pricing to include new infrastructure for growth in lieu of development charges translates into municipalities providing all of the upfront financing and carrying the costs of the new infrastructure. By extension, this means ratepayers assume all of the risk of growth for little or no benefit</li> <li>• DCs are used to help ensure that capital costs for providing services related to new growth are paid by those that benefit from the infrastructure. The absence or reduction of DCs will not have measurable impacts on housing prices, while resulting in higher property taxes. Higher property taxes in turn would affect housing and business affordability which would be counter-intuitive to the goal of more affordable housing options.</li> <li>• There are so many variables that drive municipal water servicing costs up or down such as raw water quality, distance of supply to the consumer, number of connections to a system etc.</li> <li>• If water and wastewater DCs were not in place and instead these costs were calculated within user rates, then rate payers would see an additional 5-7% annual rate increase on top of current rate increases (3-3.5%) based on the growth related infrastructure planned for the next 10 years. Users could see an increase in rate annually exceeding 10%. The budget already assumes consumer growth for additional users, however if growth is slower, an even larger increase would be borne on existing</li> </ul>

Recommendation	Staff Comments
	<p>users. The Region is able to accommodate growth because of its unique use of Allocation programs that ensures infrastructure is ready and in place as growth proceeds. This means that revenue is needed well in advance of an actual user being part of the user base. If development charges are not used, then there would be a long delay to accommodate growth as reserve would need adequate time to build enough revenue to pay for the required infrastructure at the expense of the existing users.</p> <ul style="list-style-type: none"> <li>• The use of debt to mitigate these cost increases is also not a valid option. Issuing debt is a challenge as, in many cases, the cost would exceed both Halton and the Province's debt capacity limit. For example, the 2012 Allocation Program alone would have increased the Region's debt capacity limit above the Province's 25% threshold, well above the Region's guideline limit.</li> <li>• The Region utilizes its debt for strategic priorities and if debt was incurred for development related activity it would limit or nullify its use for strategic needs. Further, if there is a timing delay in development proceeding, debt charges may be left stranded and born on the Region.</li> <li>• The purpose of development charges is for growth to pay its share of new infrastructure related to new development. The DCs pay for the initial capital required to service new users and user rates are used to keep existing infrastructure in a state of good repair. If municipalities are forced to raise water rates to fund growth-related infrastructure, the rate increases that would be necessary for both state of good repair and development purposes would be unacceptable to taxpayers. This could compromise current asset conditions if a choice is needed to keep rates lower and would have long term implications to the water/wastewater system.</li> <li>• As existing homeowners become aware that new development will mean a significant increase in their water rates, their opposition to growth will also increase.</li> </ul>
<p>45. Improve funding for colleges, trade schools, and apprenticeships; encourage and incentivize municipalities, unions and employers to provide more on-the-job training.</p>	<p><b>Support in principle.</b></p> <ul style="list-style-type: none"> <li>• One impediment to the delivery of housing is the capacity of the industry to advance approvals in a timely fashion.</li> <li>• Support provided that this recommendation should apply to the Province as well – there are many opportunities in both the provincial and municipal sectors to provide on the job training and career</li> </ul>

Recommendation	Staff Comments
	<p>encouragement for a wide range of professions to support the creation of affordable housing.</p> <ul style="list-style-type: none"> <li>• This recommendation could also be amplified by provincial investments to increase the capacity of local employment service providers to assist clients interested in the skilled trades pathway as entry level employees or as career changers.</li> <li>• Further investments are needed in the employment and workforce planning system to improve local labour market information on supply and demand, and to improve online apprenticeship services and tools for employers and apprentices.</li> </ul>
<p>46. Undertake multi-stakeholder education program to promote skilled trades.</p>	<p><b>Support</b></p> <ul style="list-style-type: none"> <li>• Opportunities should be advanced at the high school level to provide opportunities for students to better understand job opportunities in the skilled trades.</li> <li>• It may be important to increase the awareness of the skilled trades pathway with educators and parents starting in the late elementary school level (i.e. grades 7, 8) so that students can better plan for high school and identify potential post-secondary pathways that could involve the skilled trades.</li> </ul>
<p>47. Recommend that the federal and provincial government prioritize skilled trades and adjust the immigration points system to strongly favour needed trades and expedite immigration status for these workers, and encourage the federal government to increase from 9,000 to 20,000 the number of immigrants admitted through Ontario's program.</p>	<p><b>Support in Principle.</b></p> <ul style="list-style-type: none"> <li>• It is important that Canada's immigration system supports industries with critical labour force needs, which includes addressing the skilled trade shortages in the residential construction sector.</li> </ul>
<p>48. The Ontario government should establish a large "Ontario Housing Delivery Fund" and encourage the federal government to match funding. This fund should reward:</p> <ol style="list-style-type: none"> <li>a) Annual housing growth that meets or exceeds provincial targets</li> <li>b) Reductions in total approval times for new housing</li> <li>c) The speedy removal of exclusionary zoning practices.</li> </ol>	<p><b>Do not Support.</b></p> <ul style="list-style-type: none"> <li>• The proposed priorities and associated metrics (e.g. "speedy removal of exclusionary zoning") are very open-ended.</li> <li>• Would the 'reward' be equal to or offset a reduction in development charges for infrastructure? If adequate, the funding may help off-set some pressures on adding capacity for housing.</li> <li>• In looking at the scale of this fund, consider off-setting administrative costs to implement transformative recommendations proposed throughout the report and any other fiscal impacts.</li> <li>• There are many variables such as planning, environmental, political, and developer interest that can impact supply which are outside of a municipality's control.</li> </ul>

Recommendation	Staff Comments
<p>49. Reductions in funding to municipalities that fail to meet provincial housing growth and approval timeline targets.</p>	<p><b>Do not support.</b></p> <ul style="list-style-type: none"> <li>• Municipalities do not control whether housing units are built or not.</li> <li>• It is not clear what funding would be reduced.</li> <li>• Reduction in funding to municipalities that fail to meet provincial housing growth and approval targets should not be implemented if the municipalities have reasonable explanations as to why such delays exist. There are many variables that can contribute to delay in meeting such targets including planning, environmental, political, administrative and emergency reasons.</li> <li>• Some aspects of meeting targets and reducing approval times are outside of municipal control (market, developer delays etc.). Concern over tying funding to these targets. What funding is being reduced?</li> </ul>
<p>50. Fund the adoption of consistent municipal e-permitting systems and encourage the federal government to match funding. Fund the development of common data architecture standards across municipalities and provincial agencies and require municipalities to provide their zoning bylaws with open data standards. Set an implementation goal of 2025 and make funding conditional on established targets.</p>	<p><b>Partial support.</b></p> <ul style="list-style-type: none"> <li>• Transformational shifts to information technology and data management may not be feasible by 2025 and may require substantial administrative effort.</li> <li>• More information is needed as this recommendation does not directly address building approvals, however, any implementation or adoption of the recommendation should be monitored for potential impact.</li> <li>• The Province should lead a data standardization initiative in partnership with relevant stakeholders. Approaches could include supporting existing initiatives or conducting a joint procurement with the Association of Municipalities of Ontario (AMO). Key principles should include avoiding vendor lock-in and open standards.</li> </ul>
<p>51. Require municipalities and the provincial government to use the Ministry of Finance population projections as the basis for housing need analysis and related land use requirements.</p>	<p><b>Do not support.</b></p> <ul style="list-style-type: none"> <li>• The Ministry of Finance population projections are revised more frequently than the Growth Plan which may pose challenges for municipalities that are subject to frequently changing targets. As an alternative, municipalities could be required to plan for the high estimates associated with the Growth Plan.</li> <li>• If projections are unsound then infrastructure cannot be appropriately planned. How would the Ministry project 'unlimited' density?</li> <li>• How would this work for Masterplans and development charges that rely on Official Plan</li> </ul>

Recommendation	Staff Comments
	projections? This would make planning for growth difficult.
52. Resume reporting on housing data and require consistent municipal reporting, enforcing compliance as a requirement for accessing programs under the Ontario Housing Delivery Fund.	<b>No comment.</b>
53. Report each year at the municipal and provincial level on any gap between demand and supply by housing type and location, and make underlying data freely available to the public.	<b>Do not support.</b> <ul style="list-style-type: none"> <li>• Could be supported on 3-5 year reporting basis provided the Province provides clarity on standardized data reporting metrics and also provides funding for a standardized municipal data collection and monitoring system.</li> </ul>
54. Empower the Deputy Minister of Municipal Affairs and Housing to lead an all-of-government committee, including key provincial ministries and agencies, that meets weekly to ensure our remaining recommendations and any other productive ideas are implemented.	<b>Support in principle.</b> <ul style="list-style-type: none"> <li>• Meetings could be held on a monthly or as needed basis and should include municipal representatives.</li> </ul>
55. Commit to evaluate these recommendations for the next three years with public reporting on progress.	<b>Support in principle the concept of review of the recommendations that are implemented.</b> <ul style="list-style-type: none"> <li>• Ensure the review involves municipal consultation</li> </ul>

Proposed Bill 109, *More Homes for Everyone Act, 202***SCHEDULE 2****DEVELOPMENT CHARGES ACT, 2017**

The Schedule amends the *Development Charges Act, 1997* with respect to the publication of the statement of the treasurer under section 43 of the Act.

Proposed Change	Explanation of Change	Comments
<p>1. Subsection 43 (2.1) of the <i>Development Charges Act, 1997</i> is repealed and the following substituted:</p> <p>(2.1) The council shall ensure that the statement is made available to the public,</p> <p>(a) by posting the statement on the website of the municipality or, if there is no such website, in the municipal office; and</p> <p>(b) in such other manner and in accordance with such other requirements as may be prescribed.</p>	<ul style="list-style-type: none"> <li>• The proposal, would ensure that statements are available on a municipal website and allow the Province to prescribe other requirements.</li> <li>• As part of the April 6 posting (22-MMAH008) the Ministry request comments on proposed amendments to the annual Treasurer statement. The proposal would require a municipal treasurer, in their annual statement, to set out whether the municipality still anticipates incurring the capital costs projected in the municipality's 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.</li> <li>• The proposed amendment would enhance existing reporting requirements for municipalities that levy DCs.</li> <li>• This background study is used to inform their DC by-law and the charges levied on development.</li> <li>• Annually, the municipality would be required to account for any variance based on</li> </ul>	<p><b>Difficult to Support Without Detailed Guidelines</b></p> <ul style="list-style-type: none"> <li>• Halton is already posting the Treasurer's statement on-line. Therefore there is no impact as a result of 2.1(a).</li> <li>• There is limited detail, and municipal perspective, at this time to understand clearly what will or could be prescribed under 2.1(b). Please refer to Halton's submission in Attachment #4 to this report.</li> </ul>

	whether they are spending on the capital costs for a service that they had projected over their DC by-law period.	
<b>SCHEDULE 3</b>		
<b>NEW HOME CONSTRUCTION LICENSING ACT, 2017</b>		
The Schedule amends the <i>New Home Construction Licensing Act, 2017</i>		
<b>Proposed Change</b>	<b>Explanation of Change</b>	<b>Comments</b>
1. Section 38 is amended to provide that the registrar may consider whether the activities of an applicant are, or will be if issued a license, in contravention of the Act, the regulations or prescribed legislation.	<ul style="list-style-type: none"> <li>The proposed amendments aim to help address the issue of inappropriate or unethical behaviour by vendors and to enhance the Home Construction Regulatory Authority's (HCRA) enforcement powers, among other.</li> </ul>	<p><b>Support</b></p> <ul style="list-style-type: none"> <li>The proposed legislative amendments are not expected to create a burden on the new home construction sector as builders and vendors should be adhering to the requirements and rules currently set out under the <i>Licensing Act</i> and its regulations.</li> </ul>
2. Section 56 is amended to preserve the registrar's powers to receive complaints, request information from licensees about complaints and mediate or resolve complaints. Section 56.1 is added to give certain powers to the registrar if the registrar believes a licensee has contravened the Act, the regulations or prescribed legislation.	<p>The proposed amendments include:</p> <ul style="list-style-type: none"> <li>Enhancing consumer protection by giving additional tools to the HCRA, such as ensuring the registrar does not require a complaint to be received to take certain actions within subsection 56(4) of the Licensing Act;</li> </ul>	<ul style="list-style-type: none"> <li>The proposed amendments are intended to deter future conduct issues and to give the HCRA the tools to better protect consumers.</li> </ul>
3. Section 57 is amended to increase the maximum fine to \$50,000 if a licensee is an individual and \$100,000 if a licensee is not an individual. Also, the discipline committee may impose a fine above the maximum amount if the licensee received a monetary benefit from failing to comply with the code of ethics. Last, the committee must consider any prior determination of the committee that a licensee failed to comply with the code of ethics and, subject to the	<ul style="list-style-type: none"> <li>Increasing the maximum amount of a fine that the Discipline Committee may impose if a licensee contravenes the Code of Ethics, from \$25,000 to \$50,000 for individual licensees, and \$100,000 for non-individual licensees.</li> <li>Establishing the authority for the Discipline Committee to impose an additional fine in an amount equal to the monetary benefit acquired by a licensee as a result of a breach of the Code of Ethics.</li> </ul>	<ul style="list-style-type: none"> <li>There are no costs or cost savings to small businesses associated with the Ministry's proposed amendments</li> <li>These changes will strengthen consumer protections for purchasers of new homes by doubling fines and extending building license suspensions to address unethical conduct by developers, while ensuring penalties for cancelled projects are aligned with the impact on homebuyers</li> </ul>

<p>maximum fine amount, may impose a more severe fine on the licensee.</p>	<ul style="list-style-type: none"> <li>• Clarifying the authority for the Discipline Committee to consider repeat contraventions as part of its determination when imposing fines for any type of Code of Ethics violations.</li> <li>• Increasing the maximum administrative penalty amount from \$10,000 to \$25,000.</li> <li>• Establishing the authority for an assessor to impose an additional administrative penalty in an amount equal to the monetary benefit acquired by a person as a result of a contravention.</li> <li>• Creating the authority for a court to impose an additional fine for a conviction in an amount equal to the monetary benefit acquired by a person as a result of an offence.</li> <li>• Clarifying that the registrar can review whether an applicant's past or ongoing conduct either is or will be in contravention of the Licensing Act and prescribed legislation.</li> </ul> <p>Clarifying under the Licensing Act that an assessor may impose an administrative penalty if the person has contravened, or is contravening, a prescribed provision of the Ontario New Home Warranties Plan Act or the regulations or the by-laws made under it.</p>	
<p>4. Section 71 is amended to provide that in addition to any other penalty imposed by the court and despite the maximum fine, the court that convicts a person or entity of an offence may increase a fine imposed on the person or entity if the person or entity received a monetary benefit as a result of the commission of the offence.</p>		
<p>5. Section 76 is amended to provide that an assessor may impose an administrative penalty if a person has contravened or is contravening a prescribed provision of the <i>Ontario New Home Warranties Plan Act</i> or the regulations or the by-laws of the warranty authority made under it. This section is also amended to increase the maximum administrative penalty to \$25,000 and to provide that an assessor may impose a penalty against a person above the maximum amount if the person received a monetary benefit as a result of a contravention.</p>		
<p>6. Section 84 is amended to grant the Minister the power to make regulations governing fines that the discipline committee or the appeals committee may impose.</p>		

## SCHEDULE 4

### ONTARIO NEW HOME WARRANTIES PLAN ACT

The Schedule amends the *Ontario New Home Warranties Plan Act*.

Proposed Changes	Explanation of Change	Comments
<p>1. Clause 22.1 (1) (j) is amended to provide that the Lieutenant Governor in Council may make regulations extending the time of expiration of a warranty provided for under subsection 13 (1), including establishing any conditions for such an extension, in respect of an item that is missing or remains unfinished or work performed or materials supplied after the date specified in the certificate under subsection 13 (3)</p>	<ul style="list-style-type: none"><li>• If approved, the changes would provide Tarion regulatory authority to extend the duration of statutory warranties for items in a new home that are not completed when the warranties for the home begin (i.e. when a home is completed for the homeowner's possession).</li><li>• Tarion's authority would be subject to the Minister's approval and the Lieutenant Governor in Council (LGIC) would retain its existing authority to make these regulations.</li></ul>	<p><b>Support</b></p> <ul style="list-style-type: none"><li>• These changes will enable Tarion to extend warranties on unfinished items in a new home.</li></ul>
<p>2. Section 23 is amended in two ways with respect to the by-law making power of the Corporation designated under the Act. First, clause 23 (1) (j) is amended to provide that the Corporation may specify warranties under clause 13 (1) (c) and the time of expiration of those warranties. Second, clause 23 (1) (j.1) is added to provide for a similar amendment as in clause 22.1 (1) (j), but the Corporation's power is subject to a regulation made under clause 22.1 (1) (j) and the approval of the Minister.</p>	<ul style="list-style-type: none"><li>• Make other minor housekeeping amendments to correct cross references in the Warranties Act.</li></ul>	
<p>Technical amendments to update cross-references in the Act are also made.</p>		

## SCHEDULE 5

### PLANNING ACT

The Schedule makes various amendments to the *Planning Act*.

#### Proposed Change

#### Explanation of Change

#### Comments

### Municipal Comprehensive Review/Official Plan Amendment Approvals

1. New subsections 17 (40.1) to (40.1.3) provide rules respecting when the Minister as an approval authority can provide notice to suspend the 120 day period of time after which there may be appeals of the failure to make a decision in respect of a plan.

- Provide the Minister of Municipal Affairs and Housing with new discretionary authorities when making decisions to: "stop the 120-day decision making clock" on official plans and amendments that are before the Minister for approval if more time is needed.

#### Do Not Support

- These proposed changes will not speed up the process to advance housing supply, which is contrary to the premise of Bill 109, but will lead to significant delays in the approval of comprehensive growth management official plans that have taken years to develop and that are based on rigorous background study, policy analysis and extensive public and stakeholder consultation.
- It also creates uncertainty amongst all parties and takes local decisions out of the hands of communities and places them in the hands of an unaccountable tribunal.

2. New subsections 17 (55) to (64) provide a process for the Minister as an approval authority to refer plans to the Ontario Land Tribunal for a recommendation or a decision.

- Allows the Minister to refer all or parts of an official plan matter to the Ontario Land Tribunal for a recommendation or decision.

3. Subsection 21 (3) of the Act is repealed and the following substituted:

#### Exception

(3) Subsection 17 (36.5) applies to an amendment only if it is,

(a) an amendment that has been the subject of a referral to the Tribunal for a recommendation pursuant to subsection 17 (55); or

(b) a revision that is adopted in accordance with section 26.

- Amendment to section 21(3)(a) sets out that there is no right of appeal of a Minister's decision on an OPA where the Minister referred the matter to the OLT for a recommendation pursuant to the proposed section 17(55).

- If the Province chooses to use the options in this provision, a delay in a decision on ROPA 49 could occur. The delay would be significant if the ROPA is referred to the Tribunal for a hearing.
- There would be significant additional costs for municipalities for Staff to participate in hearings (Legal, Staff and Consultants).
- Other planning initiatives that that implement Growth Plans (master plans and Development Charges By-law updates) would also be delayed.

## Fee Refunds for Planning Applications

4. New subsection 34 (10.12) provides rules respecting when municipalities are required to refund fees in respect of applications under that section.

- As of January 1st, 2023, timeline-based zoning bylaw amendment application refunds would be applied if a municipality does not make a decision within the required provincially-legislated timelines.
- These timelines are based on that date which a municipality receives a complete application and relevant fees:
  - 50% fee refund if a decision is not reached within: 60 days (site plan), 90 days (Zoning), 120 days (Zoning and OPA);
  - 75% fee refund if a decision is not reached within: 90 days (site plan), 150 days (Zoning), 180 days (Zoning and OPA); and,
  - 100% fee refund if a decision is not reached within: 120 days (site plan), 210 days (Zoning), 240 days (Zoning and OPA).

### Do Not Support

- The implementation of this measure will have financial impacts for Halton Region as well Local Municipalities. To avoid any loss in revenue, municipalities may need to hire additional staff to review technical studies to ensure they meet standards before an application is deemed complete as technical issues are often not dealt with correctly on the first submission of these reports.
- To ensure that municipalities have all required information needed to make a timely decision, the complete application list in Official Plans may need to be amended to include planning processes that are not in the list as (community meetings, internal development review meetings) as requirements of a complete application.
- It will force municipalities to adopt procedures and approaches that do not serve to solve problems and advance proposals but rather devise processes that serve to protect revenues and ensure cost-recovery is maintained.
- Could result in reduced time for public engagement.
- Could limit opportunity to negotiate with applicants.
- It will require more up front work on the part of applicants in coordination with external

		<p>agencies for permits and approvals (i.e. Conservation Authority).</p> <ul style="list-style-type: none"> <li>• Possible increase in the number of appeals to the Ontario Land Tribunal as a result of more applications being recommended for denial.</li> <li>• Potential loss of application fees (combined with site plans application fees) which would need to be absorbed by the Levy.</li> </ul>
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**New Minister’s Zoning Order – Community Infrastructure and Housing Accelerator**

<p>5. An additional type of Minister’s order is added to the Act in section 34.1. These orders are made by the Minister at the request of a municipality. This section sets out the process and rules respecting such orders.</p>	<ul style="list-style-type: none"> <li>• The Minister’s existing zoning order powers remain unchanged. This new process formalizes requirements for the Minister to exercise this power, but the Minister still has the discretion to make zoning orders without a request from a municipality.</li> <li>• Creation of a new tool (Community Infrastructure and Housing Accelerator – Proposed Guideline) specifically designed to accelerate planning processes for municipalities.</li> <li>• The Community Infrastructure and Housing Accelerator would help municipalities expedite approvals for housing and community infrastructure, like hospitals and community centres, with clear requirements for both consultation and public notice.</li> <li>• The tool could not be used in the Greenbelt, maintaining</li> </ul>	<p><b>Do not Support</b></p> <ul style="list-style-type: none"> <li>• The CIHA tool resembles Minister’s Zoning Orders (MZOs), but with added public consultation requirements to ensure that residents have an opportunity to provide feedback.</li> <li>• Generally support tools that can assist with expediting approvals in unique situations for priority developments, however, the proposed guidelines are very vague and do not offer a detailed framework as to how and when this tool will be used.</li> <li>• The draft guidelines identify that that the CHIA can apply to any lands within a municipality’s geographic boundaries (with the exception of lands within the Greenbelt Area) and allows the Minister to provide an exemption from the Provincial Policy Statement, municipal official plans and other provincial plans (such as those that ensure the protection of natural heritage, water and</li> </ul>
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	<p>the government's commitment to protecting this valued area.</p> <ul style="list-style-type: none"> <li>• Council would be required to pass a council motion and host a public meeting to discuss the use of a CIHA for a project.</li> <li>• Council would then submit a request for Minister of Municipal Affairs, who could impose conditions on the CIHA.</li> <li>• The Minister is required to have guidelines in effect for the CIHA tool to be available.</li> <li>• The tool would allow the Minister to provide an exemption from the Provincial Policy Statement, municipal official plans and other provincial policy land plans that may be required.</li> </ul>	<p>agricultural resources) that may be required. Unlike regulations, guidelines are not law.</p> <ul style="list-style-type: none"> <li>• There are concerns regarding potential misuse of this tool to facilitate ad hoc employment conversions, the provision of servicing outside urban boundaries, and development in areas that may undermine comprehensive growth management processes that have identified where and how growth should occur in municipalities.</li> <li>• If this tool is to be implemented, it should only apply to lands designated for urban uses as identified in official plans, and be aligned with the provision and timing of municipal infrastructure and should not have disregard for provincial policies and plans.</li> </ul>
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**Community Benefits Charge Reporting**

<p>6. New subsections 37 (54) to (59) require regular reviews of community benefits charge by-laws and provide rules respecting such reviews.</p>	<ul style="list-style-type: none"> <li>• Require municipalities with a community benefits charge (CBC) by-law to undertake and complete a review, including consulting publicly, on their by-law at least once every five years.</li> <li>• The proposed changes to Growth-Related Funding Tools such as the Community Benefit Charge is intended to create more transparency and certainty relating to fees or levies charged to developers, by Requiring municipalities to post annual financial reports for growth-</li> </ul>	<p><b>No Comment</b></p> <ul style="list-style-type: none"> <li>• Defer to the Local Municipalities to provide specific comments on this change.</li> </ul>
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	<p>related charges on their website.</p> <ul style="list-style-type: none"> <li>Proposed changes are related to administrative components after a CBC By-law is passed.</li> </ul>	
<b>Site Plan Control</b>		
<p>7. A number of amendments are made to section 41. A number of subsections are added that set out the rules respecting consultations with municipalities before plans and drawings are submitted for approval and respecting completeness of applications made under this section.</p> <p>New subsection (4.0.1) provides for the appointment of an authorized person for the purposes of subsection (4).</p> <p>New subsection (11.1) provides for rules respecting when municipalities are required to refund fees.</p>	<ul style="list-style-type: none"> <li>Amendments would require the mandatory delegation of decisions relating to site plan control from municipal councils to planning staff for applications received on or after July 1st, 2022.</li> <li>An extension of the review period for site plan control applications from 30 to 60 days.</li> <li>Establishing complete application requirements for site plan applications, with options for recourse within 30 days if an application has not been deemed “complete” by municipalities.</li> <li>After municipalities have implemented the above site plan control changes, timeline-related changes would take effect to further ensure that strict approval timelines be adhered to for all site plan applications received on or after January 1st, 2023.</li> <li>Municipalities would be required to gradually refund site control application fees if a decision has not been made on an application within the required timelines, as outlined above under ‘Fee Refunds’.</li> </ul>	<p><b>Support Delegation of Site Plan Control</b></p> <ul style="list-style-type: none"> <li>Some municipalities already employ delegated authority for Site Plan Control applications.</li> </ul> <p><b>Support the Extension of the Review Period of Site Plan Control Applications</b></p> <p><b>Do not Support Fee Refunds</b></p> <ul style="list-style-type: none"> <li>Requires a review and update to Official Plans and other terms of reference documents regarding development approvals before January 2023 to define a complete application and areas of application specifically for buildings less than 25 units.</li> <li>Could result in impacts on staffing across departments to review applications to ensure complete applications through pre consultations on transportation, engineering, waste management, storm water, etc.</li> <li>Clarity needed as to the approval timeframe for outside agencies such as Conservation Authorities and the Ministry of Environment, Conservation and Parks that clear site plan conditions and that can take several months to process and are not within municipal staff’s control.</li> </ul>

	<ul style="list-style-type: none"> <li>• 50% of the fee refunded if the plans and drawings are not approved within 60 days from the date the municipality received the complete application and fee;</li> <li>• 75% of the fee if the plans and drawings are not approved within 90 days from the date the municipality received the complete application and fee; and,</li> <li>• 100% of the fee if the plans and drawings are not approved within 120 days from the date the municipality received the complete application and fee.</li> </ul>	
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**Alternative Parkland Dedication Rate for Transit Oriented Communities**

<p>8. Amendments are made to sections 42 and 51.1 with respect to parkland requirements on land designated as transit-oriented community land under the <i>Transit-Oriented Communities Act, 2020</i>.</p>	<ul style="list-style-type: none"> <li>• Implement a tiered alternative parkland dedication rate for Transit-Oriented Communities (TOCs) to provide increased certainty of parkland requirements: <ul style="list-style-type: none"> <li>- For sites less than or equal to five hectares, parkland would be dedicated up to 10% of the land or its value.</li> <li>- For sites greater than five hectares, parkland would be dedicated up to 15% of the land or its value.</li> </ul> </li> <li>• Encumbered parkland could be identified through an order by the Minister of Infrastructure and would be deemed to count towards any municipal parkland dedication requirements. This would help ensure that TOC developments can provide new homes and parkland for use by the community.</li> </ul>	<p><b>No Comment</b></p> <ul style="list-style-type: none"> <li>• Defer to the Local Municipalities to provide specific comments on this change.</li> </ul>
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**Plans of Subdivision and Retroactive Approvals**

9. New rules are added to section 51 with respect to extensions of approvals by approval authorities.

- A one-time discretionary authority which allows municipalities to reinstate draft plans of subdivision which have lapsed within five years without a new application. This only applies where units have not been pre-sold.
- Administrative changes will allow lapsed plans of subdivisions to be revived, one time only, where there are purchase and sale agreements, and the application lapsed within the last 5 years.
- The establishment of a regulation-making authority to determine what can and cannot be required as a condition of a draft plan of subdivision approval, with the goal of preventing scope creep.

**Support in Principle the authority for municipalities to reinstate draft plans of subdivisions that have lapsed.**

- Until the regulation is released, difficult to determine the impacts.

**Do not Support Standardized Subdivision Conditions**

- It is not clear why there is a need for greater provincial intervention into local municipal affairs for subdivision approvals and how this new regulation will rapidly increase housing supply.
- Municipalities have varying requirements that need to be addressed prior to development occurring. Standardizing conditions to a ‘one-size fits all’ approach will have the effect of creating greater confusion and difficulty. It will not allow for new and innovative approaches for municipalities to pre-solve legitimate issues related to development.
- The feasibility of implementing standard province-wide legal agreements and plans of subdivision would take significant effort and would be extremely difficult. Every area of Ontario has unique geography, building conditions, water and sewer supply, funding arrangements, etc. Municipalities have varying degrees of complexity.
- This recommendation encroaches on municipal autonomy and decision making

		<p>for matters within their jurisdiction.</p> <ul style="list-style-type: none"> <li>• The Region does not support a “one size fits all” overreach on part of the Province to set standards for subdivision conditions.</li> <li>• Municipalities should retain authority to set conditions that are reasonable and in keeping with the development proposed in the subdivision.</li> </ul>
<b>Surety Bonds</b>		
<p>10. New section 70.3.1 provides the Minister with authority to make certain regulations respecting surety bonds and other instruments in connection with approvals with respect to land use planning.</p>	<ul style="list-style-type: none"> <li>• Authorize owners of land and applicants to stipulate the type of surety bonds and other prescribed instruments used to secure agreement obligations in connection with local approval of land use planning matters (in place of letters of credit).</li> </ul>	<p><b>Do Not Support</b></p> <ul style="list-style-type: none"> <li>• Clarity required from Province – what type or agreements would be required to accept surety bond as well as letter of credit?</li> <li>• Through experience it has been demonstrated that surety bonds create an increased level of risk for municipalities and they can be very difficult to draw on. Letters of credit are proven effective and are a reasonable and straightforward mechanism to secure the undertaking of infrastructure works.</li> </ul>
<b>Community Benefits Charges and Parkland</b>		
<p>11. Amendments to O.Reg 509/20 (Community Benefits Charges and Parkland) that will enhance reporting requirements for the two levies.</p>	<ul style="list-style-type: none"> <li>• This relates to the reporting requirements for municipalities that have a CBC by-law or parkland dedication provision.</li> <li>• Specify how reporting on community benefits charges (CBCs) and parkland dedication levies are to be made public such as on a municipal website.</li> </ul>	<p><b>Support enhanced reporting requirements</b></p> <ul style="list-style-type: none"> <li>• Currently, under the <i>Planning Act</i>, parks plans are only required before municipal official plan policies for alternative parkland dedication rates are adopted. If a municipality does not have a parks plan, this requirement would not apply to them.</li> <li>• Proposed changes to Growth-Related Funding Tools such as</li> </ul>

	<ul style="list-style-type: none"> <li>• Require municipalities to report on how the municipal need for parks, set out within their parks plans, is being addressed through parkland dedication levies.</li> <li>• The proposed amendment would apply to all Ontario municipalities that have a CBC by-law and/or that use parkland dedication provisions under the <i>Planning Act</i>. It would enhance existing reporting requirements for these two levies. Although municipalities must currently make this reporting available to the public, the medium to do so is not specified,</li> <li>• The proposal would ensure that reporting would be made available to the public on a municipal website, which many municipalities already do. This change would increase transparency and help ensure that this information is easily accessible to the public.</li> <li>• Municipalities would be required to report on how funds collected through parkland dedication levies are being spent to align with their parks plans. This would increase transparency for the parkland requirements imposed on new development.</li> </ul>	<p>parkland dedication requirements generally intends to increase transparency by requiring annual financial reports for parkland dedication be available to the public.</p> <ul style="list-style-type: none"> <li>• As these changes would clarify and enhance existing reporting requirements, the financial impact on the municipal sector is expected to be minimal.</li> </ul>
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# Community Infrastructure and Housing Accelerator – Proposed Guideline

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## Proposal Overview:

Bill 109, the More Homes for Everyone Act, 2022 was introduced in the Legislature on March 30, 2022. If passed, section 5 of Schedule 5 to the Bill would amend the Planning Act to establish a new “community infrastructure and housing accelerator” tool. The Minister of Municipal Affairs and Housing would have the power to make orders to respond to municipal council resolutions requesting expedited zoning outside of the Greenbelt Area.

Subsection 34.1 (25) of the Planning Act would require the Minister to establish guidelines governing how community infrastructure and housing accelerator orders may be made. The guidelines may, among other matters, restrict orders to certain geographic areas or types of development. The guidelines would have to be in place before a community infrastructure and housing accelerator order could be issued and would need to be published on a website of the Government of Ontario.

The draft guidelines outlined below have been prepared for consultation purposes. This consultation draft of proposed guidelines is intended to facilitate dialogue and stimulate feedback. The comments received during consultation will be considered during the final preparation of the guidelines.

*Caution: The content, structure, form and wording of the consultation draft are subject to change.*

## Draft Guidelines: Minister’s Orders at Request of Municipalities (Community Infrastructure and Housing Accelerator Tool)

### Where the tool may be used

Subsection 34.1 (11) of the Planning Act provides that a community infrastructure and housing accelerator order cannot be made in the Greenbelt Area (as defined in [Ontario Regulation 59/05 “Designation of Greenbelt Area”](#)) which includes specified lands within:

- the Oak Ridges Moraine Area
- the Niagara Escarpment Plan Area
- the Protected Countryside plan areas

- the Glenorchy Addition plan area
- the 2017 Urban River Valley Area Additions plan area
- Any additional Urban River Valley Areas that may be added through the current [Growing the Greenbelt phase II consultation](#)

Local municipalities (lower and single tier only) may request a community infrastructure and housing accelerator order relating to lands within their geographic boundaries.

### **Community infrastructure and housing accelerator orders**

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.

In issuing an order, the Minister is able to:

- provide an exemption for other necessary planning-related approvals from provincial plans, the Provincial Policy Statement and municipal official plans, but only if this is specifically requested by the municipality, and
- impose conditions on the municipality and/or the proponent.

### **Types of development**

The Minister may make a community infrastructure and housing accelerator order to expedite the following types of priority developments:

- community infrastructure that is subject to Planning Act approval including: lands, buildings, and structures 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.

For greater clarity, a community infrastructure and housing accelerator order will address zoning matters and will not address environmental assessment matters related to infrastructure.

## **Subsequent approvals**

When making a community infrastructure and housing accelerator order, subsection 34.1 (15) of the Planning Act would allow the Minister, upon request of a local municipality, to provide that specific subsequent approvals are not subject to provincial plans, the Provincial Policy Statement and municipal official plans. Subsequent approvals are licences, permits, approvals, permissions or other matters that are required before a use permitted by a community infrastructure and housing accelerator 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

## **Conditions**

The Minister may impose conditions on the approval of a community infrastructure and housing accelerator order. Conditions could be imposed to ensure that certain studies, assessments, consultations and other necessary due diligence associated with any proposed development that would be subject to the community infrastructure and housing accelerator order would be adequately addressed before construction or site alteration can begin. The lifting of a Minister's condition is at the sole discretion of the Minister.

## **Existing Aboriginal or treaty rights**

This guideline shall be implemented in a manner that is consistent with the recognition and affirmation of existing Aboriginal and treaty rights in section 35 of the Constitution Act, 1982.

April 06, 2022

Finance  
Capital Development Financing  
1151 Bronte Road  
Oakville ON L6M 3L1

Dear Ruchi Parkash:

**Re:** 22-MMAH008 re: Proposed amendments to O. Reg. 82/98 under the Development Charges Act, 1997

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Thank you for the opportunity to comment on proposal number 22-MMAH008 re: Proposed amendments to O. Reg. 82/98 under the Development Charges Act, 1997 in support of the proposed More Homes for Everyone Act, 2022.

This amendment is asking to review annually the proposed growth-related expenditures contained within the DC Background study and provide commentary on any perceived variance in the proposed capital plan and to indicate that the capital project will still be undertaken.

It is unfortunate that the development industry continues to express concerns regarding development charges and its reserve funds. DCs are very prescriptive in nature and can only be used for capital infrastructure needs. Municipalities are not able to charge more than the cost of the infrastructure required to support growth. If a municipality has large reserves, which is not the case for Halton Region, it is because the DCs collected accumulate until the infrastructure project proceed based on financial planning (e.g., if a municipality needs to construct a facility that costs over \$100 million it may require DC collection over several years to finance the construction). Every five years, municipalities reaffirm their project list and commitment to include projects in their capital plan for funding and any reserve balances are included in the calculations. Masterplans/technical updates are undertaken to ensure project needs have not changed and to include new planning horizons which provides enhanced reporting with consultations and legislation around DC Updates.

The present legislation requires the annual statements to report on each project which is in progress of being constructed. The statement must include those expenditures being funded by DC revenues along with identification of the non-DC revenues also used in funding the projects. Together these amounts present the total funding for each project. In the case of Halton this is presently being undertaken, however there may be a requirement to establish a closer link between the original budget estimate included in the DC Background study and the actual tendered (and in progress cost) estimate.

Unfortunately, there is limited detail, and municipal perspective, at this time to understand clearly what is meant by “would be required to account for any variance based on whether they [the municipality] are spending on the capital costs for a service that they had projected over their DC by-law period”. If commentary is required for each individual project contained in a DC Background study, this would be a significant undertaking for Halton Region given there are over 600 projects in the development stream both active and contained in the DC Background Study. These projects are identified through masterplans or detailed analysis and are based on the most available costs as of the time the DC Background study is prepared. As noted above, this information must be updated every five years and hence, there is enhanced reporting undertaken, but not annually. Therefore, the proposed regulatory amendment requirements for the municipality to publish additional information would place further pressures on the municipality to produce such information on each individual project variance on a yearly basis. As well, the project costs are indexed annually based on the StatsCan Construction Price index (which monitors tender price changes) and hence, potentially adjust each project as this index is updated.

As noted earlier, there is limited information available to clearly understand the province’s intention in this area. If the intention is to ensure transparency in providing the annual report to the public, then this is already provided for in the

### The Regional Municipality of Halton

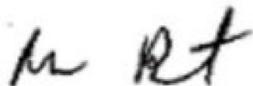
HEAD OFFICE 1151 Bronte Road, Oakville, Ontario L6M 3L1 • Tel: 905-825-6000 • Toll free: 1-866-442-5866 • TTY: 905-827-9833 • www.halton.ca

current legislation and hence does not impose an additional burden on the Region. However, if the purpose of the legislative change is to require enhanced annual reporting on current and future capital projects, this could be a significant burden on administrative staff with minor benefits derived with no effect on the supply or affordability of housing.

Although not part of the impact for this change, the summary of the proposal indicates that “the province is committed to implementing the Task Force's recommendations with a housing supply action plan every year over four years” which implies that all recommendations from the task force will be implemented. Halton would like to note the challenge in continuous change and implementation over four years which would result in planning delays and would be in direct conflict of this Bills intent. Further, Halton does not agree with many of the recommendations in the Housing Task Force paper and there has not been a fulsome discussion of impacts that each recommendation could have and how it addresses the housing crisis.

Yours truly,

Matthew Buist  
Director, Capital and Development Financing

Handwritten signature of Matthew Buist in black ink.



**VIA EMAIL**

April 29, 2022

Legislative & Planning Services  
Department  
Office of the Regional Clerk  
1151 Bronte Road  
Oakville ON L6M 3L1

Kellie McCormack, Conservation Halton  
Nancy Davy, Grand River Conservation Authority  
Katie O'Connell, Ministry of Northern Development, Mines, Natural Resources and Forestry  
Debbie Ramsay, Niagara Escarpment Commission  
Meaghen Reid, Town Clerk, Town of Milton  
Valerie Petryniak, Town Clerk, Town of Halton Hills

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Please be advised that at its meeting held Wednesday, April 20, 2022, the Council of the Regional Municipality of Halton adopted the following resolution:

**RESOLUTION: LPS36-22 - Update on the Proposed Milton Quarry East Expansion (Dufferin Aggregates) in the Town of Halton Hills, Receipt of Complete Application, File No. RQ66A**

THAT the Regional Clerk forward a copy of Report No. LPS36-22 re: "Update on the Proposed Milton Quarry East Expansion (Dufferin Aggregates) in the Town of Halton Hills, Receipt of Complete Application, File No. RQ66A" to the Town of Halton Hills, the Town of Milton, Conservation Halton, the Niagara Escarpment Commission, and the Ministry of Northern Development, Mines, Natural Resources and Forestry for their information.

Included please find a copy of Report No. LPS36-22 for your information.

If you have any questions please contact me at the e-mail address below.

Sincerely,

Graham Milne  
Regional Clerk  
[graham.milne@halton.ca](mailto:graham.milne@halton.ca)

**Regional Municipality of Halton**

HEAD OFFICE: 1151 Bronte Rd, Oakville, ON L6M 3L1  
905-825-6000 | Toll free: 1-866-442-5866



**The Regional Municipality of Halton**

Report To:	Regional Chair and Members of Regional Council
From:	Bob Gray, Commissioner, Legislative and Planning Services and Corporate Counsel
Date:	April 20, 2022
Report No:	LPS36-22
Re:	Update on the Proposed Milton Quarry East Expansion (Dufferin Aggregates) in the Town of Halton Hills, Receipt of Complete Application, File No. RQ66A

**RECOMMENDATION**

THAT the Regional Clerk forward a copy of Report No. LPS36-22 re: “Update on the Proposed Milton Quarry East Expansion (Dufferin Aggregates) in the Town of Halton Hills, Receipt of Complete Application, File No. RQ66A” to the Town of Halton Hills, the Town of Milton, Conservation Halton, the Niagara Escarpment Commission, and the Ministry of Northern Development, Mines, Natural Resources and Forestry for their information.

**REPORT**

**Executive Summary**

- On December 20, 2021, Halton Region received an application from Dufferin Aggregates, a division of CRH Canada Group Inc. to amend the Regional Official Plan to expand the Milton Quarry by extending the license and extraction areas to the east of the existing quarry lands.
- The proposed expansion to the Milton Quarry will require approvals under the *Aggregate Resources Act*, the *Niagara Escarpment Planning and Development Act*, and the *Planning Act*. A Regional Official Plan Amendment and a Town of Halton Hills Official Plan Amendment are required to permit the quarry expansion. The proposed expansion will not require any approvals from the Town of Milton, but the Town will be fully participating in the review of the proposal and commenting on the impacts upon nearby Town residents.

- The application to amend the Regional Official Plan has been deemed complete by the Chief Planning Official on January 18, 2022, in accordance with the requirements of the Regional Official Plan and related guidelines shared with the proponent at the pre-consultation meeting held on November 12, 2020.
- Halton Region Council has a decision making responsibility for the Regional Official Plan Amendment. While the approvals under the *Planning Act* and *Niagara Escarpment Planning and Development Act* are important, the Ministry of Northern Development, Mines, Natural Resources and Forestry is ultimately responsible for making a decision on the quarry expansion under the *Aggregate Resources Act*. Each process contains opportunity for public and agency input, as identified in Attachment #3 to this Report.
- An interagency Joint Agency Review Team (“JART”) has been initiated for reviewing all technical studies and information related to the proposed expansion. The JART review will result in a technical report for the consideration of member’s respective agencies.
- Halton Region will be providing comment on all applications associated with this proposal. Comments will be informed by significant technical review and analysis undertaken by the JART.
- Public input will be requested, received and considered by the JART as part of its mandate to explore the range of technical issues and impacts related to the proposal.
- The intent of this report is to update Council on the overall review process to be undertaken for this application.

## Background

In September 2020, Regional staff were advised of Dufferin Aggregates, a division of CRH Canada Group Inc. (“Dufferin Aggregates”) intent to apply for an aggregate license to expand its existing Milton Quarry. Dufferin Aggregates is proposing to expand its Milton Quarry operation to the east of its existing quarry site. Approximately 30.2 hectares would be licenced, of which 15.9 hectares would see extraction occurring.

On November 12, 2020, a pre-consultation meeting was held with representatives from Dufferin Aggregates and staff from the Region, the Town of Halton Hills, the Town of Milton, Conservation Halton, and the Niagara Escarpment Commission. A pre-consultation meeting is required in advance of the filing of Regional and Town of Halton Hills Official Plan Amendment applications. During this meeting, the various approvals and amendments required to permit the quarry expansion were identified, including an amendment to the Niagara Escarpment Plan, a Niagara Escarpment Development Permit, Provincial approval under the *Aggregate Resources Act*, and *Planning Act* approvals—specifically, Regional and Local Official Plan Amendments.

In January 2021, through Report No. LPS09-21 re: “Proposed Expansion to the Milton Quarry East (Dufferin Aggregates), Pre-consultation Meeting”, staff advised Council of the pre-consultation meeting held on November 12, 2020, and provided an overview of the anticipated application process.

## **Discussion**

On December 20, 2021, Halton Region received Dufferin’s application to amend the Regional Official Plan. The application proposes to expand the extraction areas to the east of the existing quarry. Attachment #1 shows the lands subject to the application.

### Receipt of Application

The following reports and materials have been submitted in support of the proposal:

- Addendum to Updated Adaptive Environmental Management and Protection Plan
- Agricultural Impact Assessment
- Air Quality Assessment
- Archaeological Assessment
- Blast Impact Assessment
- Cultural Heritage Impact Assessment
- Ecological Enhancement Plan and Rehabilitation Plan
- Fiscal Impact Study
- Geology and Water Resources Assessment Report
- Natural Environment Technical Report and Environment Impact Assessment
- Noise Impact Study
- Planning Justification Report and Aggregate Resources Act Summary Statement
- Progressive and Final Rehabilitation Monitoring Study
- Public Consultation Strategy
- Traffic Impact Study and Haul Route Assessment
- Visual Impact Assessment
- *Aggregate Resources Act* Site Plans

The following concurrent applications were also submitted, in order to permit the proposed quarry expansion:

- *Aggregate Resources Act* License Application with the Ministry of Northern Development, Mines, Natural Resources and Forestry;
- Niagara Escarpment Plan Amendment Application with the Niagara Escarpment Commission;
- Niagara Escarpment Development Permit Application with the Niagara Escarpment Commission; and
- Local Official Plan Amendment Application with the Town of Halton Hills.

On January 18, 2022, the Region's Chief Planning Official deemed the application complete. The Town of Halton Hills concurrently deemed the application to amend the Local Official Plan complete. Notice of Complete Application was provided in accordance with subsection 22(6.4) of the *Planning Act* during the weeks of January 24 and 31, 2022, including by ordinary mail to every owner of land within 200 metres of the subject lands and advertisements in the Independent Free Press (Georgetown), Burlington Post, Milton Canadian Champion, and Oakville Beaver.

The Niagara Escarpment Plan Amendment process is expected to be initiated at a future meeting of the Niagara Escarpment Commission. The Ministry of Northern Development, Mines, Natural Resources and Forestry deemed the *Aggregate Resources Act* licence application complete on January 28, 2022.

The initial public notification period under the *Aggregate Resources Act* began on March 10, 2022, when Dufferin provided Notice of the Application and Notice of a Virtual Public Information Session in accordance with the requirements of the Provincial standards developed by the Ministry of Northern Development, Mines, Natural Resources and Forestry to implement the requirements of the *Aggregate Resources Act*. Notice letters were also provided to residents near to the proposed expansion lands, as well as to agencies including Halton Region, as well as posting an additional notice sign at the property. This initiated a 60-day "notice" period for individuals and agencies to file letters of objection with the proponent and Ministry, if interested. This marks the first official consultation milestone in the *Aggregate Resources Act* licence application process.

#### Review of the Application by the JART

Halton has long relied on a Joint Agency Review Team approach in reviewing aggregate extraction proposals. This approach has been in place since 2001 with recent updates to the Halton Consolidated Streamlined Mineral Aggregate Review Protocol ("JART Protocol") approved by Council in February 2020. Attachment #2 to this report provides a one-page summary of the JART Protocol.

Regional staff have begun a substantive and coordinated review of the Dufferin Milton Quarry East Expansion proposal through the JART process. The JART partners for this application include the Town of Halton Hills, Town of Milton, Conservation Halton, and the Niagara Escarpment Commission. The Ministry of Northern Development, Mines, Natural Resources and Forestry has indicated a willingness to participate in JART technical discussions on some issues.

The JART will provide coordinated technical comments that will inform decision-making of the parties. JART is not a decision making body, nor does it make recommendations on whether or not the proposal should be approved. It is instead a review process and team that ensures the agencies participating are working from the same information and analyzing the proposal through all applicable planning policies, guidelines, and by-laws. The information produced through the JART process is used for both *Planning Act*

applications, the *Aggregate Resources Act* licence application and objection process, and needs to respond to any proponent efforts to resolve objections raised during the review.

Public input related to the proposal is welcomed and encouraged at any time during the JART process and will be shared with technical consultants and the proponent for consideration in their respective reviews. As part of its mandate, the JART will receive and consider public input to explore the range of technical issues and impacts related to the proposal. Any public input received will be catalogued, summarized, and consolidated with materials received through statutory public consultation into a complete record of public comment to place before Council.

Another important opportunity for public input is through the statutory public meeting required by the *Planning Act* for the Regional Official Plan Amendment. Per the JART Protocol, Town and Regional staff are exploring opportunities to consolidate public meetings. Statutory public meetings would occur after a first round of technical review has been completed, likely early in 2023. Staff will provide Council with an update once the timing has been confirmed.

Regional Council will receive the JART's final report, along with a recommendation report from staff, to inform decision-making on Dufferin Aggregates' Regional Official Plan Amendment application. The timing of this report is dependent on the nature of the issues being explored and the timing of responses from the proponent related to technical questions from the JART. Updates on the JART review will be provided to Council during the review period as required.

#### Technical Consultants to Support the JART Review

Halton Region has retained a group of consultants to provide technical expertise in reviewing technical reports and studies related to land use planning, natural heritage, transportation, hydrogeology, karst topography, surface water, financial impact, blasting, air quality and noise, vibration, cultural heritage, and archaeology.

The Niagara Escarpment Commission will provide staff expertise to JART on matters of interest to that agency. Further consultant retainers may occur as technical review progresses.

#### Dufferin Quarry Applications under the Other Legislative Processes

Both the Regional and Local Official Plan Amendment applications will follow the process under the *Planning Act*. The proposed aggregate licence will follow the process under the *Aggregate Resources Act*, and the proposed Development Permit and Amendment to the Niagara Escarpment Plan will follow the process under the *Niagara Escarpment Planning and Development Act*. The JART review process will take place during the legislated processes so that technical input can be provided to the decision making bodies prior to any decisions being made.

It is important to note that the Niagara Escarpment Commission would have to approve the applications under the *Niagara Escarpment Planning and Development Act* prior to Halton Region, Town of Halton Hills, or the Ministry of Northern Development, Mines, Natural Resources and Forestry making a decision on their respective applications. Per subsection 24(3) of the *Niagara Escarpment Planning and Development Act*, no approval or permission required by an *Act* that relates to development shall be made, in respect of any land, building or structure within an area of development control, unless a Niagara Escarpment Development Permit has been issued. Any amendment to the Regional Official Plan and a local Official Plan that deals with lands subject to the Niagara Escarpment Plan must be in conformity with the Niagara Escarpment Plan. In other words, conformity with the Niagara Escarpment Plan is a precondition to other approvals for mineral aggregate extraction within the Niagara Escarpment Plan Area.

Attachment #3 to this report describes the relationship between the application processes, the JART review process, and opportunities for public engagement anticipated during the review of the Dufferin Aggregates application.

## CONCLUSION

Staff will continue to assess the applications through the JART process and provide updates to Regional Council as the review progresses as required. Regional Council is responsible for making a decision on the proposed Regional Official Plan Amendment. The Ministry of Northern Development, Mines, Natural Resources and Forestry is ultimately responsible for making a decision on the quarry expansion. All review milestones depend largely on the timing of technical review and alignment with the other approval processes.

FINANCIAL/PROGRAM IMPLICATIONS

The application fee received for this application for Regional Official Plan Amendment for aggregate extraction operations is \$128,597.87, plus HST in accordance with Fees By-law 68-20. The application was filed prior to the approval of the 2022 Budget, meaning the 2021 application fee applies.

The applicant has been made aware, through the pre-consultation meeting, that peer review costs for technical reports are also required to be paid by the applicant, in accordance with Policy 187(10) of the Regional Official Plan, Fees By-law 57-21, and the JART Protocol.

Respectfully submitted,



Curt Benson  
Director, Planning Services and Chief  
Planning Official



Bob Gray  
Commissioner, Legislative and Planning  
Services and Corporate Counsel

Approved by



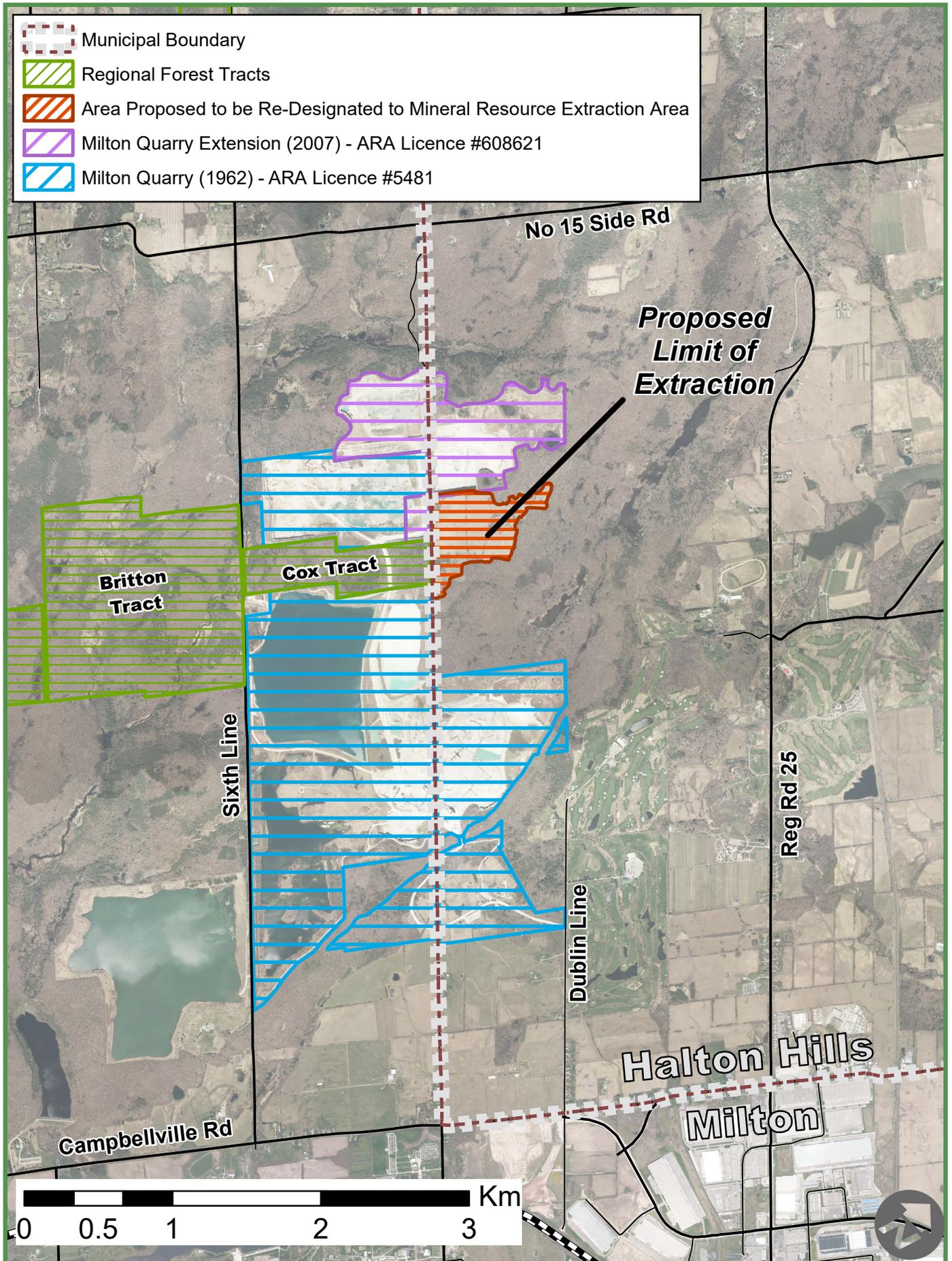
Jane MacCaskill  
Chief Administrative Officer

If you have any questions on the content of this report,  
please contact:

Curt Benson

Tel. # 7181

Attachments: Attachment #1 – Locational Map  
Attachment #2 – JART Protocol Summary  
Attachment #3 – Milton Quarry East Expansion Application Processes



# JART Protocol

Halton Region has a Joint Agency Review Team (JART) Protocol for reviewing and commenting on technical documents prepared in support of new aggregate applications or applications to expand existing aggregate operations. The JART Protocol covers review requirements under three Provincial Acts.

- *Planning Act, R.S.O. 1990, c. P.13*
- *Aggregate Resources Act, R.S.O. 1990, c. A.8*
- *Niagara Escarpment Planning and Development Act, R.S.O. 1990, c. N.2*

A JART provides streamlined comments to both the aggregate applicant and the Ministry of Northern Development, Mines, Natural Resources and Forestry. JARTs engage in iterative processes to identify technical issues and concerns with aggregate proposals and discuss approaches appropriate for consideration. The JART findings help inform decisions of Municipal Councils and Conservation Authority boards in Halton, as well as the Niagara Escarpment Commission (if applicable) on aggregate applications.



## Composition

The JART is composed of a Chair, agency-appointed staff and experts from:

- Halton Region;
- the applicable Local Municipalities;
- the applicable conservation authorities; and
- the Niagara Escarpment Commission (if applicable).

The Ministry of Northern Development, Mines, Natural Resources and Forestry, Ministry of the Environment, Conservation and Parks, and other pertinent ministries are invited to participate.



## Benefits

The JART Protocol has been in place since 2001 with updates recently approved by Regional Council in 2020. The Protocol allows public agencies reviewing a proposal to:

- minimize effort duplication among reviewing agencies;
- ensure a consistent, thorough, and integrated multi-disciplinary approach;
- coordinate document circulation, processing, meetings and comments; and
- facilitate effective public reviews of submissions.



## Conceptual Major Stages



Public input into the JART process is welcome at any time, with information provided to be shared with consultants and the applicant. Members of the public can also appear as delegations before Council when key staff reports are on the agenda.

To learn more about the JART protocol, please visit [halton.ca](http://halton.ca).



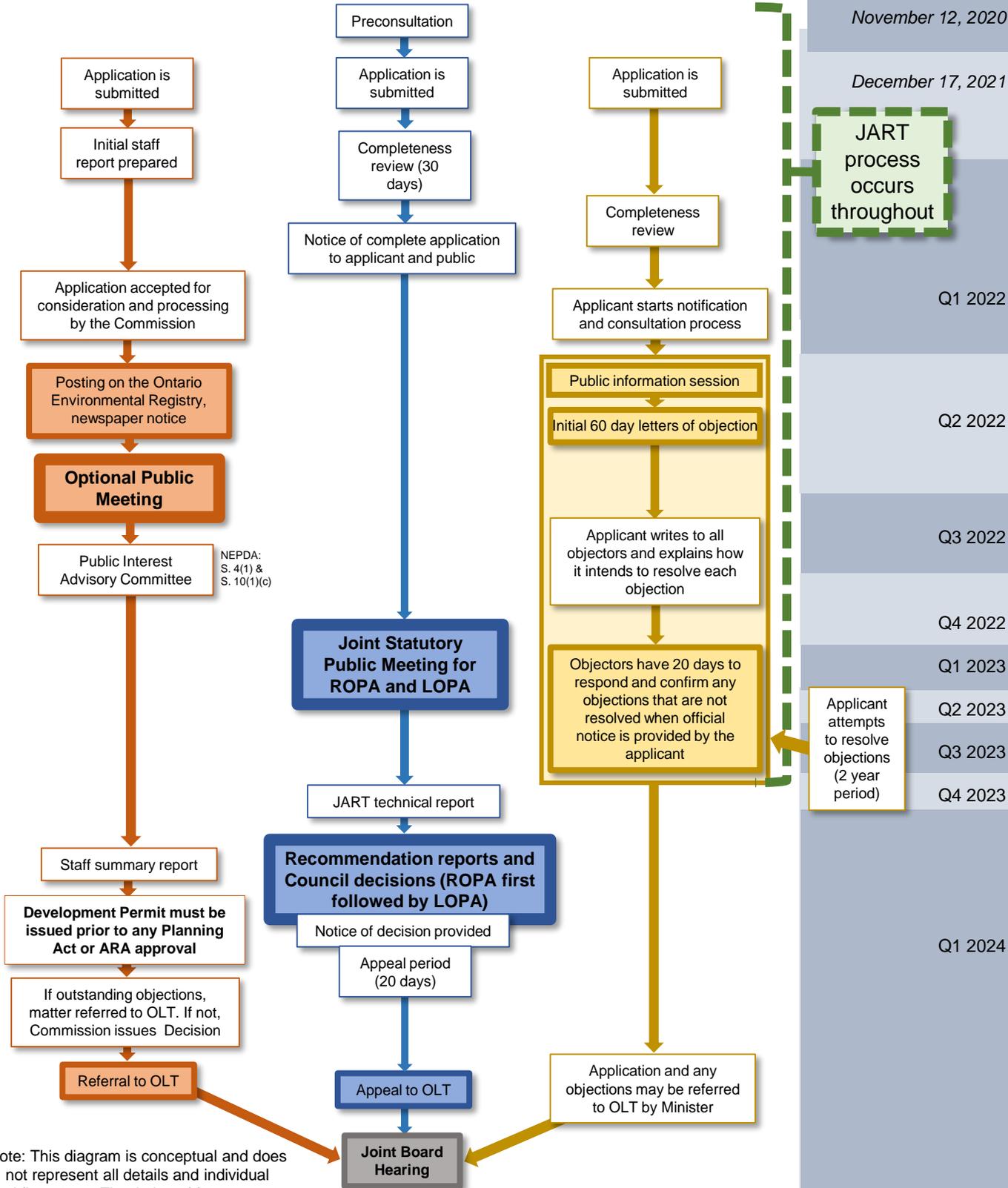
# MILTON QUARRY EAST APPLICATION PROCESSES

**Niagara Escarpment Planning and Development Act (NEPDA)**  
 Niagara Escarpment Commission (NEC): Approval authority for Plan Amendment and Development Permit

**Planning Act**  
 Region of Halton: Approval authority for ROPA  
 Town of Halton Hills: Approval authority for LOPA

**Aggregate Resources Act (ARA)**  
 Ministry of Northern Development, Mines, Natural Resources and Forestry: Approval authority for ARA license

**Public input is welcome at any time**



Note: This diagram is conceptual and does not represent all details and individual workflow steps. The timing of future events is based on estimates and may change.



**VIA EMAIL**

April 28, 2022

Kevin Arjoon, City Clerk, City of Burlington  
Meaghan Reid, Town Clerk, Town of Milton  
Vicki Tytaneck, Town Clerk, Town of Oakville  
Valerie Petryniak, Town Clerk, Town of Halton Hills

---

Legislative & Planning Services  
Department  
Office of the Regional Clerk  
1151 Bronte Road  
Oakville ON L6M 3L1

Please be advised that at its meeting held Wednesday, April 20, 2022, the Council of the Regional Municipality of Halton adopted the following resolution:

**RESOLUTION: LPS31-22 - Allocation Programs Update**

1. THAT Report No. LPS31-22 re: "Allocation Programs Update" be received for information.
2. THAT a copy of Report No. LPS31-22 be forwarded to the City of Burlington, the Town of Halton Hills, the Town of Milton and the Town of Oakville for information.

Included please find a copy of Report No. LPS31-22 for your information.

If you have any questions please contact me at the e-mail address below.

Sincerely,

Graham Milne  
Regional Clerk  
[graham.milne@halton.ca](mailto:graham.milne@halton.ca)

**Regional Municipality of Halton**

HEAD OFFICE: 1151 Bronte Rd, Oakville, ON L6M 3L1  
905-825-6000 | Toll free: 1-866-442-5866



**The Regional Municipality of Halton**

Report To:	Regional Chair and Members of Regional Council
From:	Bob Gray, Commissioner, Legislative and Planning Services and Corporate Counsel
Date:	April 20, 2022
Report No:	LPS31-22
Re:	Allocation Programs Update

**RECOMMENDATION**

1. THAT Report No. LPS31-22 re: "Allocation Programs Update" be received for information.
2. THAT a copy of Report No. LPS31-22 be forwarded to the City of Burlington, the Town of Halton Hills, the Town of Milton and the Town of Oakville for information.

**REPORT**

**Executive Summary**

- This report provides an update on the status of Halton's Allocation Programs.
- Halton Region continues to be one of the fastest growing regions in Ontario. The Region's Official Plan establishes the policy framework to promote housing and housing mix consistent with the Region's vision for growth based on the Provincial Growth Plan. The Region's Official Plan also requires that new growth within the Designated Greenfield Area only advance once a financing plan for infrastructure has been approved by Regional Council.
- The Region's Allocation Program is a planning and financing tool designed to ensure adequate funding is available to support growth-related infrastructure in order to increase housing supply in the creation of complete communities.
- Due to Halton Region's approach to growth related financing through allocation programs, the Region has delivered an average of 3,600 new housing units annually for the last 10 years and currently has a supply of over 30,000 units in greenfield areas that are available for development. In addition to development

within allocation areas it is estimated that there will be over 2,300 units per year developed in built-up areas, based on the best planning estimates.

- The Region has two Allocation Programs that are actively being implemented: 2012 Allocation Program and 2020 Allocation Program, as well as its historical Allocation Programs, which are for the most part retired: 1999, 2005 and 2008/2009.

## **Background**

Halton Region continues to be one of the fastest growing regions in Ontario. The Halton municipalities have long supported planning for housing supply to accommodate the Region's vision for growth based on the Provincial Growth Plan.

Halton has a long standing principle that an acceptable financing plan needs to be in place prior to growth proceeding which has been done through the release of Allocation Programs that ensure Halton maintains the principle that "growth pays for growth" to the greatest extent possible by providing a financing tool to fund growth-related water, wastewater and transportation infrastructure.

Since 1991, Halton's approach to financing growth related infrastructure is a model based on the development industry financing water and wastewater infrastructure to service growth in a timely manner. Halton's Allocation Programs address infrastructure requirements that support growth over a predetermined period and geography, in accordance with the approved Best Planning Estimates, while protecting taxpayers from the cost of growth to the greatest extent possible.

The Region has two active Allocation Programs: 2012 Allocation Program and 2020 Allocation Program, as well as its historical Allocation Programs which include: 1999, 2005 and 2008/2009. This report will highlight the status of both 2012 and 2020 Programs and provide a summary of the historical Allocation Programs.

### **Update on the 2020 Allocation Program:**

Through Report No. FN-46-19/PW-50-19/LPS112-19 re: "2020 Allocation Program Options", Regional Council endorsed the framework for the 2020 Allocation Program. This program represents a financing plan to provide roughly \$1.5 billion worth of water, wastewater and transportation infrastructure to support growth, development and new housing supply across the Region for the next 6-10 years. Of the \$1.5 billion in growth-related infrastructure, \$858.5 million is the residential developer's responsibility and the remaining \$630.3 million is financed by the Region as part of the state of good repair and for non-residential interim financing. The Program required participating landowners to secure, through pre-payment of Development Charges, a minimum subscription of 18,230 Single Attached Equivalents (SDEs).

A feature of the 2020 Allocation Program included the creation of an additional pool of 3,000 SDEs, where 1,500 would be allocated to advancing future developments that unlock schools and other important infrastructure or services that have a broader community benefit. This pool is known as the “Public Interest Pool.” The remaining 1,500 SDEs set aside would support the advancement of purpose built affordable rental housing. This Pool is known as the “Affordable Housing Pool.” Request for access to both allocation pools is actively pursued by the development community and interest is continually being monitored to determine if more SDEs will be required in the future. A total of 331 SDEs has been assigned from these pools.

In order to ensure that the 2020 Allocation program responds to challenges and opportunities associated with new growth, Council directed staff to advance additional implementation tools to support the program. For example, an Allocation Implementation Team is in place to address issues that may arise requiring additional support or intervention such as instances where there may be expanded coordination required to support the development of schools, the advancement of infrastructure, or crossing potential barriers in advancing environmental and land use planning approvals.

Overall the units secured by participating landowners in the 2020 Allocation Program are progressing through with development approvals as expected. As outlined in Table 1 - Allocation Summary – 2020 Program, 40 per cent of the 2020 Allocation is underway with a development application. The progression of the Region’s Allocation Program is primarily dependant on the status of secondary plan approvals, commissioned Regional infrastructure and the initiation of an application by a landowner/developer.

**Table 1 – Allocation Summary – 2020 Program (January 2022)**

Local Municipality	# SDEs Reserved	# SDEs With Development Application	# SDEs Without Development Application	# SDEs Registered/ Building Permit
Burlington	495	0*	495	0
Halton Hills	3,000	0*	3,000	0
Milton	8,071	1,782	6,154	135
Oakville	7,403	5,563	1,680	160
<b>TOTAL</b>	<b>18,969</b>	<b>7,345</b>	<b>11,329</b>	<b>295</b>
<b>Per cent of Total</b>		<b>39%</b>	<b>60%</b>	<b>1%</b>

\*Burlington and Halton Hills participating landowners cannot advance site specific applications until there is a determination on the appealed Secondary Plans (Evergreen and Vision Georgetown) by the Ontario Land Tribunal. More information is provided below.

There are three secondary plans that must be approved prior to applications being entertained and units from the 2020 Allocation Program being advanced – the Evergreen Secondary Plan in Burlington, Vision Georgetown in Halton Hills and the Trafalgar Road Secondary Plan in Milton.

Allocation secured in Burlington and Halton Hills from the 2020 Program will advance once a determination has been made by the Ontario Land Tribunal related to the landowner appeals to the Evergreen and Vision Georgetown Secondary Plans. While the developers have submitted development applications, due to the ongoing appeal matters these applications cannot be reasonably advanced without confirming key policies through the necessary planning approval processes and resolving the appeals. It is noted that appeals related to Evergreen have recently been adjourned, at Evergreen's request, in an effort to work with approval authorities and resolve matters associated with the development of these lands. As such, the timing of when development applications can be submitted remains uncertain for both Secondary Plan Areas.

The Trafalgar Secondary Plan, located in the Town of Milton, is a new area where landowners secured allocation. The Secondary Plan is currently under review and a decision by the Region is expected in May 2022. Pending any appeals by landowners within the Secondary Plan Area, the development review process will be able to commence with the review of environmental studies for the development lands and the submission of development applications towards the end of 2022.

As indicated in Report No. LPS74-20 re: "2020 Allocation Program Update" and in line with Halton's approach to financing growth related infrastructure, the Allocation Program contains flexibility to enable adjustments that respond to evolving development, infrastructure and community needs over time. For example, developers are permitted to request allocation transfers or top-ups to enable developments in accordance with the terms of the Allocation Agreements. As a result of top-up requests since the execution of the 2020 Program in July 2020, an additional 738 SDEs has been added to the Program resulting in a total of 18,969 SDEs in the 2020 Allocation Program (up from 18,230 SDEs).

#### **Update on the 2012 Allocation Program:**

As set out in Report No. LPS95-13/FN-29-13/PW-56-13, re: "2012 Allocation Program", the 2012 Allocation Program provided for the staged release of a total of 14,000 SDEs in Milton and Oakville, at a total cost of \$1.4 billion for water, wastewater and transportation infrastructure. Of the 14,000 SDEs made available for allocation, the Region reserved 700 SDEs for high density development, leaving a total of 13,300 SDEs available for single family and low/medium density greenfield development.

Council will recall from Report No. FN46-19/PW90-19/LPS112-19, re: "2012 Allocation Program" that there were some delays and units from the 2012 Program had not proceeded as originally anticipated. The primary issues causing delays with advancing allocation in the Town of Milton were outstanding or deficient subwatershed impact studies that were required to support development in the Boyne Secondary Plan Area, as well as barriers to servicing resulting from non-participating landowners.

The outstanding matters for the Boyne Secondary Plan have since been resolved, with the exception of some servicing constraints related to a single non-participating landowner. It is expected that by the end of 2023, the majority of the remaining SDEs

(1,940) will be used to supplement or layered with units from the 2020 Allocation Program to create larger comprehensive housing developments in accordance with approved secondary plan policies.

In the Town of Oakville, there were no discernable delays in the North Oakville Secondary Plan Area. This resulted in a significant number of housing units being developed in North Oakville and in particular within the high density blocks along the Trafalgar Road and Dundas Street corridors that support the approved urban structure.

As shown in Table 2 – Allocation Summary 2012 Allocation Program, 73 per cent of the SDEs have advanced through to subdivision registration or building permits. The remaining SDEs in the 2012 Allocation Program are expected to advance by supplementing more comprehensive plans that rely on SDEs from the 2020 Allocation Program. This “layering effect” is demonstrated in Attachment #1 which illustrates where allocation is located in the Region.

**Table 2 – Allocation Summary – 2012 Program (January 2022)**

Local Municipality	# SDEs Reserved	# SDEs With Development Application	# SDEs Without Development Application	# SDEs Registered/ Building Permit
Milton	8,618	759	1,940	5,919
Oakville	5,893	909	300	4,684
<b>TOTAL</b>	<b>14,511</b>	<b>1,668</b>	<b>2,240</b>	<b>10,603</b>
<b>Per cent of Total</b>		<b>12%</b>	<b>15%</b>	<b>73%</b>

### Historical Allocation Programs

The Region’s Allocation Programs leading up to 2004 each generated sufficient residential water and wastewater Development Charges (DCs) from the early payment of water and wastewater DCs to fund the residential share of the required infrastructure costs.

Starting in 2005, more significant and costly infrastructure was required to service growth in the allocation programs. This resulted in a funding gap between the residential funding share and the residential DC revenues generated from the prepayment of DCs for water and DC wastewater services. In particular, the major drivers of this funding gap were as follows:

- For the 2005 Allocation Program (approved for 7,386 SDEs), a new water treatment plant was required, which necessitated the voluntary payment of \$1,650 per SDE, in addition to the prepayment of water and wastewater DCs.
- For the 2008/2009 Allocation Program (approved for 8,951 SDEs), the requirement of a second feed water/wastewater main through Oakville and into Milton and

funding of an accelerated road capital program (originally initiated by the developers in 2006) necessitated the early payment of future DCs of \$7,889 per SDE, in addition to the prepayment of water and wastewater DCs and road DC payments at subdivision agreement.

The historical Allocation Programs are, for the most part, retired. There are just over 600 SDEs remaining from all historical Allocation Programs spread throughout Milton and Oakville. In general, most of the remnant allocation is currently subject to a development application, including the 2005 allocation assigned to various Milton Heights subdivisions (300 SDEs) in the Town of Milton and 241 SDEs assigned to the Town of Oakville.

### **Allocation Programs and Regional Housing Supply**

Halton Region continues to be one of the fastest growing regions in Ontario. Halton and its Local Municipalities have long-term infrastructure plans to ensure that municipal infrastructure is available to support planned growth and grow the economy in a responsible way. The 2020 Allocation Program provides \$1.5 Billion worth of water, wastewater and transportation infrastructure to support growth, development and new housing supply across the Region for the next 6-10 years. While this investment in infrastructure underscores the Region's commitment to advancing housing supply as demonstrated through the Region's allocation programs, the absence of a provincial infrastructure plan focused on growing communities, including the delivery of critical provincial infrastructure such as schools, hospitals and highways, has resulted in barriers to increasing housing supply and economic growth. These necessary Provincial assets are integral to unlocking housing supply opportunities and need to be financed, planned, designed and commissioned seamlessly in time to support the needs of growth in new communities.

As defined through previous reports, it is Council's position that a coordinated, provincial infrastructure investment plan and funding connected to the Growth Plan is required to support high-growth communities in advancing critical Provincial infrastructure, including:

- New schools to support families in high growth areas like North Oakville and the Boyne Survey in Milton;
- The expansion of Hospital services in Georgetown;
- All day, two-way GO service on the Milton line; and
- Investments to unlock growth potential in important growth nodes like the Mid-town Oakville Urban Growth Centre.

Without these coordinated investments, the nature and amount of growth is unlikely to proceed in accordance with the Provincial Growth Plan. This remains a priority for advocacy with the Province as demonstrated by recent reports on the housing crisis.

FINANCIAL/PROGRAM IMPLICATIONS

There are no financial implications directly associated with this report.

Respectfully submitted,



Curt Benson  
Director, Planning Services and Chief  
Planning Official



Bob Gray  
Commissioner, Legislative and Planning  
Services and Corporate Counsel

Approved by



Jane MacCaskill  
Chief Administrative Officer

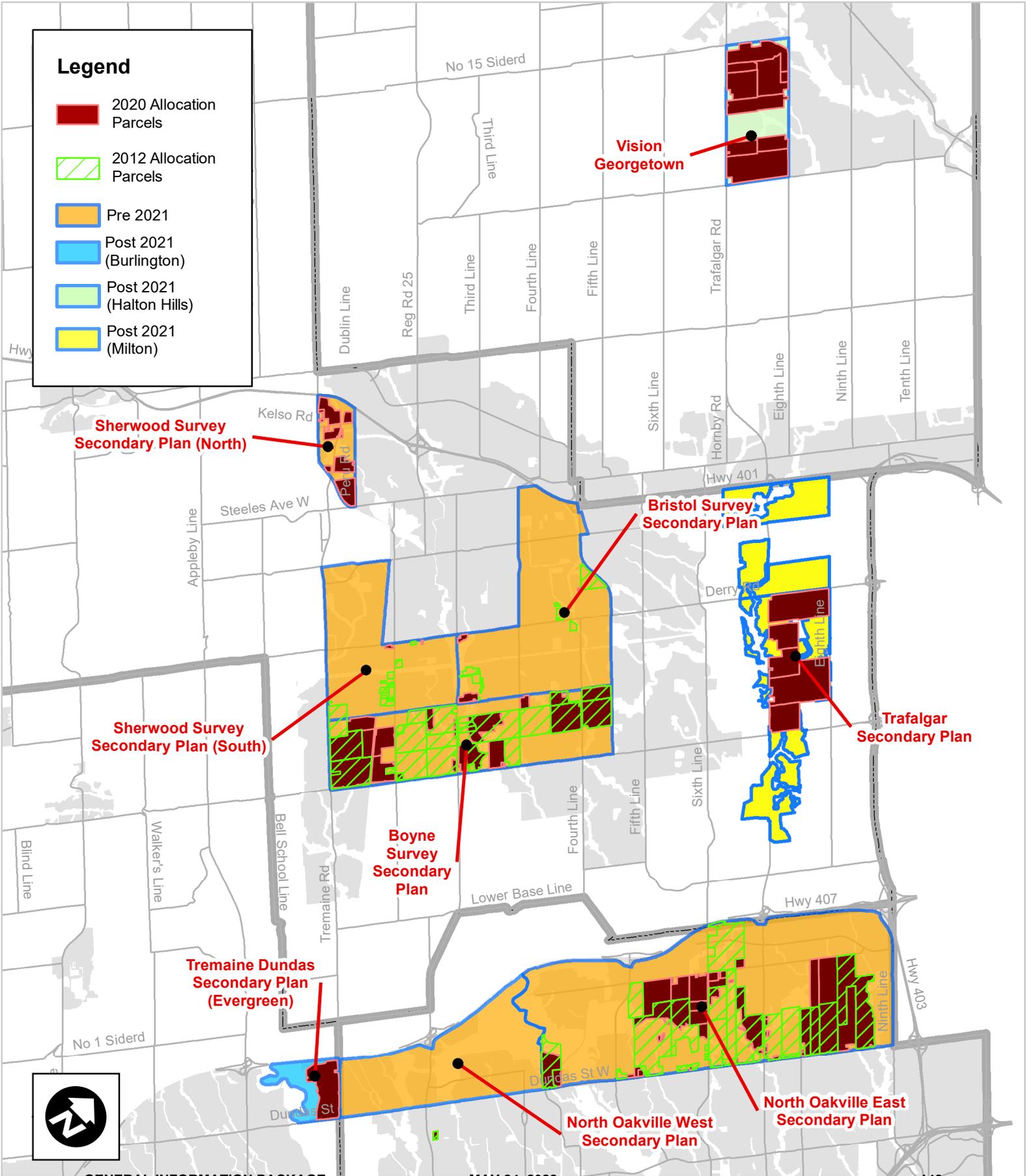
If you have any questions on the content of this report,  
please contact:

Curt Benson

Tel. # 7181

Attachments: Attachment #1 – Allocation Parcels

# Allocation 2020 and 2012 Parcels





**VIA EMAIL**

April 29, 2022

Legislative & Planning Services  
Department  
Office of the Regional Clerk  
1151 Bronte Road  
Oakville ON L6M 3L1

Quentin Hanchard, CAO, Credit Valley Conservation  
Hassaan Basit, President and CEO, Conservation Halton  
Kevin Arjoon, City Clerk, City of Burlington  
Meaghen Reid, Town Clerk, Town of Milton  
Vicki Tytaneck, Town Clerk, Town of Oakville  
Valerie Petryniak, Town Clerk, Town of Halton Hills

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Please be advised that at its meeting held Wednesday, April 20, 2022, the Council of the Regional Municipality of Halton adopted the following resolution:

**RESOLUTION: PW-08-22 – Basement Flooding Mitigation Program**

1. THAT Report No. PW-08-22 re: “Region Wide Basement Flooding Mitigation Program” be received for information.
2. THAT the Regional Clerk forward a copy of Report No. PW-08-22 to the City of Burlington, the Town of Halton Hills, the Town of Milton, the Town of Oakville, Conservation Halton and Credit Valley Conservation for their information.

Included please find a copy of Report No. PW-08-22 for your information.

If you have any questions please contact me at the e-mail address below.

Sincerely,

Graham Milne  
Regional Clerk  
[graham.milne@halton.ca](mailto:graham.milne@halton.ca)

**Regional Municipality of Halton**

HEAD OFFICE: 1151 Bronte Rd, Oakville, ON L6M 3L1  
905-825-6000 | Toll free: 1-866-442-5866



**The Regional Municipality of Halton**

Report To:	Regional Chair and Members of Regional Council
From:	Andrew Farr, Commissioner, Public Works
Date:	April 20, 2022
Report No:	PW-08-22
Re:	Basement Flooding Mitigation Program

**RECOMMENDATION**

1. THAT Report No. PW-08-22 re: “Region Wide Basement Flooding Mitigation Program” be received for information.
2. THAT the Regional Clerk forward a copy of Report No. PW-08-22 to the City of Burlington, the Town of Halton Hills, the Town of Milton, the Town of Oakville, Conservation Halton and Credit Valley Conservation for their information.

**REPORT**

**Executive Summary**

- On August 4, 2014, a severe thunderstorm affected Southern Ontario causing widespread overland flooding, sewer surcharging (i.e. when stormwater enters into the wastewater system and exceeds sewer capacity) and basement flooding which significantly impacted more than 3,500 residents.
- Through Report No. PW-46-14, Regional Council authorized a number of immediate actions to assist residents most affected by basement flooding from sewer surcharge including the initiation of a Region-Wide Basement Flooding Mitigation Study.
- Through Report No. PW-22-15 and Report No. PW-18-16, Regional Council approved the long-term Region-Wide Basement Flooding Mitigation Program to reduce public and private sources of Inflow and Infiltration (I&I), through the Sewer Optimization Program, the Targeted Downspout Disconnection Program and enhancements to the Voluntary Basement Flooding Prevention Subsidies.

- Excessive storm related I&I is the primary cause of sewer surcharging in Halton Region’s wastewater collection system, which can lead to basement flooding.
- Through Report No. PW-40-17, staff provided an update on the progress of the Region-Wide Basement Flooding Mitigation Program, this report provides a further update.
- Staff anticipate 180 km of sewer optimization work, originally identified in the 2015 review, will have been repaired or replaced by 2026 and further work to ensure the wastewater system is kept in a state-of-good repair will be addressed through the Regions ongoing state-of-good repair capital program.
- The Region-Wide Basement Flooding Mitigation Program has achieved a reduction in storm related I&I entering the wastewater collection system and although the risk of basement flooding cannot be entirely eliminated progress the risk has been reduced across the Region.

## Background

On August 4, 2014, a severe thunderstorm affected Southern Ontario, resulting in an isolated narrow band of extremely intense rainfall over a specific area of the City of Burlington (“2014 Burlington Storm”). During the 2014 Burlington Storm, more than 200 mm of rain fell in less than eight hours causing extensive overland flooding. Over 6,000 calls were received by Access Halton and 3,500 of those calls pertained to flooded basements.

Through approval of Report No. PW-46-14, Regional Council authorized a number of immediate actions to assist residents most affected by basement flooding and initiated a Region-Wide Basement Flooding Mitigation Study.

The Region-Wide Basement Flooding Mitigation Study concluded that the primary cause of surcharged sewers leading to flooding was from stormwater entering into the wastewater system during extreme storm events from both private and public sources. This stormwater is known as Inflow and Infiltration (I&I).

Following the Region-Wide Basement Flooding Mitigation Study, through Report No. PW-22-15, Regional Council approved the Long-Term Region-Wide Basement Flooding Mitigation Program. The Program’s goals are to:

- Reduce public and private sources of I&I entering Halton Region’s wastewater collection system; and,
- Build resiliency in the wastewater collection system to mitigate the risk of future flooding.

The program components included a significant Sewer Optimization Program and a Targeted Downspout Disconnection Program. To support residents further and to encourage the reduction of private sources of I&I, Regional Council also authorized through Report No. PW-18-16, enhancements to the existing Voluntary Basement Flooding Prevention Subsidy Program.

### ***Inflow and Infiltration (I&I)***

I&I is the primary cause of sewer surcharging within the wastewater collection system during severe storm events. Sewer surcharging is caused when sewer capacity limits are exceeded by I&I and depending on the extent of sewer surcharging, wastewater can back up into sewer laterals causing basement flooding. Pumping station and wastewater treatment plant capacity can also be exceeded during severe storms, resulting in overflows of untreated or partially treated wastewater into the environment.

Inflow is stormwater or snowmelt that enters in the wastewater collection system through direct connections of roof downspouts or weeping tile foundation drains to the sanitary sewer.

Infiltration is rainwater or groundwater that seeps through the ground and into the wastewater collection system through failed joints or cracks in pipes, laterals and maintenance holes.

Halton Region's wastewater collection system is designed to accommodate a nominal amount of I&I. However, it is not designed to handle excessive I&I from private and public sources which can significantly increase sewer flows during severe rain events.

I&I from aging public infrastructure such as sewers and manholes is being addressed through Halton Region's Sewer Optimization and Comprehensive Asset Management programs.

The Voluntary Basement Flooding Prevention Subsidy Program provides financial incentives to residents to undertake work on private property to remove sources of excessive I&I through the disconnection of roof downspouts and weeping tiles or the repair of defective private sewer laterals.

Any reduction in I&I, is a reduction in the amount of excess wastewater that must be conveyed and treated which saves both energy and chemicals needed in the wastewater treatment process. This aligns with Halton Region's climate change goals.

### ***Overall System Performance***

Halton Region's wastewater collection system continues to function well during normal dry weather conditions and typical rain events.

The collective impact of the public sewer optimization work and private side I&I remediation measures completed to date has led to an overall reduction in storm related I&I from entering Halton Region's wastewater collection system.

This is supported by the fact that since the 2014 Burlington Storm, while a few isolated instances of basement flooding did occur, there have been no widespread storm related incidents of basement flooding from sanitary sewer backups in the previously identified high priority areas in the City of Burlington. In addition, preliminary evaluation of flow data in study catchment areas with high infiltration, before and after sewer optimization works were completed, show a greater than 50 per cent reduction in excessive storm related flows in these areas.

Staff have also found that the highest overall I&I reductions were observed in areas where significant private side I&I reduction measures were completed in addition to Region-led sewer optimization work.

Although Halton Region continues to increase the resiliency of its wastewater collection system to the impacts of severe wet weather, the risk of sewer surcharging leading to basement flooding cannot be entirely eliminated. Unfortunately, the risk of future flooding is linked to the impacts of climate change and the unpredictable potential for more severe weather events.

## **Discussion**

Since 2017, Halton Region has received a small number of isolated storm related basement flooding calls as a result of significant mixed precipitation rain events (i.e. rain combined with ice and snow melt). Over the past five years, Halton Region has been notified of, or responded to, 45 flooding calls related to sewer surcharging or roughly nine incidents per year. The low number of flooding calls are in part attributed to the significant I&I reduction work undertaken Region-wide.

Key actions of Halton Region's 2019 – 2022 Strategic Business Plan, under the theme of Environmental Sustainability and Climate Change, include "Completion of the targeted downspout and weeping tile program", "Continuation of the wastewater collection resiliency program to reduce risk of flooding due to climate change", and "Reduction in sewer backups".

This report provides an update on Halton's Region-Wide Basement Flooding Mitigation Program as it relates to the following areas:

- System Performance Monitoring;
- Sewer Optimization Program;
- Targeted Downspout Disconnection Program;
- Enhanced Basement Flooding Prevention Subsidy Program;
- Education and Outreach; and,
- Inter-jurisdictional Working Group.

## ***System Performance Monitoring***

Comprehensive system monitoring of both rainfall and sewer flows is critical to understanding system performance during normal dry weather conditions and during storm events. System monitoring helps identify current and emerging system issues in order to inform timely and appropriate maintenance, rehabilitation and replacement work.

The following highlights investments and improvements to the collection of system performance data and analytical tools since staff last reported in 2017.

### Permanent Flow Monitoring Program

An additional 12 flow monitors have been added to the system, bringing the total to 100 flow monitors strategically deployed throughout Halton Region.

### Rainfall Monitoring

In 2021, one weather station was added to the current network to ensure sufficient coverage. Two more weather stations will be added in 2022 bringing the total to 16 weather stations across Halton Region.

In 2021, in collaboration with Peel Region, staff initiated a pilot project looking at the use of Gauge Adjusted Radar Rainfall. Gauge Adjusted Radar Rainfall uses a short-band weather radar picture of rainfall intensity to better estimate rainfall over a given area as opposed to rain gauges alone.

### Hydraulic Modeling

In 2018, a new dynamic wastewater hydraulic model was implemented to analyze system performance and support operational decision-making and infrastructure planning.

The significant improvements in system performance monitoring has increased the understanding of wastewater collection system performance during normal dry weather and storm events and continues to help identify areas of high risk, potential causes and effective control measures.

Recent flow monitoring does indicate that there are a few areas within the Town of Oakville and the City of Burlington where excessive I&I enters Halton Region's wastewater system during storm events. These areas are shown on the map included as Attachment #1 to this report. The excessive I&I typically coincides with older areas of Halton Region with homes built between 1958 and 1978, where there is a high probability that weeping tile or downspout connections to the wastewater collection system exist.

These areas are currently being studied further to better understand the root cause of the high I&I flows and develop appropriate remediation measures.

Additional communication and outreach in these areas promoting private side I&I disconnection of weeping tiles and downspouts in these areas will be considered. If any necessary capital work, such as sewer replacements are identified, projects will be prioritized and included in Halton Region's capital budget. This work will be undertaken in collaboration with both the Town of Oakville and the City of Burlington to ensure sharing of information and coordination of any necessary work.

Flow data and sewer level monitors are also being used in real-time during storms to monitor system performance and proactively deploy field staff to undertake additional operational measures such as temporary pumping, where possible, to help mitigate flooding risks.

### ***Sewer Optimization Program***

The recommended sewer optimization work identified through the comprehensive system review completed in 2015, proposed \$63.2 million of targeted spot repair, pipe lining and replacements. To date, Halton Region has replaced or repaired approximately 40 km of sanitary sewers including where necessary, lining the public portion of individual sanitary laterals. By 2026, staff anticipate completing the remaining 140 km of sewer optimization work identified in the 2015 study.

Following the completion of this work the Region will continue to ensure that the wastewater system is kept in a state-of-good repair through our established asset management program and informed by monitoring the condition and performance of all wastewater infrastructure. Any necessary capital improvements will be identified and prioritized as part of the state-of-good repair program.

In order to offset Regional costs, staff have been actively seeking funding through relevant Provincial and Federal funding programs. Halton Region has been successful in securing \$1.35 million from the Federal National Disaster Mitigation program through several submissions and \$895,000 through the Province of Ontario's Improving Wastewater and Stormwater Discharges in Lake Ontario Funding Program.

Staff will continue to pursue any relevant funding as programs are announced.

### ***Targeted Downspout Disconnection Program***

In 2015, staff initiated the Targeted Downspout Disconnection Program to encourage as many residents with older homes to disconnect their downspouts.

The program's unique approach included direct door-to-door canvassing within targeted older areas throughout Halton to promote the program. This approach resulted in a 35 per cent participation rate. This was a significant increase in participation rate compared to other municipalities' voluntary subsidy programs, which have seen typically less than a five per cent voluntary participation rate.

At the completion of the targeted program in 2019, 3,385 homes disconnected their downspouts, diverting an estimated 204 million litres of rainwater on an annual basis from the storm and wastewater collection systems.

This reduction of rainwater from entering the wastewater system has increased the resiliency of Halton Region’s wastewater system to future severe weather and supports residents and businesses to adapt to the impacts of climate change.

**Enhanced Basement Flooding Prevention Subsidy Program**

The Enhanced Basement Flooding Prevention Subsidy Program makes it easier and more affordable for residents to make home improvements that can help reduce the risk of basement flooding. This program continues to be effective and confirms the value and importance of removing private sources of excessive I&I from Halton Region’s wastewater collection system.

Halton Region has provided 1,462 voluntary subsidies, totalling \$2.95 million since 2016. This amounts to approximately 244 subsidies processed each year compared to an average of 18 applications per year received prior to the 2014 Burlington Storm and resulting subsidy enhancements. Subsidy uptake year over year has been relatively stable. Table 1 shows the uptake on subsidies by type since the enhanced program was implemented.

**Table 1: Enhanced Basement Flooding Prevention Subsidy Applications from 2016 to 2021**

	2016	2017	2018	2019	2020	2021	2016-2021
Downspout Disconnect	11	16	19	30	24	12	112
Weeping Tile & Sump Pump	10	71	50	43	57	50	281
Lateral Lining/Repair	32	103	108	101	118	122	584
Backwater valve	26	109	99	90	76	85	485
<b>Total</b>	<b>79</b>	<b>299</b>	<b>276</b>	<b>264</b>	<b>275</b>	<b>269</b>	<b>1462</b>

**Education and Outreach**

Maximizing public participation in reducing private side sources of I&I through voluntary disconnection is essential to the success of the Region-Wide Basement Flooding Mitigation Program.

In order to achieve maximum participation, a multi-faceted education and outreach program was implemented to educate the public on basement flooding causes, communicate what steps residents can take to reduce risks and inform them of the available subsidy programs.

The three main communication tactics used are:

- Broad communication to all residents via website, digital advertising, road signs, social media platforms and booths at local community events;
- Targeted outreach using customized printed material (letters, brochures) and door-to-door canvassing to speak to residents in specific areas; and,
- Event driven communications when responding to sewer backup calls via brochures, pamphlets and face-to-face education and information exchange, when an Operator responds to a basement flooding call.

To supplement what is already in place, staff are in the process of developing a new communication campaign aimed at educating homeowners and businesses on how to properly dispose of fats, oils and grease and other non-flushable items, which are all known contributors to sewer blockages, which can cause sewer backups.

### ***Inter-Jurisdictional Working Group***

There is a close relationship between stormwater management and the effective operation of the wastewater collection system.

The wastewater collection system is the responsibility of Halton Region while stormwater systems and private property drainage are the responsibility of the Local Municipalities and Conservation Authorities. In order to address and coordinate surface and basement flooding in an effective and efficient manner, the combined effort of all impacted jurisdictions is required.

An Inter-jurisdictional Working Group was formed in 2016 as reported through Report No. PW-18-16, and consists of members from Halton Region, the four Local Municipalities and the two Conservation Authorities. Meetings are held quarterly to coordinate work, share information and collaborate on any new initiatives intended to mitigate surface and basement flooding risks. The following are some shared initiatives undertaken by the working group since 2017:

- Halton Region, the Local Municipalities and Conservation Authorities are sharing information related to flood mapping and areas prone to high groundwater and drainage issues as well as flow monitoring analysis results and mapping of high I&I areas in order to coordinate capital improvements and private side I&I reduction initiatives within high priority areas.
- Coordinated review of the development of stormwater management guidelines and standards to encourage management of stormwater at the property level to reduce impact of storms on the stormwater and wastewater collection systems. For example, moving to Low Impact Development that emphasizes conservation and use of on-site natural features to manage stormwater runoff.

Moving forward, to continue to reduce, mitigate or prevent I&I, Halton Region will collaborate with the working group on the following:

- Development of policy changes, standards and related inspections at the Local and Regional level to ensure private side stormwater drainage systems are constructed and repaired properly, during basement renovations, rebuilds and construction of new homes, to reduce I&I and the risk of basement flooding.
- Staff will also work with the Local Municipalities and the development community to enhance Halton Region's linear design standards and inspection requirements for wastewater infrastructure to ensure that newly built infrastructure does not contribute to excessive I&I. This is based on recent flow analysis that shows excessively high I&I in some newly developed areas.

## Summary

Although the risk of basement flooding cannot be entirely eliminated, significant progress has been made across the Region to mitigate the risk of future basement flooding and to make Halton Region's wastewater collection system more resilient to the impacts of climate change and severe weather.

As part of our day-to-day operations staff will continue to expand the use of technology to monitor the performance of our wastewater collection system, identify opportunities and areas of improvement and through our established asset management program ensure that our wastewater collection system is in maintained in a state-of-good repair.

Halton Region's progressive program to subsidize the disconnection of private side sources of excessive I&I in concert with our annual capital rehabilitation, repair and replacement program will also continue to lead to improvements in system resiliency through removal of excessive I&I at source.

In addition, staff will continue to collaborate with our Local Municipalities and Conservation Authorities to share information, identify opportunities and coordinate flooding reduction initiatives.

FINANCIAL/PROGRAM IMPLICATIONS

All costs associated with the Region Wide Basement Flooding Mitigation Program are included in the annual rate supported operating and capital budgets. Funding requirements for future years to support the continued delivery of the program will be brought forward each year for Regional Council's consideration through the annual Budget and Business Plan process.

Respectfully submitted,



Kiyoshi Oka P. Eng.  
Director, Water and Wastewater System  
Services



Andrew Farr  
Commissioner, Public Works

Approved by



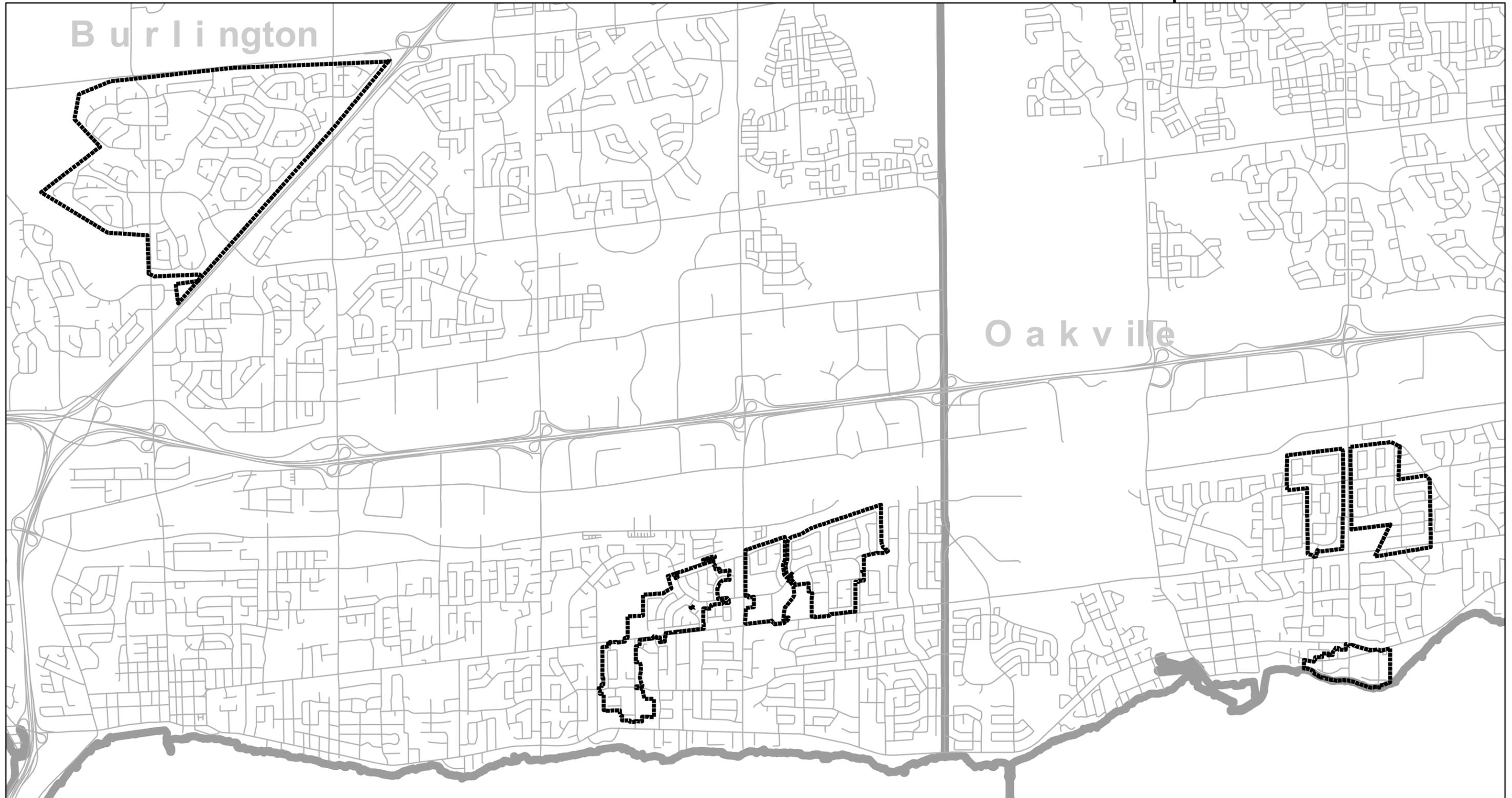
Jane MacCaskill  
Chief Administrative Officer

If you have any questions on the content of this report,  
please contact:

Kiyoshi Oka

Tel. # 7602

Attachments: Attachment #1 – Map of High Inflow and Infiltration Areas



**Legend**

 High Inflow and Infiltration Areas



0 0.125 0.25 0.5 0.75 1 Km

**High Inflow and Infiltration Areas**



Date: March 2022



**VIA EMAIL**

April 28, 2022

Kevin Arjoon, City Clerk, City of Burlington  
Meaghan Reid, Town Clerk, Town of Milton  
Vicki Tytaneck, Town Clerk, Town of Oakville  
Valerie Petryniak, Town Clerk, Town of Halton Hills

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Legislative & Planning Services  
Department  
Office of the Regional Clerk  
1151 Bronte Road  
Oakville ON L6M 3L1

Please be advised that at its meeting held Wednesday, April 20, 2022, the Council of the Regional Municipality of Halton adopted the following resolution:

**RESOLUTION: FN-15-22 - Optional Vacant Homes Tax in Halton Region**

1. THAT staff be authorized to proceed with the design and implementation of a proposed Vacant Homes Tax in Halton Region which includes undertaking public engagement to obtain input and feedback from Halton Residents and stakeholders and report back to Regional Council for approval, as outlined in Report No. FN-15-22 re: Optional Vacant Homes Tax in Halton Region.
2. THAT staff be authorized to transfer \$300,000 from the Tax Stabilization Reserve (501020) in order to fund the design and implementation study on a proposed Vacant Homes Tax in Halton Region.
3. THAT the Regional Clerk forward a copy of Report No. FN-15-22 to the City of Burlington, the Town of Halton Hills, the Town of Milton and the Town of Oakville, for their information.

Included please find a copy of Report No. FN-15-22 for your information.

If you have any questions please contact me at the e-mail address below.

Sincerely,

Graham Milne  
Regional Clerk  
[graham.milne@halton.ca](mailto:graham.milne@halton.ca)

**Regional Municipality of Halton**

HEAD OFFICE: 1151 Bronte Rd, Oakville, ON L6M 3L1  
905-825-6000 | Toll free: 1-866-442-5866



**The Regional Municipality of Halton**

Report To:	Regional Chair and Members of Regional Council
From:	Cyndy Winslow, Commissioner, Finance and Regional Treasurer
Date:	April 20, 2022
Report No:	FN-15-22
Re:	Optional Vacant Homes Tax in Halton Region

**RECOMMENDATION**

1. THAT staff be authorized to proceed with the design and implementation of a proposed Vacant Homes Tax in Halton Region which includes undertaking public engagement to obtain input and feedback from Halton Residents and stakeholders and report back to Regional Council for approval, as outlined in Report No. FN-15-22 re: Optional Vacant Homes Tax in Halton Region.
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3. THAT the Regional Clerk forward a copy of Report No. FN-15-22 to the City of Burlington, the Town of Halton Hills, the Town of Milton and the Town of Oakville, for their information.

**REPORT**

**Executive Summary**

- At the Regional Council meeting on June 16, 2021, Council requested staff to report back on a tax on vacant homes, the impact of corporate purchases of single family homes, and the related impact on affordable housing.
- The Region retained Ernst & Young LLP (EY) for the purpose of conducting a feasibility assessment of adopting a Vacant Homes Tax (VHT) in Halton. This report provides Regional Council with the findings of the VHT Feasibility Assessment and the anticipated impact on affordable and assisted housing.

- Regional Council also requested to know the impact of corporate purchases of single family homes in Halton. Aggregate information related to the sale and ownership of homes by corporations is not available, so this request could not be responded to.
- The EY report titled “Feasibility Assessment for Vacant Homes Tax”, presented in Attachment #1, provides indication that the implementation of a VHT in Halton would lead to a reduction in vacant homes and result in positive net revenues which could be invested to support Halton Region’s Comprehensive Housing Strategy objectives.
- This report seeks approval for staff to proceed with the design and implementation of a VHT program in Halton which starts with undertaking public engagement to obtain input and feedback from Halton Residents and stakeholders to help design the program. This will be followed by staff undertaking a design and implementation study with the engagement of a third party consultant and will develop the proposed VHT program framework.
- It is recommended that a third party consultant be retained through a competitive procurement process to assist with development of the design and implementation study. The estimated cost of the study is projected to be \$300,000, and it is recommended that this cost be funded through a transfer from the Tax Stabilization Reserve (501020) in 2022.
- Staff will report back to Regional Council in 2023 with the public engagement findings and the proposed VHT program framework for approval. Upon approval, Halton Region would need to submit a request to the Ministry of Finance for Halton Region to be a designated municipality under Part IX.1 Optional Tax on Vacant Residential Units, of the *Municipal Act, 2001*. Thereafter a report would be brought forward with the associated by-law for Council approval to implement the VHT program. While it is not yet known how long it will take to receive approval from the Minister of Finance, it is estimated that the earliest that the VHT could be implemented would be billing in 2024 based on the 2023 taxation year; however billing in 2025 based on the 2024 taxation year may be a more realistic estimate.

## Background

On May 17, 2017, *Bill 127 – Stronger, Healthier Ontario Act (Budget Measures), 2017*, received Royal Assent and amended and repealed various Acts to implement the measures contained in the 2017 Ontario Budget, including the Fair Housing Plan. The *Municipal Act, 2001* (the Act) was also amended and Part IX.1 Optional Tax on Vacant Residential Units was introduced. Under this legislation, interested municipalities may seek designation status from the Minister of Finance to be granted the authority to impose a tax on vacant residential units in certain circumstances.

Under section 338.2 of the Act, designated municipalities in Ontario can impose a tax on vacant residential units that meet the criteria established by the municipality. Council has the authority to pass a by-law to impose a VHT on the assessed value of a vacant home in the residential property class. The by-law must contain the applicable tax rate and the conditions of a vacancy that, if met, make a unit subject to the tax. The by-law may also contain, if Council deems appropriate, possible exemptions from the tax, rebates of tax, audit and inspection powers and a dispute resolution mechanism.

The Act preserves the right of the Minister of Finance to make regulations pertaining to the tax including any conditions or limits on how the tax is imposed, defining a vacant unit, governing the collection of a tax, and dispute resolution. As of the date of this report, no such regulation has been filed.

## Municipal Scan

As shown in the table below, a survey of neighbouring municipalities indicates that only the City of Toronto currently has authority to implement the vacant homes tax through an amendment to the *City of Toronto Act, 2006*, and plans to begin collecting the tax in 2023 based on the 2022 taxation year. Other municipalities that are planning to proceed forward with the tax are in various stages in the process, and have projected that the process will take a number of years prior to implementation of tax collection. Halton Region’s projected timeline, shown in the table below, is discussed in further detail in this report.

Municipality	VHT Feasibility Study	VHT Program Framework Approved	VHT Minister of Finance Approval	VHT Effective Date	Tax Collection Year
City of Toronto	2017 - 2021	December 2021	Not Applicable*	2022	2023
City of Ottawa	2020 - 2021	March 2022	Data not available	2022 Projected	2023 Projected
City of Hamilton	2019 - 2022	Data not available	Data not available	2022 Projected	2023 Projected
Peel Region	2021 - 2022	2023 Projected	2023 Projected	2023/2024 Projected	2024/2025 Projected
Halton Region	2021 - 2022	2023 Projected	2023 Projected	2023/2024 Projected	2024/2025 Projected

\* The Provincial government amended the *City of Toronto Act, 2006*, in 2017 allowing the City of Toronto to impose an optional tax on vacant residential units

## Discussion

### Vacant Homes Tax Feasibility Assessment

The Region retained EY for the purpose of investigating the feasibility of adopting a VHT in Halton. A stakeholder group including Regional staff from Finance, Housing and

Economic Development and the Area Treasurers have been working together with EY to conduct a feasibility assessment on a VHT. The feasibility assessment includes the following key components:

- A current state overview of housing market trends in Halton;
- Overview of the VHT;
- Operational components of administering a VHT program and;
- Financial and feasibility analysis of the VHT.

The EY report titled “Feasibility Assessment for Vacant Homes Tax” can be found as Attachment #1 to this report.

## **State of Housing**

The VHT is commonly implemented in high-growth urban centres which face challenges related to housing such as rapidly appreciating home-prices (at a rate higher than the growth of income) or low availability of homes for sale or rent. As reported through Report No. SS-19-19/LPS86-19 re: “Comprehensive Housing Strategy 2014-2024 – Five Year Review”, housing in Halton Region has become less affordable in both the ownership and rental markets. The cost of housing has outpaced household income. The average price of house sales in 2018 was 39 per cent higher than in 2014, while household incomes between 2011 and 2016 increased by 16.7 per cent on average. This trend has continued, as reported through Report No. LPS50-21 re: 2020 State of Housing Report. The average price of all sales was \$902,576 in 2020, an increase of 8.1 per cent compared to 2019, while average rent increased 7.0 per cent over 2019.

The percentage of gross income spent on housing/shelter costs is a key measure of affordability adopted by the Canadian Mortgage and Housing Corporation (CMHC), with the current threshold being 30 per cent. As reported through Report No. SS-11-21 re: Comprehensive Housing Strategy Update 2014-2024 Annual Progress Report, according to the CMHC Halton Region has surpassed Toronto with the most cost prohibitive rents in Ontario. Halton Region had the highest average market rent across the Province in 2020 at \$1,583, which illustrates the affordability challenges that the residents of the Region are facing.

This has put significant pressure on Halton’s affordable and assisted housing programs. As reported through Report No. SS-19-19/LPS86-19, the waitlist for subsidized, or rent-geared-to-income housing in the Region is over 3,200 applicants, and the Region has seen a significant increase throughout the pandemic in demand for assisted housing in the Region and increased this waitlist. To relieve pressure on the housing system, the Region has created 1,005 new assisted housing opportunities since 2014, and 80 additional new assisted housing opportunities are projected to be delivered in 2022. As reported through Report No. LPS84-21/SS-25-21 re: Portfolio Approach to Achieving Comprehensive Housing Strategy Objectives, the Region is well positioned to deliver a mix of up to 600 units of purpose built rental and assisted rental housing programs between 2021-31 in support of the Region’s portfolio approach to assisted housing creation with funding support from the federal and provincial governments. Many factors

influence housing affordability and the demand for assisted housing. Reviewing the feasibility of introducing the VHT in Halton is timely and may provide a revenue source to enhance affordable and assisted housing in the Region.

### **Objectives / Purpose of a VHT**

The purpose of implementing a VHT is two-fold. First, it is a policy measure to encourage owners of vacant homes to rent, sell or occupy the home. This should provide incentive to increase the supply of units to the housing market. Secondly, revenue generated from the VHT could be used to enhance affordable and assisted housing programs in support of the Region's Comprehensive Housing Strategy.

As indicated in EY's report, the enabling legislation was announced as part of Ontario's Fair Housing Plan and as such, using the funds from this tax for the benefit of housing affordability aligns with this plan. This is consistent with what neighbouring municipalities in Ontario have put forward in their proposed VHT Programs, and is also the consensus of the stakeholders in the EY VHT Feasibility Assessment. It should be noted however, that the legislation does not specifically indicate that the revenue must be used for housing. Currently in Ontario, the Province has not yet approved any VHT requests through this legislation, therefore there is not yet precedent with respect to approvals and utilization of revenues. The Provincial government amended the City of Toronto Act, 2006, in 2017 allowing the City of Toronto to impose an optional tax on vacant residential units.

### **Required Components of the VHT**

The Act sets out certain requirements and conditions to impose taxes on vacant residential units, which include:

- It must be a tax applied on a property's assessed value
- The tax may only apply to the residential class
- The property must be taxable under the *Assessment Act* for municipal purposes
- It must be imposed by a by-law stating the tax rate, identifying the conditions of vacancy (definition of an eligible property), and other necessary conditions with respect to collection of the taxes.

### **VHT Tax Rate**

When designing the VHT, the selection of the tax rate to charge is an important component. The neighbouring municipalities in Ontario that are planning to implement a VHT are starting with a tax rate of 1 per cent of the assessed value. This tax rate would be levied annually against the property's assessed value and would be in addition to the residential property tax rate. The EY VHT Feasibility Assessment reviewed a range of possible tax rates and estimated revenues, however the feasibility analysis focused on a tax rate of 1 per cent. The optimal tax rate would be reviewed further through the design and implementation study.

## Conditions of Vacancy

Most neighbouring municipalities that have or are close to implementing the VHT have defined an eligible property to be one that has been vacant for more than six months. The definition can include allowable exemptions from the tax even for those properties that have been vacant beyond six months. These exemptions can include principal residences (e.g. Snowbirds/Cottagers for more than 6 months would still be exempt), extended renovations, sale of a property, medical conditions, change of ownership, etc. The EY VHT Feasibility Assessment includes these and additional exemptions considered by other municipalities for reference. The potential exemptions would be reviewed further through the design and implementation study.

## Operational Components of Administering a VHT Program

There are four main operational components of administering the VHT:

1. Reporting: A process would need to be put into place that enables the municipality to identify the homes eligible to be taxed. Generally there are three processes that would be considered when implementing a VHT:
  - Mandatory Declaration: the most common thus far, requires all property owners to declare yes or no as to the vacancy status of their property per the definition each taxation year;
  - Self Declaration/Declaration by Exemption: requires only those that fit the definition to declare their property as vacant each taxation year;
  - Complaints Based: relies on complaints or tips received to identify potentially vacant homes.
2. Collections: The collections process includes collection of tax revenue from vacant homes and penalties from homeowners who are non-compliant or who present fraudulent declarations.
3. Compliance: The compliance process includes conducting investigations to determine if a property is vacant and understand if declarations submitted by property owners are truthful. Investigations will be required to determine if there are properties not in compliance. Considerations for compliance will vary depending on the declaration method chosen, and would include various forms of audits.
4. Communications: The communications process includes addressing queries and complaints, and building awareness of the tax to help the public understand the scope, reporting guidelines, and compliance processes.

Designing the administration of a VHT is quite complex, especially in a two-tier municipal structure. The EY VHT Feasibility Assessment reviewed several models of administering a VHT program, including fully administered by the Local Municipalities, fully administered by the Region, and a hybrid approach. Currently, the Municipal Act does not allow regional

governments to levy or collect taxes therefore, a fully regionally-administered model would require legislative changes and would not be recommended for further consideration. If Council approves moving forward with the next steps of implementing a VHT program in Halton, Regional and Local staff would work together through the design and implementation study to undertake further review and analysis to determine the preferred administration model.

## **Financial Analysis**

Implementation of the VHT requires careful consideration of the potential financial impacts to the Region and the Local Municipalities. EY's modelling provides 10-year estimates for revenues, operating costs, implementation costs, and impacts on housing supply. Data provided by the Region, case studies and assumptions were used to prepare the financial analysis presented in EY's report.

The financial analysis is comprised of two components: revenues and costs.

Revenues from the VHT is derived from two sources:

- Tax levy – revenue earned from homeowners who declare/report their homes as vacant; and
- Audits – revenue from homeowners found to be non-compliant or fraudulent in their declaration/reporting, and charged a penalty.

Costs incurred for implementing the VHT are categorized as:

- One-time costs – the upfront costs associated with implementing the VHT, such as software costs to upgrade the tax collection systems, etc.; and
- Ongoing costs – the costs associated with operating the tax annually, such as salaries of compliance and audit staff, etc.

## **Revenue Estimation**

Revenue estimates were developed by EY's financial model using key inputs and assumptions provided by the stakeholder group and EY's own research. For the financial model, the estimated number of vacant homes was derived using aggregate water consumption data with a low usage threshold of 50 litres/day to determine vacancy. This analysis identified approximately 4,700 vacant homes in the Region. This estimate was then adjusted to reflect the projected number of eligible vacant homes, taking into account possible exemptions, based on experience to date derived from the City of Vancouver. This analysis projected an estimate of 985 vacant homes in the Region, or 0.5 per cent of the total housing supply, that would be eligible to pay the VHT. Annual growth rates of 2.19 per cent in housing supply and 1.7 per cent in assessment values were included in the model based on historic trends, and a 1 per cent tax rate was applied. Based on these key inputs and assumptions, the model projected average annual revenues of \$6.1 million for the first 10-years of the program, comprised of \$5.8 million in tax levy revenues and \$0.3 million in penalty revenues.

## Cost Estimates

Cost estimates for administering a VHT program in the Region include one-time implementation costs and annual operating costs. Depending on the delivery model chosen, i.e. local municipal delivery or hybrid delivery, costs will differ across cost categories. The EY VHT Feasibility Assessment indicates that the hybrid delivery model would have lower implementation and operating costs due to efficiencies that may be realized by centralization of functions at the Regional level. However, additional analysis will be required of the tax systems in each of the Local Municipalities to estimate the effort required to implement and operate a VHT program.

The EY financial model calculated cost estimates based on the experience of the City of Vancouver, adjusted for inflation and other factors to project the estimated costs for Halton Region. Based on available data and assumptions, it is estimated that the implementation costs would range from \$3.3 million (hybrid model) to \$3.9 million (local municipal model), and the annual costs to operate the program are estimated in the range of \$1.8 million (hybrid model) to \$2.0 million (local municipal model), as shown in Table 1 below.

**Table 1: Costs Summary**

	Implementation Costs	Annual Operating Costs
<b>Total Estimated FTEs</b>	<b>6 - 9</b>	<b>11 - 12</b>
<b>FTE Costs (\$ Millions)</b>	<b>\$0.8 - \$1.2</b>	<b>\$1.2 - \$1.3</b>
Professional Services	\$1.2 - \$1.4	
Infrastructure Costs	\$0.2	
Technical Implementation Costs	\$1.1	
Notices and Advertising		\$0.12 - \$0.15
IT Support & Maintenance		\$0.13 - \$0.16
Customer Service		\$0.33
<b>Total Costs (\$ Millions)</b>	<b>\$3.3 - \$3.9</b>	<b>\$1.8 - \$2.0</b>

The table below illustrates the estimated average annual net revenues projected for the program, after deducting the estimated annual operating costs of \$1.8 to \$2.0 million from the revenues after full implementation of the VHT program. The model estimates that the number of vacant homes required to break even annually is between 348 and 376, not including the implementation costs that would need to be recovered. It is expected that the implementation costs which are estimated at \$3.3 to \$3.9 million would be recovered from the net revenues of the program, however a payback period for the implementation costs would need to be further reviewed during the design and implementation study.

**Table 2: Summary of Annual Net Revenues**

<b>Annual Net Revenues (\$ Millions)</b>	<b>Estimated Range</b>
1.0% Tax Rate Revenue	\$5.8
Penalties	\$0.3
<b>Total Estimated Revenues</b>	<b>\$6.1</b>
Annual Operating Costs	\$1.8 - \$2.0
<b>Net Revenues</b>	<b>\$4.1 - \$4.3</b>
Number of Vacant Homes Required to Break Even	348 - 376

## **Risks**

It is important to note that estimated revenue and cost projections in the EY VHT Feasibility Assessment will require further review as part of the design and implementation study. The VHT is a complex program which is further complicated in a two-tiered municipal structure. Detailed planning to identify the scope and complexity of tax system upgrades will be required, along with the design of an administration model outlining the roles and responsibilities of the Region and Local Municipalities. The revenue and cost projections will be updated through this detailed review and planning process, and as such, may differ from the projections from the EY VHT Feasibility Assessment presented in this report and Attachment #1.

While the EY VHT Feasibility Assessment indicates that the VHT is financially feasible to implement in Halton Region, the following risks have been identified with proposed mitigation strategies including:

- Inadequate revenues to fund implementation and annual program costs: The program would require continuous monitoring to ensure there are sufficient revenues to offset costs to administer the program.
- Tax System and process challenges: Detailed systems planning and process mapping exercises would be undertaken through the design and implementation study to identify the scope and complexity of systems and processes required in a two-tier municipal structure.
- High non-compliance rates of status declaration: Incorrect declarations of occupancy status or exemption applications could be mitigated through the design and implementation of a rigorous, risk-based audit process. Detailed review and development of an audit and compliance process would be undertaken through the design and implementation study.

- Lack of resident support for the VHT: Public engagement will be conducted to gauge public support, and communicate the benefits of the tax. The findings will be considered in the design and implementation study.

Staff will consider these risks and mitigation strategies further as part of the design and implementation study.

## **Key Takeaways**

The findings of the EY VHT Feasibility Assessment indicate that the VHT appears to be a feasible policy and revenue tool for Halton Region, to reduce the number of vacant homes thereby increasing housing supply, and can provide positive net revenues to support Halton Region's affordable and assisted housing programs. Key takeaways from the EY VHT Feasibility Assessment include the following:

- It is projected over a ten year period that 330 vacant homes would be sold or converted to rental properties as a result of the VHT.
- The VHT is expected to generate net positive revenues that could be used to invest in Halton Region's affordable and assisted housing priorities and programs.
- A hybrid administration model may have lower implementation and operating costs. However, additional analysis will be required of the tax systems in each of the Local Municipalities to estimate the effort required to implement and operate a VHT program.
- Net revenues will need to be continuously monitored to ensure that there are sufficient revenues to fund the implementation and operating costs of the program; it is expected that revenues will decline over time as vacant homes are converted to rental properties or sold as a result of the tax.
- A design and implementation study will be key in establishing the VHT Program Framework which includes
  - The definition of vacant homes and recommended exemptions
  - The optimal tax rate (or a range of rates)
  - Audit and inspection powers and processes
  - Set out preferred program administration process in a two-tier municipal structure
  - The most appropriate way to utilize the VHT revenue net of administrative costs
  - Updated revenue and cost projections based on the proposed VHT Program Framework
  - Performance evaluation and reporting processes

## Recommended Next Steps

Based on the findings of the EY VHT Feasibility Assessment, staff recommend proceeding with the next steps to develop a proposed VHT Program Framework for Halton Region which starts with public engagement to obtain input and feedback from Halton residents and stakeholders. Regional staff will work together with the Area Treasurers to develop a public engagement plan to consult and engage with residents and appropriate community stakeholders which aligns with Halton Region's Public Engagement Framework. This will be followed by staff undertaking a design and implementation study, with the engagement of a third party consultant to develop the proposed VHT Program Framework. Staff will report back to Regional Council in 2023 with the results of public engagement and bring forward the proposed VHT program framework for approval.

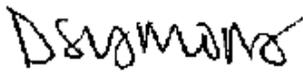
Following Regional Council approval of the VHT Program Framework, in order to implement the VHT program, the Region will need to submit a request to the Ministry of Finance for Halton Region to be a designated municipality under Part IX.1 Optional Tax on Vacant Residential Units, of the *Municipal Act, 2001*. Thereafter a report would be brought forward with the associated by-law for Council approval to implement the VHT. While it is not yet known how long it will take to receive approval from the Minister of Finance, it is estimated that the earliest that the VHT could be implemented would be billing in 2024 based on the 2023 taxation year; however billing in 2025 based on the 2024 taxation year may be a more realistic estimate. A projected timeline for implementing a VHT in Halton Region is presented below.



FINANCIAL/PROGRAM IMPLICATIONS

Following approval of this report, a consultant will be retained through a competitive procurement process to undertake a design and implementation study of a Vacant Homes Tax in Halton Region. The estimated cost of the study is projected to be \$300,000, and it is recommended that this cost be funded through a transfer from the Tax Stabilization Reserve (501020) in 2022.

Respectfully submitted,



Debbie Symons  
Director, Budgets and Tax Policy



Cyndy Winslow  
Commissioner, Finance and Regional  
Treasurer

Approved by



Jane MacCaskill  
Chief Administrative Officer

If you have any questions on the content of this report,  
please contact:

Debbie Symons

Tel. # 7155

Attachments: Attachment # 1 – Ernst & Young LLP Halton Region Feasibility Assessment for Vacant Homes Tax (Under Separate Cover)

# Feasibility Assessment for Vacant Homes Tax Halton Region

Final Report

March 2022



# Disclaimer

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Ernst & Young LLP (“EY”) prepared the attached report only for Halton Region (“Client”) and the Project Steering Committee comprising of senior officials from the Region (collectively, the “Steering Committee”) pursuant to an agreement solely between EY and Client. EY did not perform its services (the “Review”) on behalf of or to serve the needs of any other person or entity. Accordingly, EY expressly disclaims any duties or obligations to any other person or entity based on its use of the attached report. Any other person or entity must perform its own due diligence inquiries and procedures for all purposes, including, but not limited to, satisfying itself as to the financial condition and control environment of the Steering Committee, and any of its funded operations, as well as, the appropriateness of the accounting for any particular situation addressed by the report. EY did not perform an audit or review (as those terms are identified by the CPA Canada Handbook - Assurance) or otherwise verify the accuracy or completeness of any information provided by the Client or the Steering Committee or any of its funded operations financial statements. Accordingly, EY did not express any form of assurance on accounting matters, financial statements, any financial or other information or internal controls. EY did not conclude on the appropriate accounting treatment based on specific facts or recommend which accounting policy/treatment the Steering Committee, or any funded operations should select or adopt. The observations relating to all matters that EY provided to the Steering Committee were designed to assist the Steering Committee in reaching its own conclusions and do not constitute EY’s concurrence with or support of Client's accounting or reporting or any other matters.

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# Introduction | Project Objectives

Halton Region engaged EY to conduct a feasibility analysis for the potential implementation of a Vacant Homes Tax. The objectives of the assessment are listed below:



Review and analyze Halton Region's housing market conditions, and the short- and long-term impacts of the COVID-19 pandemic on the housing market



Assess the potential impacts a Vacant Homes Tax may have on the availability and affordability of housing at Halton Region



Assess various operating models that the Region can use to implement the Vacant Homes Tax in Halton, taking into account Halton's two tiered municipal structure



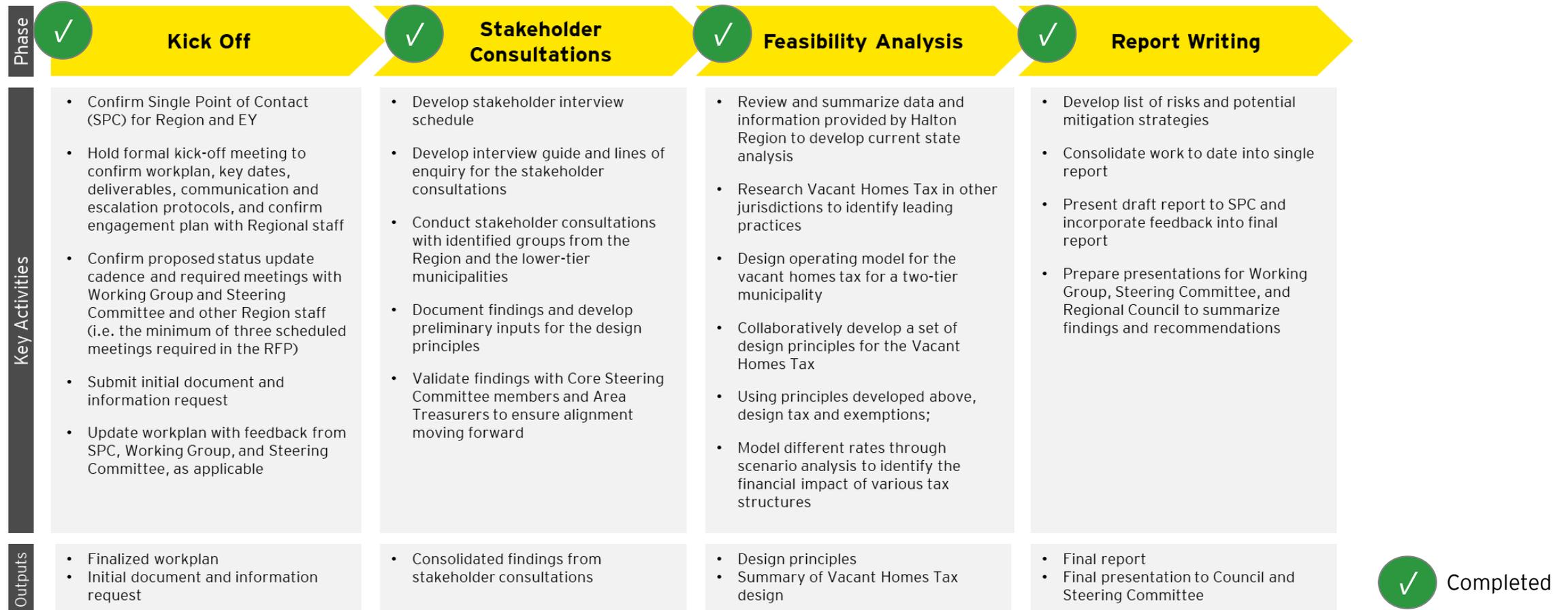
Model the impacts of tax rates to estimate potential revenue generated from vacant homes, and determine the operating costs (one-time and ongoing costs) of the vacant homes tax program



Assess feasibility and determine risks of implementing the vacant homes tax

# Introduction | Completion Status of RFP Objectives

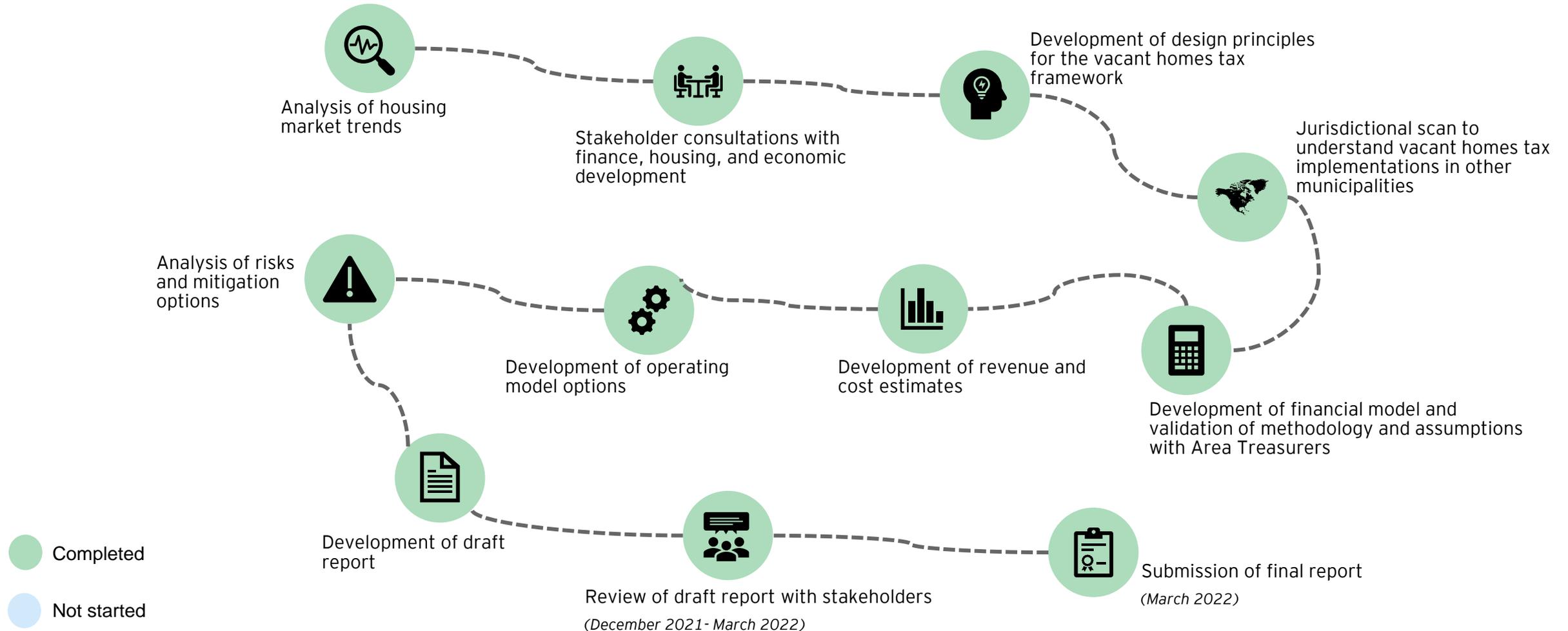
The completion status of the objectives laid out in the RFP is illustrated below:



- Note: The RFP required an analysis of the impact of corporate/institutional purchases of single family homes on housing prices. However, this planning/housing data on the volume/trends on corporate purchases of homes is not available/tracked, therefore this analysis could not be completed and was removed from the scope of the engagement

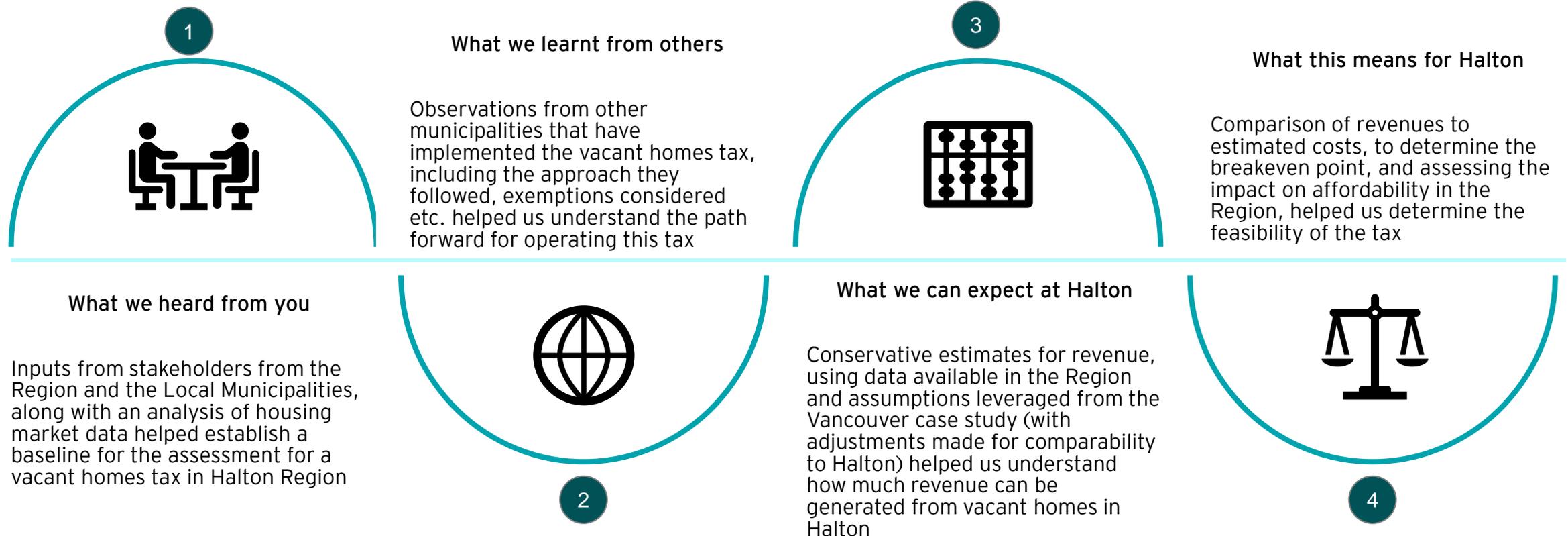
# Introduction | Approach

The key project activities for the development of the feasibility analysis of the vacant homes tax at Halton Region, including their completion status, is illustrated below:



# Introduction | Report Objective

This report summarizes findings from 4 focus areas that guided our approach for this project as illustrated below:



# Introduction | Report Overview



## Report purpose

This report presents the project team's interim findings through stakeholder consultations, jurisdictional review, secondary research, and data analysis conducted using both publicly available data and data provided by the Region. These findings are to be reviewed and validated by the Region and Local Municipalities before finalizing the report

- 
**Current State Overview:** The role a Vacant Homes Tax can play to raise funds for assisted housing programs or address affordability at Halton Region
- 
**Understanding the Vacant Homes Tax:** An overview of what a Vacant Homes Tax is, what it includes (and does not include) and what the objectives of implementing the tax are
- 
**Operating the Vacant Homes Tax:** An analysis of how the Vacant Homes Tax can be implemented and managed within a two-tiered municipal structure, including an evaluation on the various operating models and risks, synergies and duplications for each model
- 
**Financial Analysis:** Preliminary financial estimates on the potential revenue at various rates, one-time and operational costs for the various models identified in the previous phase
- 
**Feasibility Analysis:** Feasibility assessment, through an evaluation of net financial impact (revenue less operating costs) and risks

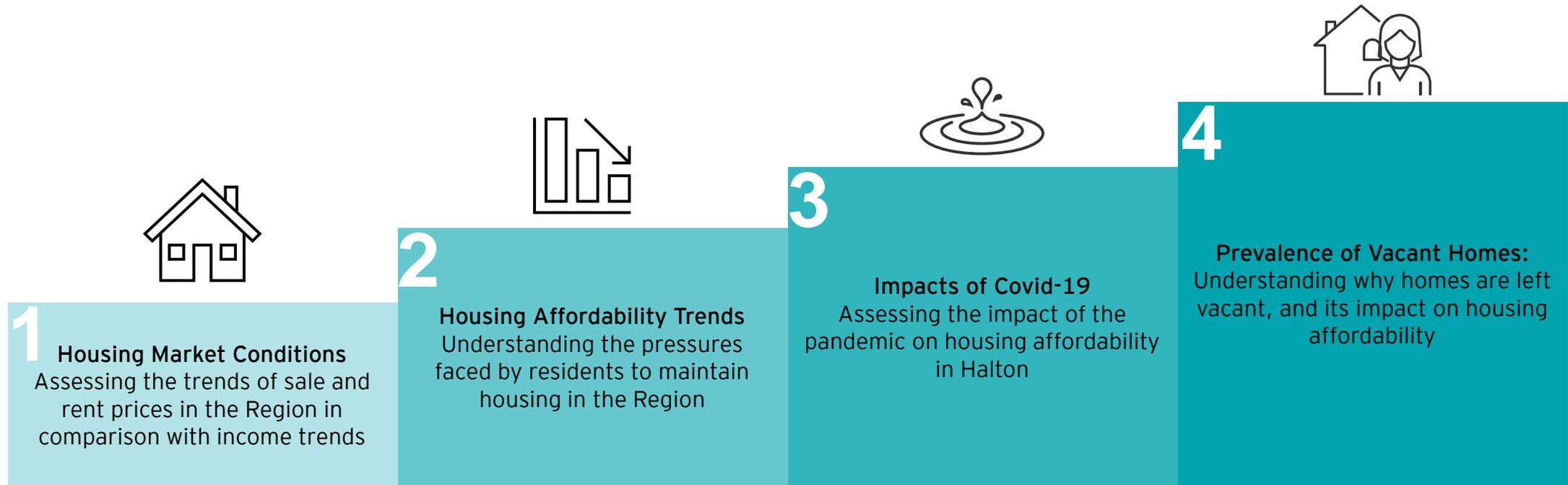


## CURRENT STATE OVERVIEW

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# Current State Overview | Introduction

Understanding housing market trends of availability and affordability is key to assessing the feasibility of a Vacant Homes Tax in Halton Region. In this section, we review the current state of housing in Halton by assessing the following:



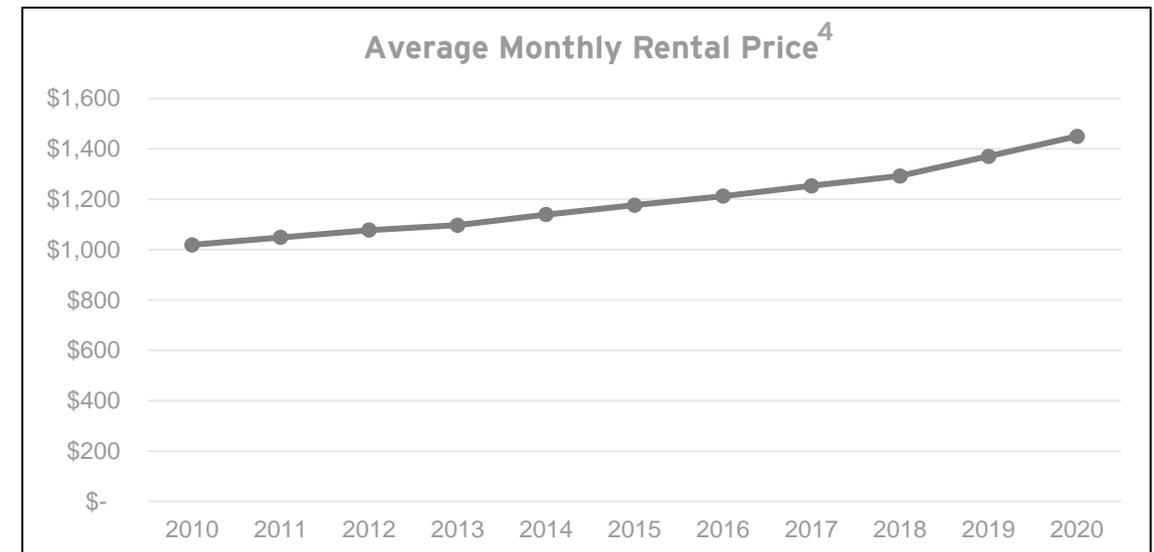
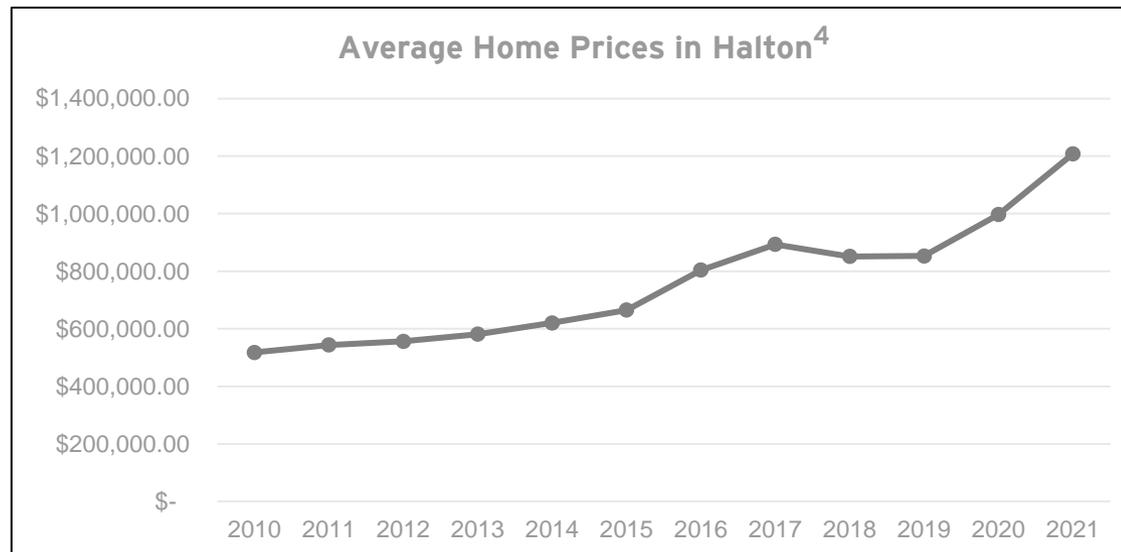
Inputs related to the above were developed through a combination of analysis of housing data submitted by Halton Region, secondary research, and consultations with key stakeholders (tax policy and finance staff at the Local Municipalities, housing staff in the Region, and Halton's project leadership)

# Current State Overview | Housing Market Conditions

Challenges with affordability of home ownership in the Region are evident, with average housing sale prices growing 2x faster than the average household income within a 5 year timeframe

## HIGHLIGHTS

According to the findings from the Five Year Review<sup>1</sup> of the Region's Comprehensive Housing Strategy (CHS) Update 2014-2024, the average sale price in the Region has increased by over 39% between 2014-18, while household income increased only by 16.7% between 2011-16. The shortfall (gap between supply and demand) for assisted and affordable housing in the Region also increased to 16.9 % and 6.9% respectively in 2020 indicating increased dependency on government assistance to meet housing needs<sup>2</sup>. The 5 year CHS Review Report<sup>1</sup> mentioned above indicates that the waitlist for subsidized, or rent-geared-to-income housing in the Region is over 3,200, and it is likely that the pandemic has exacerbated the demand for assisted housing in the Region and increased this waitlist. To relieve pressure on the housing system, the Region has created 1,005 new assisted housing opportunities since 2014, and 80 additional new assisted housing opportunities are projected to be delivered in 2022. The Region is also well positioned to deliver a mix of up to 600 units of purpose built rental and assisted rental housing programs between 2021-31 in support of the Region's portfolio approach to assisted housing creation with funding support from the federal and provincial governments<sup>3</sup>



1. Halton Region Comprehensive Housing Strategy 2014-24 Five Year Review (SS-19-19/LPS86-19)

2. Halton Region State of Housing Report (LPS50-21)

3. Halton Region report on portfolio approach to achieving Comprehensive Housing Strategy Objectives (LPS84-21/SS-25-21)

4. Data provided by Halton Region

# Current State Overview | Housing Affordability

Over 45% of tenants in Halton spend more than 30% of their income on housing - indicating an affordability crisis for a large portion of the Region's residents

## Housing affordability is a persistent challenge in the Region...

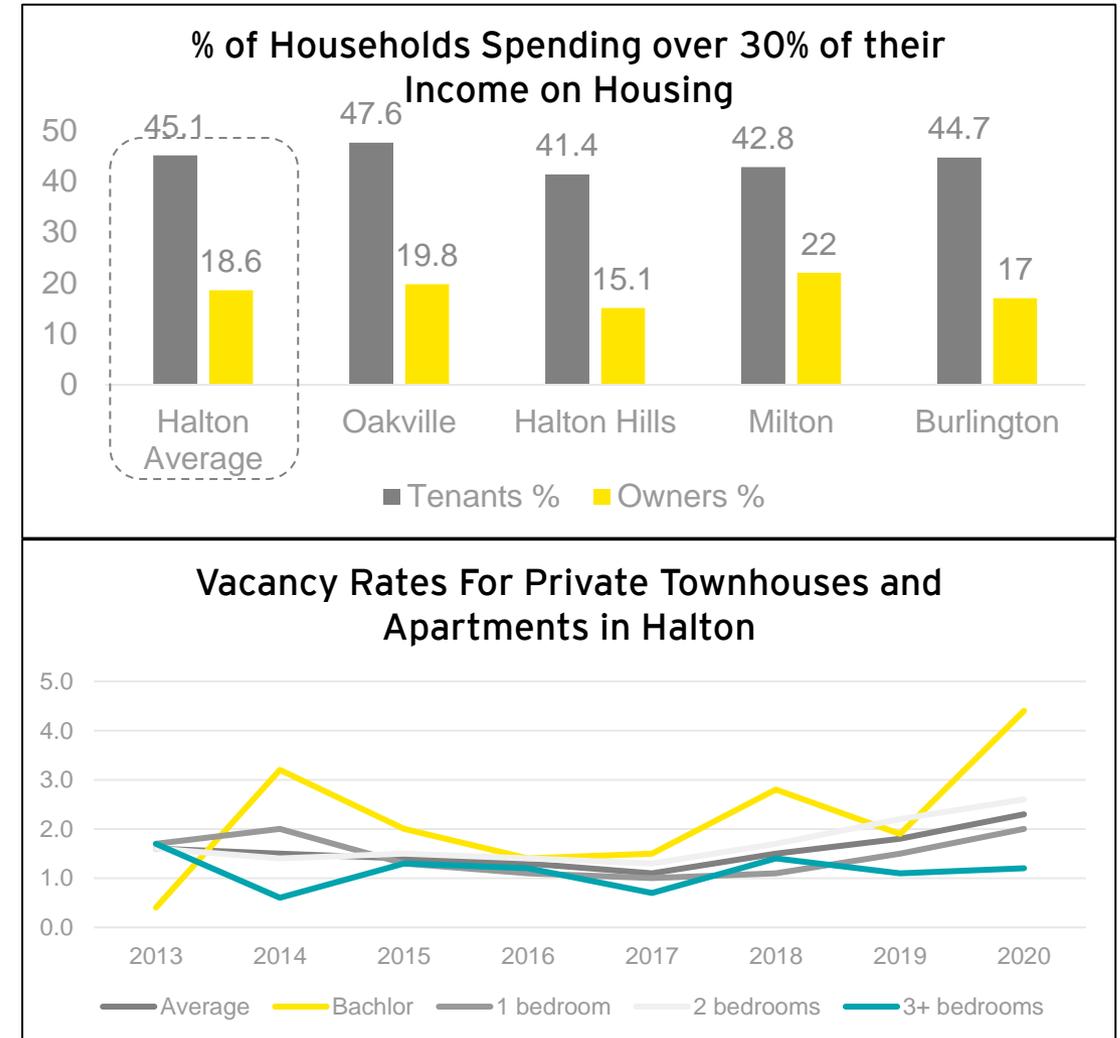


The percentage of gross income spent on housing/shelter costs is a key measure of affordability adopted by the Canadian Mortgage and Housing Corporation - with the current threshold being 30%.<sup>1</sup> As indicated the graph on the right, over 45% of tenant households and 18% of homeowners across Halton Region spend more than 30% of their income on housing as per the 2016 census illustrating the affordability challenges that the residents of the Region are facing.

## ...and is expected to remain so if left unaddressed



Vacancy rates between 2014-2019 have largely decreased, which worsens affordability due to lack of housing supply. In 2020, vacancy rates within the Region increased (e.g. vacancy in bachelor units reached an 8-year high of 4.4%). However, this may be attributed to the temporary conversion of short-term rentals as a result of the COVID-19 pandemic, and is likely to reverse as the Province moves back to normalcy. However, despite this increase in vacancy rates, the average rental rates in the Region still increased by an average of 7% between 2019-2020.<sup>2</sup>



<sup>1</sup>Data sourced from Canadian Mortgage and Housing Corporation  
<sup>2</sup>2020 State of Housing Report - Halton Region (LPS50-21)

# Current State Overview | Impact of COVID-19 On Housing

*The pandemic has had varied impacts on the housing market - but there is limited evidence to assess whether those impacts would be short- or long-term*

Between September 2019-2021, Halton has seen a 37% increase<sup>1</sup> in the average sale price of homes - this may be attributed to the rising trend of migration by residents of bigger cities (e.g. Toronto) to other regions of the Greater Golden Horseshoe Area. Halton's condo vacancy also dropped to 0.2% in the third quarter of 2021, well below the 3% minimum threshold that is indicative of a healthy rental market. Although it may not be possible to predict whether these impacts of the pandemic would sustain over the long term, it is evident that the pandemic has not had any long-lasting positive effects on improving housing affordability in the Region. Some of these impacts are discussed below.

Trend	Impact
 <p>Demand for short-term rentals (e.g. AirBnB) have decreased due to a decline in interprovincial and international travel, putting pressure on AirBnB owners to either sell or list their unit on the long-term housing market</p>	<p>In the first three months of the pandemic, the GTA housing market saw a 52%<sup>2</sup> increase in furnished rental listings, while rent prices fell 5.7% year-over-year<sup>2</sup>, largely attributed to be driven by Airbnb hosts. This indicates the pandemic was able to temporarily improve housing supply to ease affordability pressures, but this change is unlikely to be long-term if domestic and international travel return to pre-pandemic levels</p>
 <p>Owners may not list their property for rent due to an unwillingness to handle an increased burden of being a landlord during uncertain times.<sup>3</sup> They may also be averse to having unknown persons rent units that are in proximity to the owner's home (e.g. basement apartment attached to the owner's primary residence)</p>	<p>Landlords who would have potentially listed their vacant units onto the market may now do so at an increased price, to compensate for the additional perceived risk, or leaving it vacant to avoid the additional burden or potential exposure to the COVID-19 virus. This negatively impacts housing affordability in the Region.</p>
 <p>Occasional use property owners such as snowbirds or frequent travelers have returned and occupied their previously vacant home due to restrictions on international travel</p>	<p>Homes that were generally left vacant by these classes of homeowners have now been occupied. However, this has no impact on housing affordability as those units were not previously expected to be sold or rented.</p>

<sup>1</sup>Calculated using data provided in the Real Estate Housing Sales Data file sent from Halton

<sup>2</sup>Miscellaneous EY Internal Market Research

<sup>3</sup>City of Toronto assessment of COVID-19 impact on affordability

# Purpose and Objectives of Vacant Homes Tax

*Leaving homes vacant lowers the rental housing supply - which negatively impacts housing affordability*

The Vacant Homes Tax is commonly implemented in high-growth urban centres which face challenges related to housing such as rapidly appreciating home-prices (at a rate higher than the growth of income) or low availability of homes for sale or rent. The tax is generally applied to homes that are vacant for at least 6 months over a 12-month period (calendar year or fiscal year). The objectives of this tax are two-fold as illustrated below:



## Policy Tool To Improve Housing Affordability

Discourage holding of homes as a means to park capital and incentivize owners of vacant properties to either sell or rent out their units. This results in an increase in supply of units on the housing market which may improve the affordability of housing in the Region



## Revenue Tool To Support Housing Programs

Raise revenue to fund and support rent relief programs, build and maintain assisted housing, and provide grants to non-profit organizations to assist the community. This helps municipalities improve the reach and outcome of their assisted housing initiatives.

By designing the right tax structure, which is high enough to support a change in behavior and raise adequate revenues, municipalities may be able to access a new source of revenue to address housing challenges and/or increase the supply of housing in the market to address affordability challenges.

# Market Motivations of a Vacant Home Owner

A number of short- and long-term reasons exist for leaving a home vacant, which must be understood by a municipality before considering the vacant homes tax

Based on case studies of vacant homes tax implementations in other jurisdictions, there are varied reasons for keeping a home vacant. Below is an aggregated list of reasons identified through research:

## Short term reasons\*

- 1  Inertia: the owner has a plan to occupy or rent the property out, however due to various reasons, they have not
- 2  Construction: the property cannot be lived in as a result of current renovations or large construction
- 3  Recent sale or transfer: the property recently was sold or ownership was transferred

## Long term reasons\*\*

- 4  Recent death, or medical care: Owner currently lives outside of their home due to medical reasons or have recently passed away
- 5  Uninhabitable: the property is no longer safe to live in and homeowner may not have resources to reinstate to a livable condition
- 6  Liquidity: a vacant home is easier to sell than an occupied one allowing the owner more flexibility to time the market
- 7  Aversion to being a landlord: owners may find being a landlord tedious and not worth the financial benefits
- 8  Seasonal or occasional use: the homeowner uses the property occasionally for a few months each year (e.g. snowbirds)
- 9  Speculation: Non-resident or domestic speculators who buy properties to store wealth in the hope of price appreciation

The short and long-term reasons identified above will play a crucial role in informing the designing, implementation and operation of the Vacant Homes Tax within Halton Region, as exemptions from the tax can be used to prevent taxing residents who have legitimate causes for vacancy

\*Short term reasons are situations that may be reasonably resolved within 6 months

\*\*Long term reasons are situations that may require more than 6 months to be resolved

# Summary of Stakeholder Consultations

Stakeholders across the Region and the Local Municipalities demonstrated a general consensus to the major lines of enquiry around a vacant homes tax

EY conducted interviews with key personnel in the Region and the Local Municipalities to obtain perspectives on various components of the vacant homes tax. Detailed findings from the interviews were submitted to the Region as part of a “Summary of Stakeholder Interviews” deliverable in November 2021. Key takeaways, grouped by the lines of enquiry of the interviews, are as follows:



## Purpose

Revenues generated from the vacant homes tax should be used for assisted housing programs and initiatives. However, decisions would have to be made on allocation of funds to assisted housing or housing support programs run by the Region and by Local Municipalities



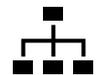
## Taxation Principles

Tax rates should be determined using a combination of four factors - benchmark rates set by other jurisdictions, rate required to generate a net positive revenue from the program, rate required to incentivize a behavioral change that impacts housing affordability, and fairness of the rate in comparison with existing property tax rates



## Identification of Vacant Homes

Stakeholders expressed agreement that self declaration\* would be the most ideal method to identify vacant homes - owing to privacy concerns about other mechanisms such as utility monitoring. However, concerns were also raised about the anticipated level of compliance with self-declarations



## Implementation and Operations

Tax collection and administration would remain with the local municipalities in accordance with the Municipal Act. However, stakeholders expressed interest in exploring opportunities to centralize other functions (e.g. audit and compliance) to leverage economies of scale and lower operating costs



## Risks

Key concerns flagged by stakeholders predominantly focused on the need for a dispute resolution mechanism, and the liability for the Region and the Local Municipalities in the event that the vacant homes tax does not generate adequate revenue nor address the affordability challenges faced in Halton

\*Various methods for declaration are discussed in the next section

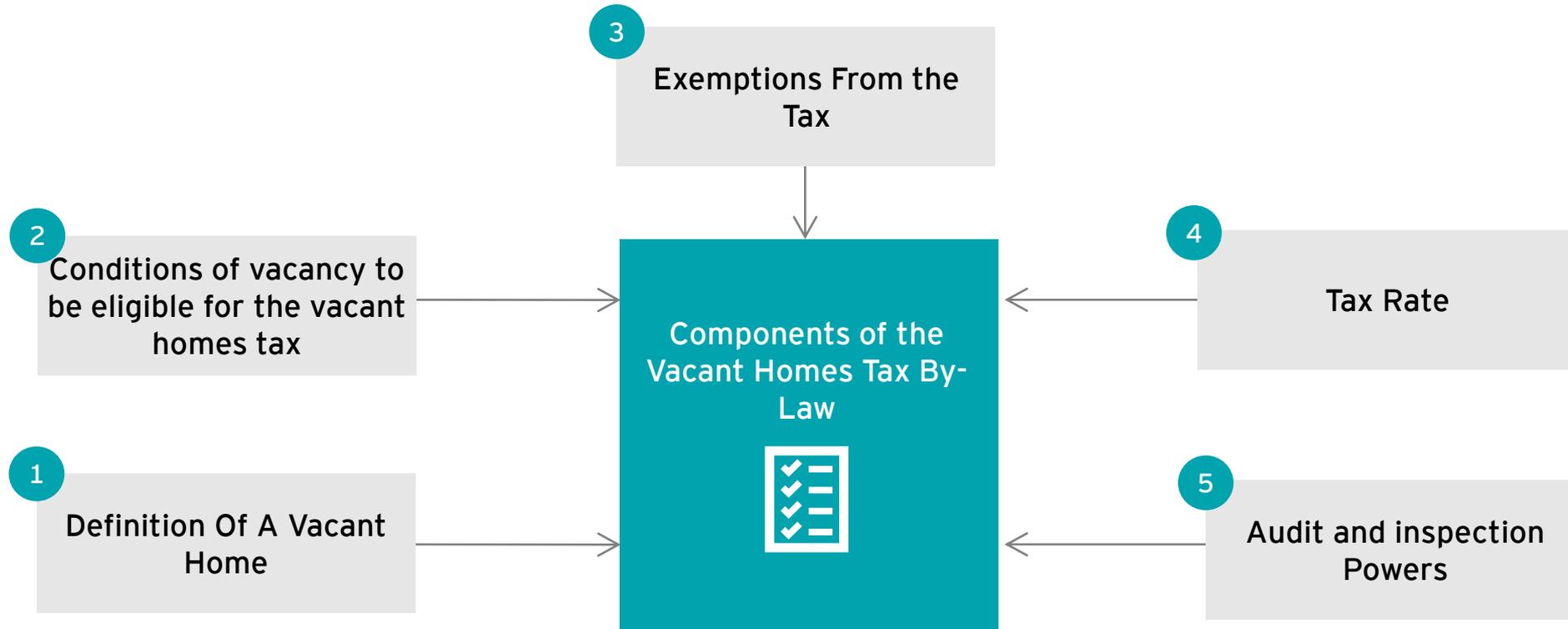


## UNDERSTANDING THE VACANT HOMES TAX

*"What is a Vacant Homes Tax and who does it apply to?"*

# Understanding the Vacant Homes Tax | Introduction

In 2017, the Government of Ontario promulgated Bill 127 (Stronger, Healthier Ontario Act), and Schedule 19 of this Act allows municipalities to implement a by-law to impose taxes on vacant residential units in certain circumstances. According to the provincial legislation, the by-law to be passed by each municipality must include the following:



In this section we will explore items 1, 2, and 3 from the list above to help inform decisions around these components for the by-law. Findings were developed through a combination of stakeholder consultations, and secondary research from jurisdictions that have previously implemented, or considering to implement, a Vacant Homes Tax. Items 4 and 5 from the list will be discussed in subsequent sections

# Understanding the Vacant Homes Tax | Definition

*Most municipalities that have implemented the vacant homes tax deem a home to be vacant when unoccupied for over 6 months/year*

While developing the policy and by-law for the vacant homes tax, municipalities are required to define what qualifies a home to be designated as vacant. A jurisdictional scan of municipalities that have implemented, or considering to implement, a Vacant Homes Tax yielded the following findings on the possible definitions of a vacant home.

Definition	Municipalities that include this definition*
Unoccupied for more than 6 months or 184 days within the reference period, and is not the principal residence of the owner	Toronto, Ottawa, Melbourne
Unoccupied for more than 6 months of the reference period, and is not the principal residence of the owner - periods of occupation must be at least 30 consecutive days in duration (e.g. if the home is rented out, it should be for a period of 30 or more consecutive days)	Vancouver
Unoccupied for more than 3 months of the reference period	Paris

Most suitable definition for Halton Region

As vacant homes taxes are calculated based on assessment values, which are in turn revised at the end of the calendar year every 4 years, the “reference period” for assessing whether a home is vacant can be set to a calendar year basis. This also aligns with property tax calculation and collection schedules in the Region’s municipalities.

# Understanding the Vacant Homes Tax | Exemptions

*Exemptions applied by municipalities are largely comparable - however exemption for snowbirds is exclusive to Toronto*

Not all homes that fall under the definition of “vacant” as discussed earlier are eligible to be taxed, as municipalities enact exemptions to vacant homes for various reasons based on policy decisions. Below is a list of exemptions used by municipalities both domestically and internationally.

Exemption		Definition	Municipalities that include this exemption*
<b>Potential exemptions identified from domestic jurisdictions</b>			
1.1	Snowbirds/ holiday home	Primary residences owned by snowbirds are exempt from the tax	Toronto
1.2	Deceased owner	If the owner is deceased, the property is exempt until the estate transfer process is completed	Vancouver, Toronto, Ottawa
1.3	Large renovations	Large renovations are exempt from this tax. Note - The specific parameters around what constitutes a “large renovation” is unclear and can lead to misinterpretations, hence it would need to be clearly defined by Halton Region (See definition of large renovations used by Paris on the next page)	Vancouver, Toronto, Ottawa
1.4	Owner in Medical Care	Properties owned by an owner who is in medical care can be exempt. In Vancouver, this exemption can be applied for up to two consecutive years	Vancouver, Toronto, Ottawa
1.5	Inability to find tenant or buyer	This includes the situation where the owner could not find suitable tenant(s) for their property or the property has been listed for sale for an extended amount of time	Vancouver
1.6	Change of ownership	If the property has recently changed ownership, it is exempt for one tax cycle to accommodate the changes	Vancouver, Toronto, Ottawa
1.7	Court prohibiting occupancy	Any forms of court related orders that prohibit the owner from renting or selling the property is exempt from the tax	Vancouver, Toronto, Ottawa

\*Ottawa’s exemptions are as per staff report #26 submitted in June 9 2021 available in [this link](#)

# Understanding the Vacant Homes Tax | Exemptions (Cont'd)

Exemption		Definition	Municipalities that include this exemption*
<b>Potential exemptions identified from international jurisdictions</b>			
1.8	Furnished accommodations such as second homes	Any properties that are furnished and set up to be used as a second home are exempt from this tax. However, by declaring the unit to be a second home, it is then subject to the "Owner Tax", which is 3% of home's fair market rental value	Paris
1.9	Rezoned within the previous year	Properties that were recently rezoned by the City are exempt for one cycle before being subject to a 1% vacant land tax	Melbourne
1.10	Premises are uninhabitable	If the premise is deemed uninhabitable, the City will not charge owners the Tax	Paris
1.11	Large renovations	Renovations that are greater than or equal to 25% of the total value of the property are exempt from the tax, until renovations are completed	Paris
1.12	The unit is of low value	Any vacant properties whose market value is lower than €300,000 (approx. \$440,000 CAD) is exempt from the tax	Paris
1.13	Work purpose unit	The property is used and occupied for work purposes for at least 140 days of the year	Melbourne

Halton Region would need to finalize a set of exemptions that it may apply to owners of vacant homes, as part of the design of the vacant homes tax. Exemptions may include the ones explored in other municipalities, and may also include other occupancy categories (e.g. students, veterans etc.) as per policy decisions of the Region.

# Understanding the Vacant Homes Tax | Identification

*Universal declaration, supported by a complaints based system, is observed to be the most common method for identification of vacant homes*

There are four major methods of identifying vacant homes as discussed below:

## Suggested primary method



### UNIVERSAL DECLARATION

All homeowners within the Region need to, annually, self-declare their housing status to be occupied or vacant. Failure to do so can either result in a fine, or the property will be automatically deemed vacant. This method ensures the VHT is kept top of mind if an owner's property becomes vacant in the future.

## Suggested secondary method



### COMPLAINTS BASED

Residents or municipal employees (e.g. waste management staff) can report suspected vacant homes. Complaints may have a higher chance of identifying non-compliant homeowners as neighbours are able to observe the unit over a longer period of time to identify trends or signs of home vacancy. However, identifying vacant units in condos would be challenge.



### DECLARATION BY EXEMPTION

Only homeowners of vacant units will be required to self-declare property vacancy. All other homes are automatically deemed occupied and could be potentially subjected to compliance and auditing procedures.

### UTILITY MONITORING

Utility monitoring is likely to be the most accurate form of identifying the property status, while requiring minimal effort from property owners. However, residents may find this method to be intrusive and may leave out properties who are not individually metered (E.g. condominium units) or not connected to the Regional utility systems (E.g. farms).

# Understanding the Vacant Homes Tax | Identification (Cont'd)

*Universal declaration is the only method for identification that has been employed in a Canadian municipality (Vancouver) - and has generated positive results, leading to its adoption by Toronto*

Method	Advantages	Disadvantages
Universal Declaration	<ul style="list-style-type: none"> <li>Places the onus of compliance on the homeowners as they are required to declare, on an annual basis, whether their home is vacant or occupied - and indicate if they qualify under any exemptions if their home is vacant</li> <li>Anticipated to have lower non-compliance rate (based on experience of Vancouver) as homeowners would be expected to submit truthful declarations</li> </ul>	<ul style="list-style-type: none"> <li>Requires significant communications effort to ensure that homeowners are aware of the declaration requirements, and understand the definitions and exemptions of the vacant homes tax by-law</li> <li>Requires high administrative effort as the tax administration team of the municipality will have to process and validate a high volume of submissions from property owners annually</li> </ul>
Declaration by exemption	<ul style="list-style-type: none"> <li>Requires lower administrative effort as the tax administration team of the municipality will have to process and validate only the submissions from homeowners of vacant properties (and not owners of all homes)</li> </ul>	<ul style="list-style-type: none"> <li>Requires higher investment in audit and enforcement capabilities as compliance staff would be required to assess a larger number of properties to ensure that they haven't been declared as "occupied" for the purpose of evading the tax. This places the onus of compliance on municipal staff</li> <li>Places additional challenges on grievance redressal mechanisms as home owners may seek to avoid tax payment or penalties by claiming lack of awareness of reporting obligations</li> </ul>

While the associated administrative effort is higher, the Region may consider adopting the "Universal Declaration" method for identification of vacant homes, as it has been observed to generate positive results in the City of Vancouver. Over time, the Region can also digitize the declaration process thereby simplifying it for the property owner, and improving the administrative efficiency to reduce operating costs



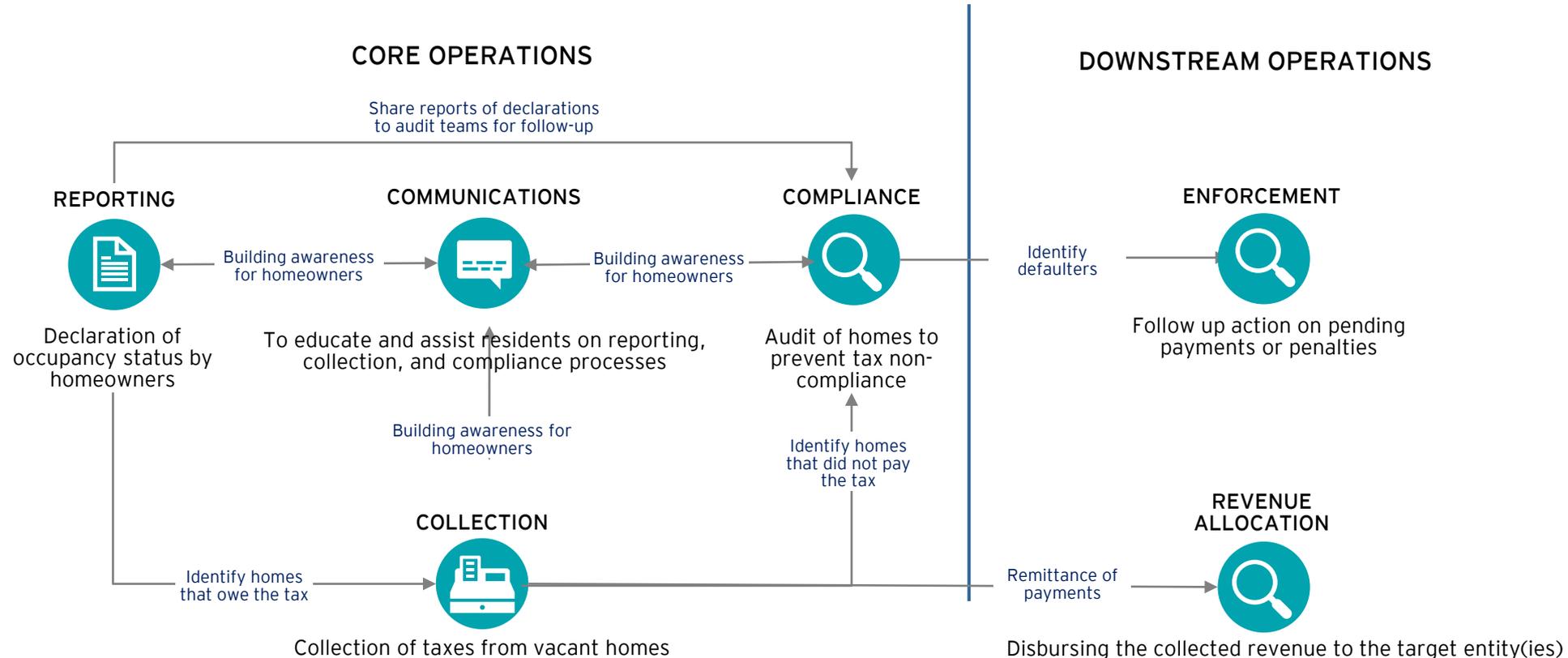
## OPERATING THE VACANT HOMES TAX

*"How does the Vacant Homes Tax work?"*

# Operating the Vacant Homes Tax | Introduction

There are several operational components of the vacant homes tax - and the Region and Local Municipalities would need to make decisions on how to allocate responsibilities for each.

Operations of the vacant homes tax can be segmented into two major groups - core operations and downstream operations - as illustrated below. This section provides information on the processes within each of these groups, and also explores various delivery model options for division of responsibilities of core operations between the Region and the Local Municipalities.



# Core Operations | Overview

*Understanding the four processes that form the core operations of the vacant homes tax*

Core operations of the vacant homes tax comprises of 4 major processes as described below. In a two-tier municipal system, the Region and the Local Municipalities would need to make decisions on how to delineate responsibilities associated with these processes - this will be discussed later as part of the analysis of delivery models.

	 <b>Reporting</b>	 <b>Collections</b>	 <b>Compliance</b>	 <b>Communications</b>
<b>What is it</b>	Process of identification of vacant homes in the Region through declarations reported by homeowners	Collection of tax revenue from vacant homes and penalties from homeowners who are non-compliant or who present fraudulent declarations	Conducting investigations to determine if a property is vacant and understand if declarations submitted by property owners are truthful	Addressing queries and grievances, and building awareness of the tax to help the public understand the scope, reporting guidelines, and compliance processes
<b>How is it done</b>	<ul style="list-style-type: none"> <li>Homeowners would submit a mandatory declaration each year to indicate if their property is occupied or vacant. Declaration forms would be issued by the Region/Local Municipalities for submission through online or digital channels</li> <li>The Region/Local Municipalities may request for additional documentation or subject the owner to an audit if there are any concerns about the validity or accuracy of a declaration</li> </ul>	<ul style="list-style-type: none"> <li>Tax collection can be done through the existing property tax collection systems at the municipalities or through a new system that is created and deployed in the Region.</li> <li>The collection system will need to access existing property tax assessment information to calculate the tax amount to be applied to the vacant home.</li> <li>The collection system would share data on homeowners that have defaulted on their payments/penalties with the audit and compliance team</li> </ul>	<ul style="list-style-type: none"> <li>Compliance teams will audit properties to ensure the status of occupancy declared by the homeowner is valid.</li> <li>Audits may be done through a combination of the following techniques - random audits, risk-based audits, and complaint-based audits (discussed in detail in the following pages)</li> <li>Compliance teams would escalate instances of non-payment of the tax/penalties for enforcement actions</li> </ul>	<ul style="list-style-type: none"> <li>The Region, and Local Municipalities, would need to utilize existing communication channels, both physical (e.g. notices) and digital (e.g. website, social media), to spread awareness about the Vacant Homes Tax</li> <li>The Region, or the Local Municipalities, would need to equip their customer service agents to handle queries from homeowners, address grievances, and escalate complaints related to the Vacant Homes Tax.</li> </ul>

# Core Operations | Compliance Processes

*Developing methods to assess if the stipulations in the Vacant Homes Tax by-law are being adhered to and prevent revenue loss*

The compliance processes help the Region identify potential cases of non-compliant vacant homes situations. Compliance teams would scrutinize homes that were declared to be occupied or applied for exemptions under the vacant homes tax, and/or investigate complaints lodged by residents. Based on the jurisdictional scan and desktop research, three identified compliance mechanisms are discussed below:

## Random Audits

The compliance team will randomly audit units that were self-declared to be occupied to ensure the declaration was correct

- Pro**
1. Encourages compliance and proper declaration as the owner can, at anytime, be audited, and face fines for non-compliance
  2. Increases the number of audited units as there is a dedicated team that is responsible for auditing, potentially lowering non-compliance

- Cons**
1. More expensive to implement as it will require hiring full-time compliance auditors and require customized auditing processes and systems
  2. May be seen as intrusive by the public

## Risk Based Audits

The compliance team uses judgemental sampling methods to select units for inspection based on defined risk parameters so that audit resources are dedicated to high risk areas, rather than casting a wide net across all homes

1. Allows audit teams to select homes which are considered to be of special audit interest based on risk-profiles (e.g. same exemption criteria declared for multiple years)
2. High potential for digitization and streamlining through the use of analytics as more information on non-compliance trends become available

1. High reliance on the professional judgement of auditors which can be developed only after a reasonable amount of historical information is available to determine high risk areas
2. Presents risks of bias against various communities

## Complaints Based

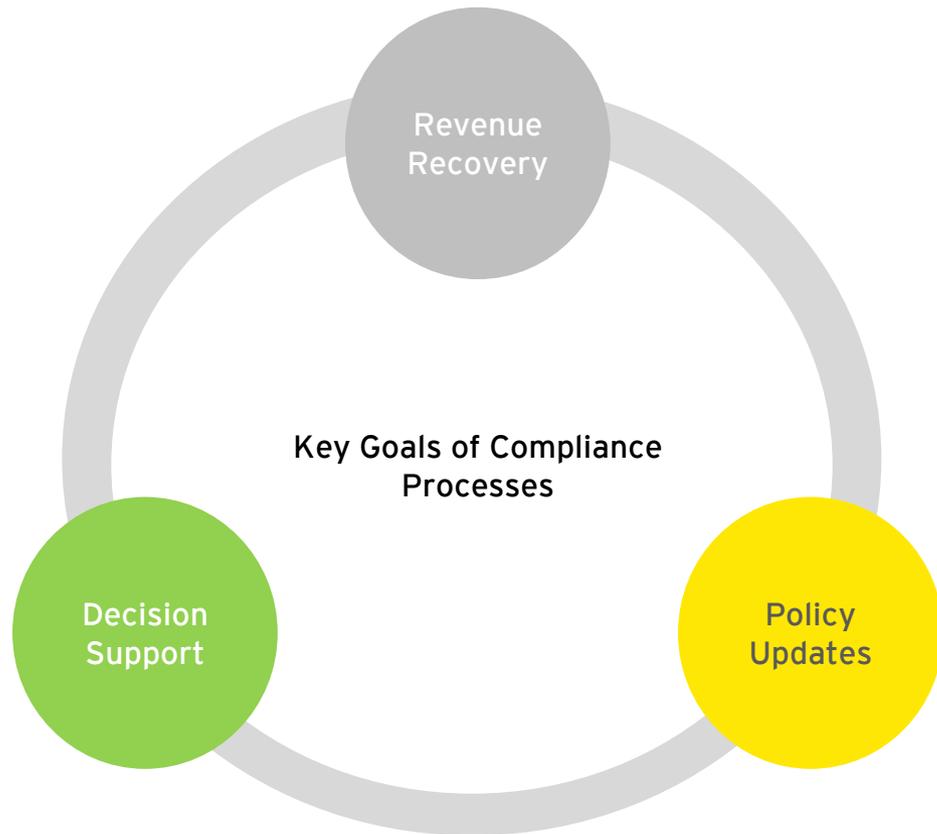
The compliance team would only investigate units that are suspected to be vacant by neighbours, or Regional/City service staff (e.g. waste management staff) who observe the lack of inhabitation at an address

1. Easier to implement, as it does not require a dedicated audit team since only complaints are investigated (can be done by by-law officers)
2. Cheaper to implement as an online form or existing call centres can be leveraged to intake complaints

1. May not have a large uptake if neighbours are not keen to report vacancy
2. May not achieve the goal to increase total housing supply if owners do not believe they will be audited
3. Pushes onus of ensuring compliance onto residents instead of the Region

# Core Operations | Compliance Processes (Cont'd)

While the key objective of compliance and audit processes is to help the Region and the municipalities avoid revenue loss/leakage, there are secondary goals that help strengthen the effectiveness of the Vacant Homes Tax program.



## Revenue Recovery

- The compliance processes help audit staff validate the occupancy status submitted by homeowners to prevent cases of tax non-compliance
- Occupancy status may be validated through a review of documents submitted by the homeowner in response to the audit request, or by physical verification of the property (after issuing advance notice to the homeowner)
- Audit of occupancy status helps prevent revenue leakage and encourages homeowners to submit truthful declarations as they, at any time, can be audited

## Decision Support

- Findings from the compliance processes would help in the development of a data repository that helps the audit team identify key trends in tax non-compliance (E.g. fraudulent or expired tenancy agreements), and develop a risk-based framework for audits

## Policy Updates

- Compliance processes would enable the Region identify key loopholes in the Vacant Homes Tax by-law through which homeowners attempt to avoid paying the tax
- The Region would then be able to enact amendments to the by-law to address these loopholes to the extent that it is feasible to do so, thereby strengthening the Vacant Homes Tax by-law to pre-empt and prevent cases of non-compliant owners

# Downstream Operations | Enforcement Processes

*Enforcement activities are critical in reinforcing the compliance processes and avoiding revenue loss to the Region*

Enforcement is a follow-up to the compliance processes discussed earlier, and is necessary when the resident is found to be non-compliant in the auditing process, and if the resident refuses to pay the penalty amount, despite multiple notifications. In such cases, there are three enforcement methods that can be leveraged by the Region and the local municipalities to collect any outstanding dues. These are discussed below:

## 1. Adding the Vacant Homes Tax and penalty amount to bill

If the owner is found to be non-compliant through the auditing process and refuses to pay associated fines despite reminders (e.g. collection letters, telephone contact, etc.), the Vacant Homes Tax amount and fine would be added onto the property tax bill, along with any additional penalty or interest

## 2. Third Party Collection

If the owner of the property does not pay the full property tax bill inclusive of the vacant homes tax penalty that was added to the original tax amount, third party services (collection agencies) including a bailiff may be engaged to expedite collection

## 3. Tax Arrears Certificate

If the owner of the property does not pay the owed amount despite bailiff action, a Tax Arrears Certificate may be registered against the property under section 371 of the Municipal Act, and the property can be advertised for foreclosure if arrears are not paid within one year of registering the Tax Arrears Certificate

The above enforcement steps are already in place at the lower-tier municipal level for non-payment of property taxes. Also, as per the Municipal Act (Part I Section 2.1 and Section 3, Part XI Section 400 (d) and (e)), priority lien status can be accorded to the vacant homes tax. However, some Municipal systems may face issues regarding the total number of line-items allowed on a property tax bill, and upgrades to the collection system will need to be in place to ensure the enforcement penalties can be levied through property taxes

# Downstream Operations | Allocation of Net Revenue

*Net revenue may be allocated to the Region to be invested in assisted housing programs as the enabling legislation for the vacant homes tax was introduced as part of Ontario's Fair Housing Plan*

Consultations with stakeholders from the Ministry of Finance (Government of Ontario), who were responsible for developing the Vacant Homes Tax legislation, indicated that there is no legislative mandate or restrictions on how the Vacant Homes Tax revenue should (or not) be used. Hence, a decision would need to be made if revenue from vacant homes is utilized for general revenue purposes or distributed for homelessness and assisted housing initiatives. These options are listed below:

## 1 Revenue allocated for Assisted Housing

- Presently, housing programs requiring investments are predominantly delivered at the Regional level, with local municipalities involved only in policy tools and strategies
- The Region receives the net revenue from the vacant homes tax in each of the municipalities, and the revenue would be allocated towards assisted housing programs and priorities outlined in the Comprehensive Housing Strategy 2014-24 and the Portfolio Approach outlined in the Region's Report # LPS84-21/SS-25-21
- The Region would need to introduce a policy/guideline to help determine how investments in assisted housing are allocated for programs in each lower tier municipality based on need.

## 2 Revenue allocated for General Purposes

- The Region or local municipalities would retain the net revenue raised from the vacant homes and allocate the same for general purposes identified in the operating budget
- Allocation of revenue to general purposes may create challenges with public communications and outreach as there may be a negative reception towards the tax if the proceeds aren't tied to a tangible social goal

While the Province has not indicated any restrictions on how the net revenue may be utilized or allocated within the legislation, it has been directed towards assisted housing initiatives in other jurisdictions. Hence, if the Region allocates the Vacant Homes Tax towards general revenue purposes, it would be an outlier among Canadian municipalities. Allocation of revenue towards assisted housing may also facilitate the approval process of the by-law when submitted for Ministerial assent to the Province

# Delivery Model Options

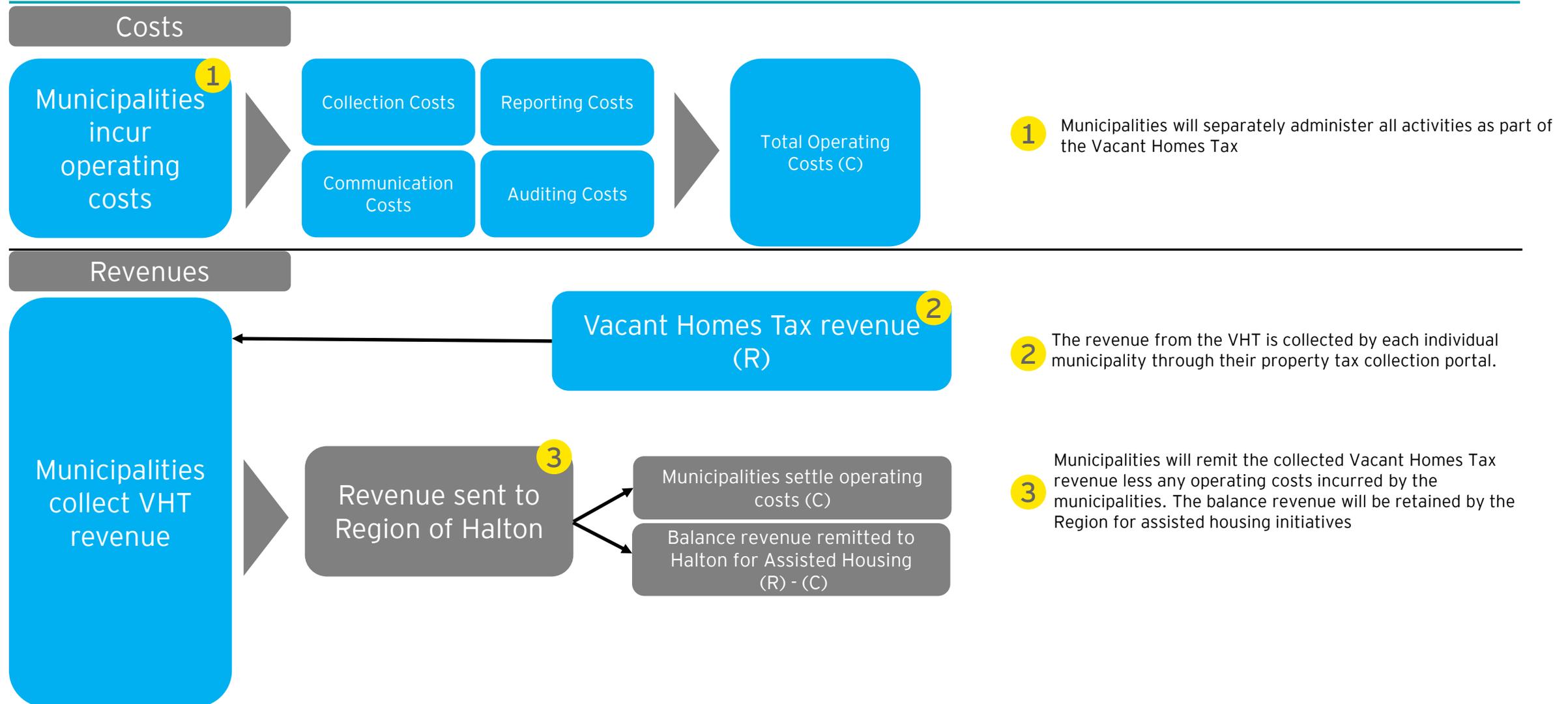
*Developing delivery options that cater to the two-tier municipality system by delineating responsibilities between the entities involved*

As Halton Region is a two-tiered municipality, the implementation and operations of Vacant Homes Tax requires a unique solution that accommodates or leverages the existing systems, responsibilities, and processes of the jurisdictions to deliver the tax. Implementation and operational costs would change based on synergies that may exist within options. Three examples of delivery models are presented for illustrative purposes with the distribution of responsibilities shown in the table below. These options, and possibly additional options, would be considered for further review as part of a design / implementation stage.

		Option 1: Municipal Delivery		Option 2: Hybrid Delivery		Option 3 : Regional Delivery	
Activity		Regional responsibility	Municipal responsibility	Regional responsibility	Municipal responsibility	Regional responsibility	Municipal responsibility
	Communication and customer service: Public communications and awareness building about the tax		✓	✓		✓	
	Reporting: Providing the platform where the resident is able to declare property status		✓		✓	✓	
	Collection: Collecting the tax when applicable		✓		✓	✓ (Requires amendments to Municipal Act)	
	Auditing: Auditing and compliance functions		✓	✓		✓	

# Option 1: Municipal Delivery | Flow of Responsibilities

The municipal delivery model assigns full responsibility of core operations to each of the Local Municipalities



# Option 1: Municipal Delivery | Summary

*The municipal delivery model leverages existing infrastructure and processes for tax collection, but may lead to duplication of costs and increased staffing levels if audit and customer service responsibilities are decentralized*

## HOW IT WOULD WORK

- ▶ The Local Municipalities would be responsible for all the operational activities for the Vacant Homes Tax - This includes administering the reporting forms for self-declaration, collecting taxes, managing the audit processes, and delivering communications/customer service
- ▶ The municipalities may leverage existing property tax collection systems to assess, impose, and collect a vacant homes tax on properties that have been declared as vacant by the homeowner. The municipalities may also leverage existing enforcement mechanisms to collect owed revenue
- ▶ If the net revenue is to be allocated to the Region, the municipalities would settle their internal operating costs from the collected revenue, and remit the balance to the Region.

## WHAT WOULD NEED TO CHANGE

### PROCESS CHANGES

Design self-declaration forms and implement a reporting process for home-owners

Design reporting mechanism to assess the status of declarations and collections and identify arrears

Implement process changes to existing enforcement mechanism to collect tax arrears from vacant homes

Upskill existing customer service staff to manage queries about the vacant homes tax

Municipal Responsibility

### TECHNOLOGY CHANGES

Implement a portal for collecting information on the declaration of occupancy status

Implement upgrades to the existing property tax collection system to include a module for the vacant homes tax

Implement systems to facilitate the audit and compliance process including status tracking

Implement systems to streamline the response process for audited homeowners to submit proof of occupancy or exemptions

Regional Responsibility

## WHAT ARE THE RISKS

- ▶ Varying timelines for implementation of the proposed changes and roll-out of the vacant homes tax, as each municipality may have different project timelines
- ▶ Potential for duplication in staffing levels for audit and enforcement teams as each municipality would have to have its own group of compliance officers
- ▶ Lack of standardization in reporting and collection processes, unless the processes are jointly designed
- ▶ Inconsistencies in customer service due to varied interpretations or applications of the by-law

## HOW MUCH IT WOULD COST\*

### ONE TIME COSTS

\$3.9M

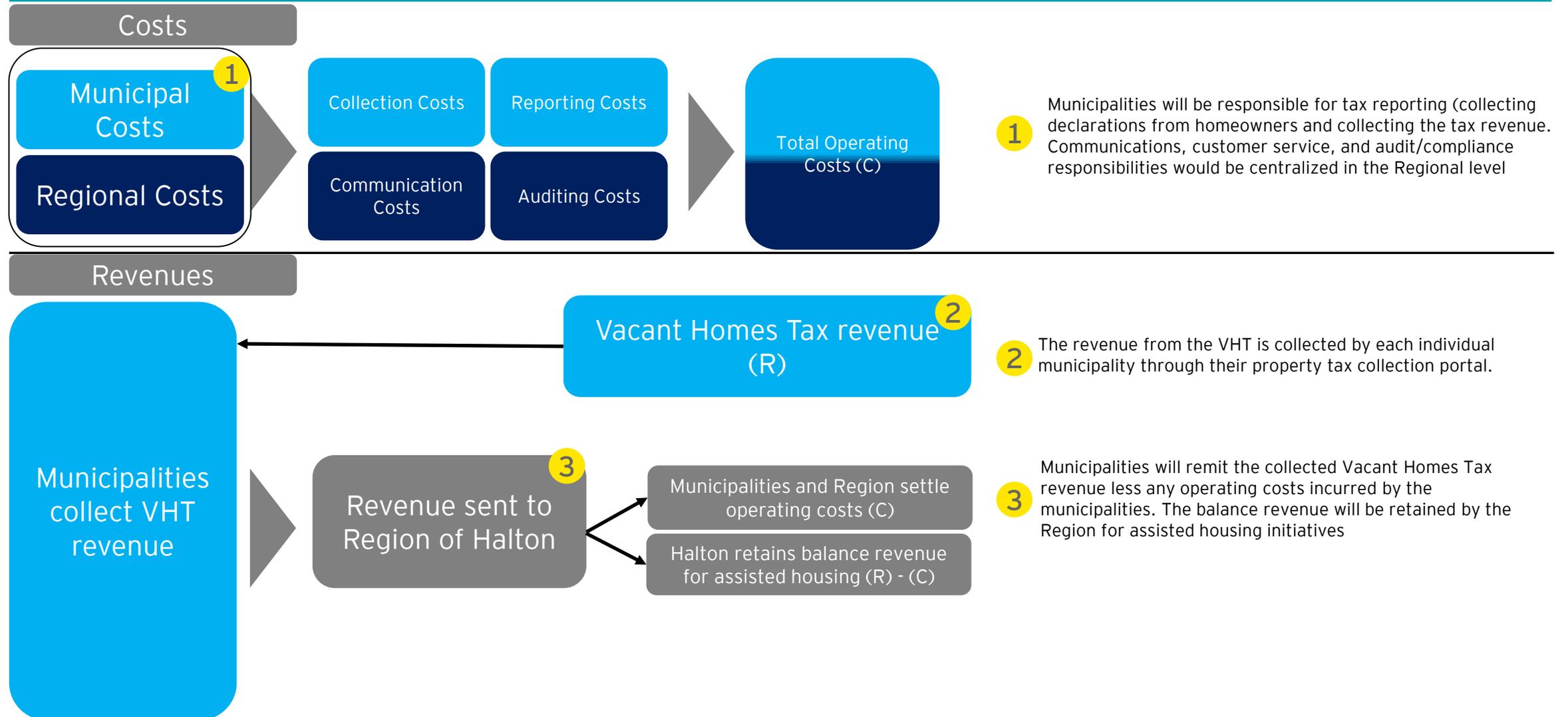
### ONGOING OPERATING COSTS

\$1.9M

\*Detailed cost calculations are provided in the financial analysis section

# Option 2: Hybrid Delivery | Flow of Responsibilities

The hybrid delivery model assigns reporting and revenue collection responsibilities to the municipalities, in order to leverage existing property tax collection systems - while centralizing audit and customer service/communications responsibilities in the Regional level



# Option 2: Hybrid Delivery | Summary

The hybrid delivery model seeks to eliminate duplication of effort for audit and customer service, while leveraging existing infrastructure and processes at the municipal level for tax collection

## HOW IT WOULD WORK

- ▶ The Local Municipalities would be responsible for managing the reporting forms for self declaration, and collecting the tax from owners of Vacant Homes. The Region would be responsible for overseeing audit and compliance activities, and managing customer service for the residents
- ▶ The municipalities may leverage existing property tax collection systems to assess, impose, and collect a vacant homes tax on properties that have been declared as vacant by the homeowner.
- ▶ If the net revenue is to be allocated to the Region, the municipalities would settle their internal operating costs from the collected revenue, and remit the balance to the Region.
- ▶ While the Region would be responsible for auditing homes, it would coordinate with the municipalities to collect arrears using existing enforcement tools

## WHAT WOULD NEED TO CHANGE

### PROCESS CHANGES

Design self-declaration forms and implement a reporting process for home-owners

Design reporting mechanism to assess the status of declarations and collections and identify arrears

Implement process changes to leverage municipal enforcement tools for collection of tax arrears

Upskill existing customer service staff to manage queries about the vacant homes tax

Municipal Responsibility

### TECHNOLOGY CHANGES

Implement a portal for collecting information on the declaration of occupancy status

Implement upgrades to the existing property tax collection system to include a module for the vacant homes tax

Implement systems to facilitate the audit and compliance process including status tracking

Implement systems to streamline the response process for audited homeowners to submit proof of occupancy or exemptions

Regional Responsibility

## WHAT ARE THE RISKS

- ▶ Requires significant integration efforts between existing (and new) systems and processes in the Region and the municipalities to facilitate information sharing on tax payment status, arrears, status of enforcement actions etc. Breakdown in information sharing may lead to lost revenue
- ▶ Potential for duplication of effort if audit and compliance teams in the Region are unable to effectively pursue enforcement actions due to lack of support at the municipal level
- ▶ Creates multiple points of contact for the resident for resolution of queries and grievance redressal

## HOW MUCH IT WOULD COST\*

### ONE TIME COSTS

\$3.3M

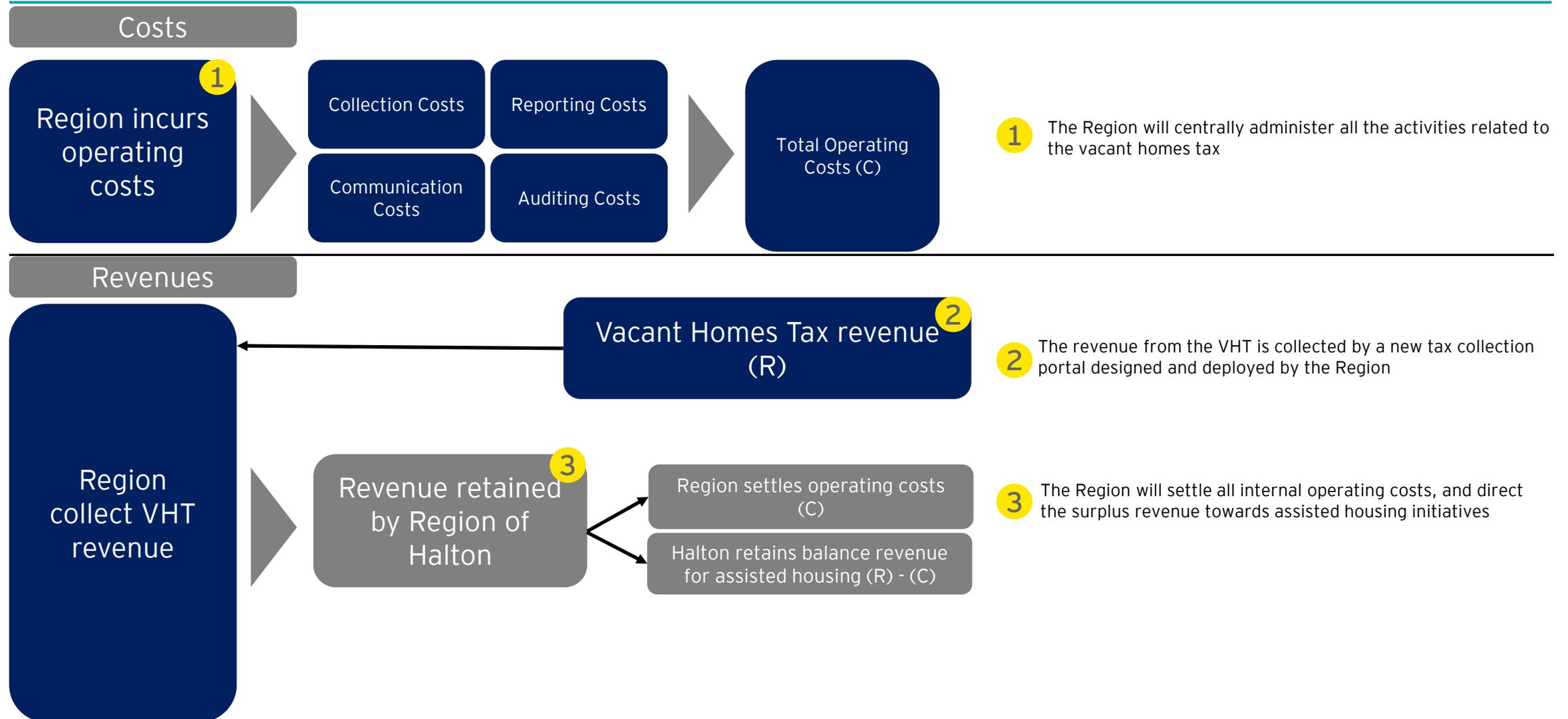
### ONGOING OPERATING COSTS

\$1.8M

\*Detailed cost calculations are provided in the financial analysis section

# Option 3: Regional Delivery | Flow of Responsibilities

The regional delivery model assigns full responsibility of core operations to Halton Region



# Option 3: Regional Delivery | Summary

*The regional delivery model involves full centralization of all processes - however the Region would still rely on the municipalities to obtain data on property assessment values, and to conduct follow-up on enforcement actions, thus requiring continued collaboration*

## HOW IT WOULD WORK

- ▶ The Region would be responsible for all the operational activities for the Vacant Homes Tax - This includes administering the reporting forms for self-declaration, collecting taxes from vacant homes, managing the audit processes, and delivering customer service
- ▶ The Region would need to create a separate tax collection system, or enhance the functionality of existing fee collection systems (e.g. utility fee systems) to assess, impose, and collect a vacant homes tax on properties that have been declared as vacant by the homeowner. The Region would also need to create an audit and compliance team which would identify cases of non-compliance and work with the municipalities to initiate enforcement actions
- ▶ If the net revenue is to be allocated to the municipalities, the Region would settle its internal operating costs from the collected revenue, and remit the balance to the municipalities in the same proportion as it was collected (i.e. taxes from vacant homes in Oakville would be remitted to Oakville)

## WHAT WOULD NEED TO CHANGE

### PROCESS CHANGES

Design self-declaration forms and implement a reporting process for home-owners

Design reporting mechanism to assess the status of declarations and collections and identify arrears

Implement process changes to leverage municipal enforcement tools for collection of tax arrears

Upskill existing customer service staff to manage queries about the vacant homes tax

Municipal Responsibility

### TECHNOLOGY CHANGES

Implement a portal for collecting information on the declaration of occupancy status

Implement upgrades to the existing property tax collection system to include a module for the vacant homes tax

Implement systems to facilitate the audit and compliance process including status tracking

Implement systems to streamline the response process for audited homeowners to submit proof of occupancy or exemptions

Regional Responsibility

## WHAT ARE THE RISKS

- ▶ Requires extensive legislative changes as the Municipal Act (Part X - Sections 340, 343, and 345) allows only the local municipalities to collect taxes, and not the Region
- ▶ Requires large upfront investments in building a new tax collection system. The system would also need to be integrated with the property tax collection systems at the municipal level in order to conduct enforcement follow-up for non-payment
- ▶ Significant integration efforts between existing (and new) systems and processes in the Region and the municipalities to facilitate information sharing on taxation amount, arrears, status of enforcement actions etc.
- ▶ New systems developed in the Region to collect taxes may be redundant if the Vacant Homes Tax program is wound down, leading to sunk costs

## HOW MUCH IT WOULD COST\*

As indicated above, this option would require extensive and time-consuming legislative changes, that are beyond the control of the Region, thereby rendering it improbable to implement. Hence, detailed costing has not been done for this option.

# Delivery Model Options Compared

*The regional delivery model may provide efficiencies through centralization, and lower implementation costs, however it presents a number of unknowns related to the complexity of creating a new tax collection system in the Region*

A high level summary of the delivery model options discussed earlier is presented below. Based on the findings, the Region may consider exploring the hybrid delivery option in order to leverage synergies of existing systems and processes (e.g. payment collection systems), while avoiding duplication of effort through centralization of staff wherever possible (e.g. audit and enforcement staff)

	Municipal Delivery	Hybrid Delivery	Regional Delivery
<b>Pros</b>	<ol style="list-style-type: none"> <li>Existing property tax portals may be upgraded to add a new module to collect taxes for Vacant Homes.</li> <li>Existing by-law capabilities may be used for compliance monitoring to decrease implementation and operational costs</li> </ol>	<ol style="list-style-type: none"> <li>The Region can rely on the municipalities to collect the vacant homes tax by upgrading their existing property tax system</li> <li>Synergies may be realized by centralization and standardization of audit teams</li> <li>Centralizing communications in the Region also facilitates consistency of messaging</li> </ol>	<ol style="list-style-type: none"> <li>No duplication of effort is required as all tasks are centralized within one area</li> <li>If the net financial benefit is used towards assisted housing initiatives, Halton can internally settle up costs and disperse funds towards assisted housing projects directly</li> <li>As communication is handled in the Regional level, information given to the public can be standardized</li> </ol>
<b>Cons</b>	<ol style="list-style-type: none"> <li>Potential duplication of effort and higher staffing levels as each municipality would need to have separate tax administration and enforcement teams</li> <li>Procedures related to assessing exemptions, addressing grievances etc. may be varied leading to lack of standardization</li> <li>Communication to the public on the vacant homes tax may be inconsistent due to different procedures and standards followed in the contact centres of each municipality</li> </ol>	<ol style="list-style-type: none"> <li>Creating multiple points of contact may lead to confusion among residents regarding steps for grievance redressals, assessing exemptions etc.</li> <li>Significant collaboration would be required between the Region and the municipalities to implement streamlined processes for audits and customer service</li> <li>The Region may have to create a new compliance and enforcement team as those capabilities currently do not exist in the Region</li> </ol>	<ol style="list-style-type: none"> <li>Requires provincial legislative changes to the Municipal Act which could be time-consuming and entail significant lobbying efforts</li> <li>The Region will need to build a new collection system to process taxes from owners of vacant homes. This may lead to significant start-up costs.</li> <li>The Region may have to create a new compliance and enforcement team as those capabilities currently do not exist within the Region</li> </ol>
<b>Costs</b>	<p>One time - \$3,901,220 Ongoing - \$1,959,470</p>	<p>One time - \$3,300,445 Ongoing - \$1,814,894</p>	<p>Costs for this option were not assessed as it was deemed to be improbable to implement due to the complexity of legislative changes required, and the low likelihood of provincial support.</p>

# Vacant Homes Tax Operations | Summary of Findings

*While decisions on delivery models can be finalized based on operational feasibility, it is recommended that net revenue is allocated to the Region for Assisted Housing initiatives as the enabling Provincial Legislation was introduced as part of the Ontario Fair Housing Plan*

Key takeaways from the analysis of processes to operate the vacant homes tax are summarized below



## Feasibility of methods to identify vacant homes

- Based on the experiences of municipalities that have implemented the Vacant Homes Tax, self declaration may be the most appropriate mechanism for identifying vacant homes in the Region
- Other methods (e.g. utility monitoring) may lead to privacy concerns, have legislative barriers, or not be comprehensive enough to cover all types of homes in the Region



## Division of responsibilities for implementation and delivery of the vacant homes tax

- Decisions on delivery models may be made in a manner that enables the Region and Local Municipalities to leverage existing systems and processes and reduce duplication of effort
- Additional processes, and resources may be required for audit and compliance processes, as existing by-law staff may not have the capacity to conduct audits of homes to verify if the occupancy status quoted through self-declaration is correct



## Objectives for the revenue raised

- The Region and the Local Municipalities would need to agree-upon, and clearly articulate the objectives for the revenue before developing the vacant homes tax by-law. This is required for public communications so the public know the rationale for the tax, and what the revenue would be utilized for, and for the submission to the Ministry of Finance for the approval of the by-law
- It is recommended that revenue generated from vacant homes is allocated towards assisted housing initiatives so that the Region's policy is consistent the objectives of the enabling legislation from the Province.



## FINANCIAL ANALYSIS

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*"How much revenue can be expected from the Vacant Homes Tax? And at what cost?"*

# Financial Analysis - Overview

*Financial analysis was conducted using a combination of data provided by the Region, observations from case studies of vacant homes tax implementations in Canada, and assumptions validated with the Region's project team*

In order to estimate the feasibility of the Vacant Homes Tax in Halton Region, a high-level quantitative analysis was conducted to understand the potential budgetary impact to the Region and the Local Municipalities. The analysis comprised of two components:



- Revenues from the Vacant Homes Tax would come from two sources:
  - Tax Levy - Revenue earned from homeowners who declare/report their homes to be vacant
  - Audit Revenue - Revenue from homeowners who have been found to be non-compliant or fraudulent in their declaration/reporting and are charged a penalty



- These costs incurred for implementing a vacant homes tax falls under two categories:
  - One Time Costs - Upfront costs associated with implementing the tax (e.g. software costs to upgrade tax collection systems)
  - Ongoing Costs - Ongoing costs associated with operating the tax (e.g. salaries of compliance and audit staff)

This section provides details of the data sources, methodology, and assumptions for the financial feasibility analysis conducted to determine the financial impact of implementing the vacant homes tax.

# Financial Analysis - Methodology

EY's modelling exercise provides 10-year estimates for revenues, operating costs, implementation costs, and impacts on housing supply and affordability.

## Model Overview

### Revenue Model

- ▶ Estimating vacancy rates, and eligible number of vacant homes;
- ▶ Estimating direct revenues from the VHT;
- ▶ Estimating penalty revenues; and,
- ▶ Performing sensitivity analysis with respect to key parameters

### Cost Model

- ▶ Developing models for two scenarios depending on which entity carries out certain functions
- ▶ Identifying relevant cost line items and estimating the dollar value of those line items

### Key Parameters

- ▶ Vacancy Rate
- ▶ Eligible Vacant Homes
- ▶ Tax Rate
- ▶ Annual Behavioral Response Rate (ABRR)\*
- ▶ Penalty Revenue
- ▶ Growth Rate of Housing Supply

## Revenue Model Details

The revenue model calculates revenues from two separate sources:

### VHT Revenue Sources

#### Tax Levy

#### Vacancy Rate

Calculated using water consumption for detached homes extrapolated to other home types using assumptions

#### Eligibility Vacant Units

Calculated using eligibility ratio based on City of Vancouver data which segments eligibility ratios for occupancy types

#### Assessed Home Values

Assessed home values are based on reassessments occurring every four years, with changes being phased in gradually during the cycle

#### Penalty Revenues

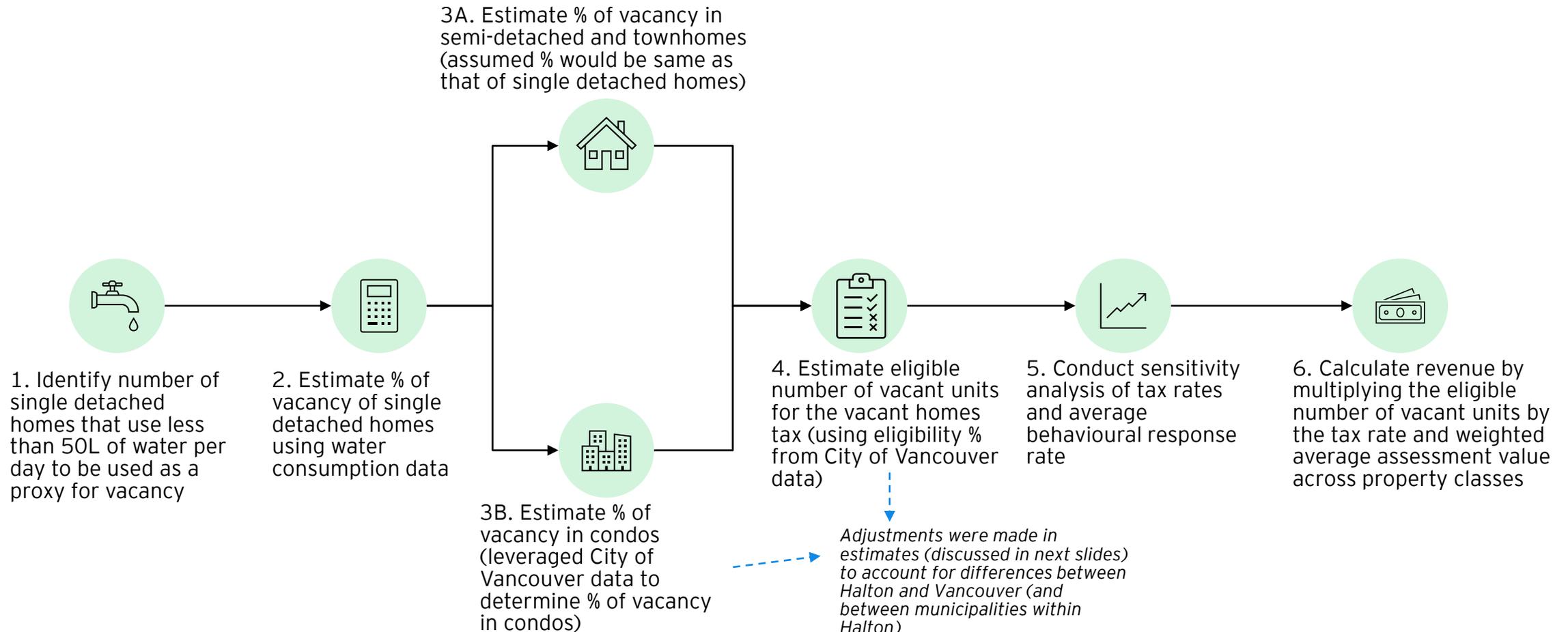
#### Penalties

Estimate revenues from penalties associated with audit activity to maintain integrity of the tax system

\*Percentage of vacant homes that are released to the rental supply as a result of the vacant homes tax

# Financial Analysis | Revenue Estimation - Illustrated

The process of estimating revenue from vacant homes - using water consumption data as a proxy for vacancy is illustrated below. To be conservative, a threshold of water consumption of 50L/day was used as an indicator for vacancy rates.



# Financial Analysis | Revenue Estimation | Assumptions\*

*In order to develop financial estimates using limited data, we had to leverage assumptions based on observations from the vacant homes tax implementation in other jurisdictions*

## Vacancy Rates:

- ▶ Vacancy rates for single detached units were calculated using the Region's data on water consumption levels, applying a threshold of 50L/day of water usage as a determinant for vacancy in a house. Water consumption data is not available for most semi-detached units and townhouses, however, we assume the vacancy rate would be identical to single detached homes, hence the same vacancy rate was applied to these units
- ▶ For condos, the City of Vancouver was used as a proxy to estimate the proportion of total vacancies in condos to detached homes

Note - While Government of Canada estimates the average water consumption per person in a household to be at least 250 L/day, we have applied a very low threshold of 50 L/day for conservatism - This estimate is expected to address differences in water usage in homes based on demographics (e.g. water consumption may be lower in homes with elderly individuals) and other factors (e.g. energy and water conserving/conscious households)

## Eligible Vacant Units:

- ▶ Used the City of Vancouver data to determine eligibility ratio of vacant units, since the same exemption/eligibility criteria applied by Vancouver was found to be acceptable for the Regional Municipality of Halton during stakeholder consultations

## Penalties:

- ▶ Assumed the ratio of tax levy revenue and penalty revenues is similar to the City of Vancouver's, under the assumption that the jurisdictions may have similar rates of non-compliance and penalties

## Growth Rates:

- ▶ Assumed that historical growth rates of housing supply would hold constant into the future

## Assessed Values of Housing Units:

- ▶ The assessed value for the purposes of determining a tax base was derived from MPAC Assessment Values as of 2016. A year-over-year growth rate of 1.7% was applied to the assessment values based on inputs from the Region's project team.

## Sensitivity Analysis:

- ▶ A sensitivity analysis was performed by varying the tax rate on VHT from 0.5% to 3%, and varying the annual behavior response rate (% of vacant homes placed on the market for sale or rent) from 3.5% to 7%

\* Detailed assumptions are provided in Appendix 2

# Financial Analysis | Revenue Estimation | Overview of Methodology and sources

Parameter	Description	Estimation Methodology and Sources
Vacancy Rate	The number of homes (condos, detached, semi-detached/townhouses) that are expected to be vacant in the Regional Municipality of Halton	<p><b>Detached Homes</b> - Water consumption data with a cut off of 50L/day representing vacant homes</p> <p><b>Semi-Detached/Townhouses</b> - Water consumption data not available for these units - assume a similar vacancy rate as detached homes</p> <p><b>Condos</b> - City of Vancouver data to determine how many more condos are vacant when compared to detached homes, while adjusting for differences in demographics, housing composition, and speculative activity</p> <p>[Source: Data obtained from Region of Halton and City of Vancouver Annual Report]</p>
Housing Supply	The number of homes by type in the Regional Municipality of Halton	[Source: Region of Halton]
Assessed Value	The estimated value of a property for the purposes of calculating the VHT owed by residents	[Sources for Housing Data: MPAC data provided by Region of Halton]
Eligible Vacant Units	The number of homes which are vacant and can be deemed eligible for collection under a VHT	<p>Use the City of Vancouver data which compiles total number of reported vacant homes and number of vacant homes which are eligible under a VHT to develop an eligibility ratio. It is assumed the eligibility ratio will remain unchanged as the two VHTs are assumed to have similar exemptions and populations identical in the reasons they would leave homes vacant.</p> <p>Eligibility ratios are separately determined for condo and non-condo dwellings.</p> <p>[Source: City of Vancouver Annual Report, 2020, Page 11 of PDF]</p>
Penalty Revenue	The revenue from penalties and fines as a result of audit activity	<p>Calculate ratio of tax levy revenue and penalty revenues from City of Vancouver data and assume similar ratio in Region of Halton under the assumption that the Regions will have similar rates of non-compliance and penalties.</p> <p>[Source: City of Vancouver Annual Report, 2020, Page 6 of PDF]</p>

# Financial Analysis | Revenue Estimation | Adjustments for differences across municipalities

Assumptions for vacancy rates, eligibility ratio of vacant homes etc. were determined using statistics from the City of Vancouver. However, due to the significant differences between Vancouver and Halton Region, adjustments had to be made to certain parameters to factor in these differences. EY evaluated differences across five criteria in both jurisdictions for which data could be reliably obtained and supporting rationale could be provided for its inclusion. (Details of adjustments are provided in Appendix A)

Criteria	Rationale
Growth Rate in Market Prices	A higher growth rate in market prices may be positively correlated to increased speculative activity, which could lead to higher vacancy rates
Housing Starts	A greater amount of housing starts proxies for a greater demand for housing units in the municipality, potentially implying greater demand for speculative activity, driving vacancy rates
Housing Supply	Criteria adjusts for demographic related differences, including how urban a municipality is and the composition of housing units (e.g. municipalities with higher share of condos in the total housing supply would have a higher vacancy rate)
Population Density	
Population	

# Financial Analysis | Revenue Estimation | Steps

Revenue estimates were developed through a three step process leveraging data submitted by the Region's water and housing teams, and assumptions leveraged from the City of Vancouver (adjusted wherever applicable)

The steps involved in estimating the revenue from vacant homes is discussed below:

Step 1: Estimating Number of Vacant Units based on analysis of water consumption data (low threshold of 50 litres/day) and other assumptions

Jurisdiction	Vacant Homes				
	Detached	Semi Detached	Townhouses	Condos	Total Vacant Homes
Burlington	584	46	69	352	1,051
Halton Hills	206	9	18	15	248
Oakville	1,268	70	369	319	2,026
Milton	773	142	370	92	1,377
<b>Total Vacancy in Halton Region</b>					<b>4,702</b>

Step 2: Estimating Number of Vacant Units that are eligible to pay the vacant homes tax (eligibility ratio is ~42% for condos, ~16% for other units)

Jurisdiction	Eligible Vacant Homes				
	Detached	Semi Detached	Townhouses	Condos	Total Vacant Homes
Burlington	98	8	12	145	265
Halton Hills	35	2	3	6	45
Oakville	213	12	62	134	420
Milton	130	24	62	39	255
<b>Total Vacancy in Halton Region</b>					<b>985</b>

# Financial Analysis | Revenue Estimation | Steps (Cont'd)

Step 3: Estimating behavioral response to tax rates (Percentage of homes that are placed on the market for sale or rent if a certain tax rate is applied on vacant homes). The behavioral response rate was estimated using both real-world observations from the City of Vancouver (trends of homes being converted from vacant to non-vacant since the implementation of the tax), and independent literature review.

Scenario	Tax Rate	Behavioral Response Rate (% of vacant homes placed on market)
Scenario 1	0.50%	3.50%
Scenario 2	1.00%	4.00%
Scenario 3	1.25%	4.50%
Scenario 4	1.50%	5.00%
Scenario 5	2.00%	5.50%
Scenario 6	2.25%	6.00%
Scenario 7	2.50%	6.50%
Scenario 8	3.00%	7.00%

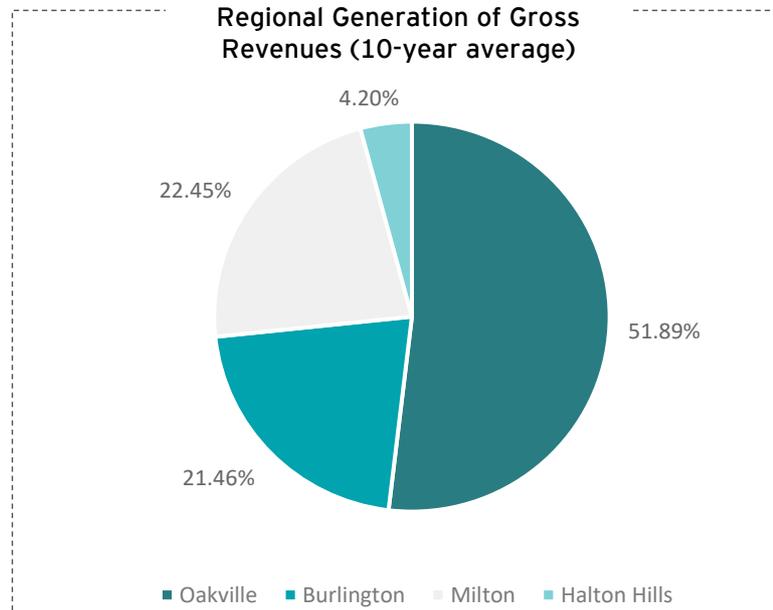
# Financial Analysis | Revenue Estimation | Preliminary Results

Preliminary results obtained by EY using the approach, assumptions, and parameters discussed earlier are provided below:

<b>Halton Overview</b>	<b>985</b> Eligible Vacant Units <i>(Or 0.5% of Total Housing Supply)</i>	<b>180,796</b> Housing Supply <i>(2016)</i>	<b>2.19%</b> Historical Growth Rate of Housing Supply	<b>1.7%</b> Projected Y-o-Y Growth in Assessment Value
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## Key VHT Numbers

Results are for the baseline 1% tax rate and a 4.00% Annual Behavioral Response Rate over a 10 year period



**VHT Revenue**

**\$6.1 Million**  
Average Annual Revenue

**\$61 Million**  
10-year Cumulative Revenue

**330**  
Reduction in Eligible Vacant Homes  
*(over 10 years)*

## Sensitivity Analysis

Tax Rate	ABRR*	Average Revenue/Year	
		Tax Levy	Penalties
0.50%	3.50%	\$2,986,394	\$157,615
1.00%	4.00%	\$5,839,250	\$308,183
1.25%	4.50%	\$7,136,616	\$376,655
1.50%	5.00%	\$8,374,234	\$441,973
2.00%	5.50%	\$10,919,491	\$576,306
2.25%	6.00%	\$12,014,934	\$634,121
2.50%	6.50%	\$13,058,523	\$689,200
3.00%	7.00%	\$15,329,927	\$809,079

\*ABRR - Annual Behavioral Response Rate

# Financial Analysis | One-Time Costs | Methodology

*One-time implementation/start-up costs would differ based on the delivery model option chosen by the municipalities (municipal delivery or hybrid delivery) due to synergies (or duplication of effort) that may exist across different cost categories*

An overview of the implementation costs and the associated assumptions and rationale is provided below.

Category	Description	Calculation Methodology and Assumptions	Estimates	Rationale
Project Team	Team responsible for overseeing the day-to-day activities related to the implementation and delivery of the project	Estimated project team size based on corresponding project team size at City of Vancouver at a cost of \$110K <sup>1</sup> per team member	<ul style="list-style-type: none"> <li>Municipal Delivery - 6 members</li> <li>Hybrid Delivery - 4 members</li> </ul>	Municipal delivery is expected to require the highest project management support due to upgrades required in four different tax collection systems. Hybrid delivery may require a smaller team due to synergies involved in overseeing the components of implementation that are centralized in the Region
Business Support	Internal or external advisors from domains such as legal, tax, regulatory policy, legislative services, and communications to provide guidance and advice for the delivery of the project	Estimated number of business support personnel required to provide guidance to the project team at a cost of \$165K <sup>2</sup> per advisor	<ul style="list-style-type: none"> <li>Municipal Delivery - 3 advisors</li> <li>Hybrid Delivery - 2 advisors</li> </ul>	Similar to the project management team above, the municipal delivery model may require the most business support staff due to policy and legislative changes to be made across four different municipalities
Technical Implementation Costs	Team responsible for designing, developing, implementing, and testing the upgrades to existing tax payment systems in order to collect the vacant homes tax	Used City of Vancouver implementation cost data from 2017 adjusting for differences in costs in the Region and accounting for inflation	Same costs for both delivery models - \$1.09M (expected range of +/- 20% based on complexity on implementation)	Without a detailed assessment of existing systems, and extent of changes required, it is not possible to accurately estimate the costs for upgrading the existing tax systems. Hence, costs incurred for Vancouver were used as a baseline

1 – Based on estimates from [Vancouver](#) – adjusted for inflation and differences in wages in Ontario

2 – Assumes a 50% premium on cost of project team members to account for specialized skill sets

# Financial Analysis | One-Time Costs | Methodology (Cont'd)

Category	Description	Calculation Methodology and Assumptions	Estimates	Rationale
Professional Services	Costs for process re-engineering and service design for the operations of the vacant homes tax	Used City of Vancouver implementation cost data from 2017 adjusting for differences in costs in the Region and accounting for inflation	<ul style="list-style-type: none"> <li>Municipal Delivery - \$1.4M</li> <li>Hybrid Delivery - \$1.2M</li> </ul>	Municipal delivery is expected to have the highest costs due to duplication of effort in process and service re-design across four entities. Hybrid delivery is expected to see minor efficiencies as some of the processes to be redesigned would be owned by a central entity
Infrastructure costs	Costs associated with deploying hardware (e.g. computers) and software (e.g. licenses) for the operations of the vacant homes tax	Used City of Vancouver implementation cost data from 2017 adjusting for differences in costs in the Region and accounting for inflation	<ul style="list-style-type: none"> <li>Same costs for both delivery models - \$209K (expected range of +/- 20% based on complexity on implementation)</li> </ul>	Similar to technical support costs discussed earlier, the same cost is applied to both delivery models due to a lack of data of the extent on infrastructure investments

# Financial Analysis | One-Time Costs | Result

*Based on the currently available inputs, the hybrid model has the lowest implementation costs - however, detailed systems analysis is required to improve the degree of certainty of the technical support costs*

One-time implementation/start-up costs for each of the delivery model options is provided below.

Category	Cost*	
	Municipal Delivery	Hybrid Delivery
Project Team	\$0.66M	\$0.44M
Business Support	\$0.49M	\$0.33M
Technical Support	\$1.10M	\$1.10M
Professional Services	\$1.44M	\$1.22M
Infrastructure costs	\$0.21M	\$0.21M
<b>TOTAL</b>	<b>\$3.90M</b>	<b>\$3.30M</b>

- Differences in implementation costs are driven by the level of complexity involved in each model. E.g. Implementing the municipal delivery model requires changes in processes and systems across four municipalities, and hence requires a higher number of resources to manage, thereby potentially escalating costs related to project management and professional services. However, the hybrid model involves centralization of some processes in the Regional level, thus creating efficiencies for the project management and professional services teams
- Oakville and Burlington are undergoing a replacement of their tax collection systems. If the module for collecting a vacant homes tax is included in the requirements of the proposed tax collection system during the design phase, the municipalities may be able to reduce the costs associated with technical support and professional services.
- Note - In comparison, Vancouver's<sup>1</sup> one-time implementation cost was \$7.4M, Toronto's<sup>2</sup> estimated implementation cost is \$11.1M, and Ottawa's estimated implementation cost is \$3.5M

1 - Vancouver Staff Report on Amendments to Vacancy Tax By Law, June 2017

2 - Recommended Tax Design to Implement a Vacant Homes Tax in Toronto

3 - Ottawa Vacant Unit Tax Staff Report

# Financial Analysis | Ongoing Operating Costs | Methodology

*Ongoing costs would differ based on the delivery model option chosen by the municipalities (municipal delivery or hybrid delivery) due to synergies (or duplication of effort) that may exist across different cost categories*

Ongoing costs, similar to start up costs, would differ based on the delivery model option chosen by the municipalities (municipal delivery or hybrid delivery) due to synergies (or duplication of effort) that may exist across different processes for operating the vacant homes tax. An overview of the costs and associated assumptions is given below.

Category	Description	Calculation Methodology and Assumptions	Estimates	Rationale
Tax Administration	Staff responsible for overseeing the reporting of vacant homes, and tracking and reviewing the receipt of payments from owners of vacant properties	Scaled up the tax administration staffing level at Vancouver, adjusting for the population difference	<ul style="list-style-type: none"> <li>Municipal/Hybrid Delivery - 6 staff</li> </ul>	Both models would have the same staffing requirements as tax administration is done at the local municipality level
Review and Compliance	Staff responsible for conducting audits, investigating complaints, and conducting follow-up for non-reporting or non-payments	Scaled up the audit staffing level at Vancouver, adjusting for the population difference	<ul style="list-style-type: none"> <li>Municipal Delivery - 6 staff</li> <li>Hybrid Delivery - 5 staff</li> </ul>	Assumes a 15% efficiency gain through centralization of audit and compliance staff in the Regional level in the Hybrid delivery model
Notices and Advertising	Costs associated with public awareness and outreach (e.g. advertising) and information notices to owners of vacant properties	Scaled up the annual communication costs incurred at Vancouver, adjusting for the population difference	<ul style="list-style-type: none"> <li>Municipal Delivery - \$146K</li> <li>Hybrid Delivery - \$124K</li> </ul>	Assumes a 15% efficiency gain through centralization of administrative effort required for issuing notices and advertising through the centralization of communications in the Regional level in the Hybrid delivery model

\* EY experience in shared service reviews indicate that centralization of functions lead to a 10%-15% efficiency gain

# Financial Analysis | Ongoing Operating Costs | Methodology (Cont'd)

Category	Description	Calculation Methodology and Assumptions	Estimates	Rationale
IT Support and Maintenance	Costs associated with maintaining the technical infrastructure (hardware and software) placed for the operations of the vacant homes tax	Scaled up the costs incurred at Vancouver for IT support and maintenance by adjusting for volume of calls expected at the IT helpdesk by a factor of the size of the operations team	<ul style="list-style-type: none"> <li>Municipal Delivery - \$157K</li> <li>Hybrid Delivery - \$134K</li> </ul>	Assumes a 15% efficiency gain through centralization of administrative effort for IT support in the Regional level
Customer Service	Costs associated with managing information calls and service requests (e.g. through 3-1-1 or other channels) from residents as part of the vacant homes tax	Scaled up the costs incurred at Vancouver for call centre support by adjusting for volume of calls/enquiries expected at 3-1-1/helpdesk by a factor of the size of Halton's population relative to Vancouver	<ul style="list-style-type: none"> <li>Same costs for both delivery models - \$335K</li> </ul>	The same costs would be incurred for both delivery models as the driver of costs is call volume, which is a function of Halton's population, and remains constant irrespective of the delivery model

# Financial Analysis | Ongoing Operating Costs | Result

*Based on the currently available inputs, the Hybrid Delivery model has the lowest operational costs due to efficiencies that may be realized by centralization of functions*

Annual operating costs for each of the delivery model options is provided below. The cost differences between the options are relatively minor as the cost drivers are based on the volume of outputs (e.g. number of tax notices to be processed, number of audits to conduct etc.) which do not vary between options. Differences in costs, if any, are due to administrative efficiencies through centralization of different functions.

Category	Cost*	
	Municipal Delivery	Hybrid Delivery
Tax Administration	\$0.66M	\$0.66M
Review and Compliance	\$0.66M	\$0.56M
Notices and Advertising	\$0.15M	\$0.12M
IT Support and Maintenance	\$0.16M	\$0.13M
Customer Service	\$0.33M	\$0.33M
<b>TOTAL</b>	<b>\$1.96M</b>	<b>\$1.81M</b>

Annual operating costs for both models (\$1.8M - \$1.9M) are lower than the expected annual revenue through a 1% tax rate (\$6.1M) and a 0.5% tax rate (\$3.1M), which indicate that the benefits of a vacant homes tax could exceed the costs of operation

*Note - In comparison, Vancouver's<sup>1</sup> ongoing operating costs are \$2.5M, while Toronto's<sup>2</sup> and Ottawa's<sup>3</sup> estimated ongoing operating costs are \$3.1M and \$1.3M respectively*

The hybrid delivery model has the lowest annual operating costs due to efficiencies realized in the centralization of staff for various operational processes. Centralization of operations may also help in accelerating the benefits of future digitization/automation of processes (E.g. automated verification of documents for audits) thus resulting in further efficiencies.

1 - Vancouver Empty Homes Tax Annual Report 2020

2 - Recommended Tax Design to Implement a Vacant Homes Tax in Toronto

3 - Ottawa Vacant Unit Tax Staff Report



## FEASIBILITY ANALYSIS

*"Should the Region consider implementing the Vacant Homes Tax?"*

# Feasibility Analysis - Overview

This section provides an summary of the findings related to the feasibility of implementing a Vacant Homes Tax within the Region. Feasibility was assessed through a quantitative comparison of projected revenues and estimated costs (discussed in the previous section) and a qualitative evaluation of risks (developed through stakeholder consultations and learnings from Vancouver). These components are summarized below:



## Net Financial Impact

Estimation of net revenue and the breakeven point (minimum number of vacant homes required in the region to recoup operating costs)



## Sensitivity Of Tax Rates

Assessment of conversion ratio of homes as a result of various tax rates



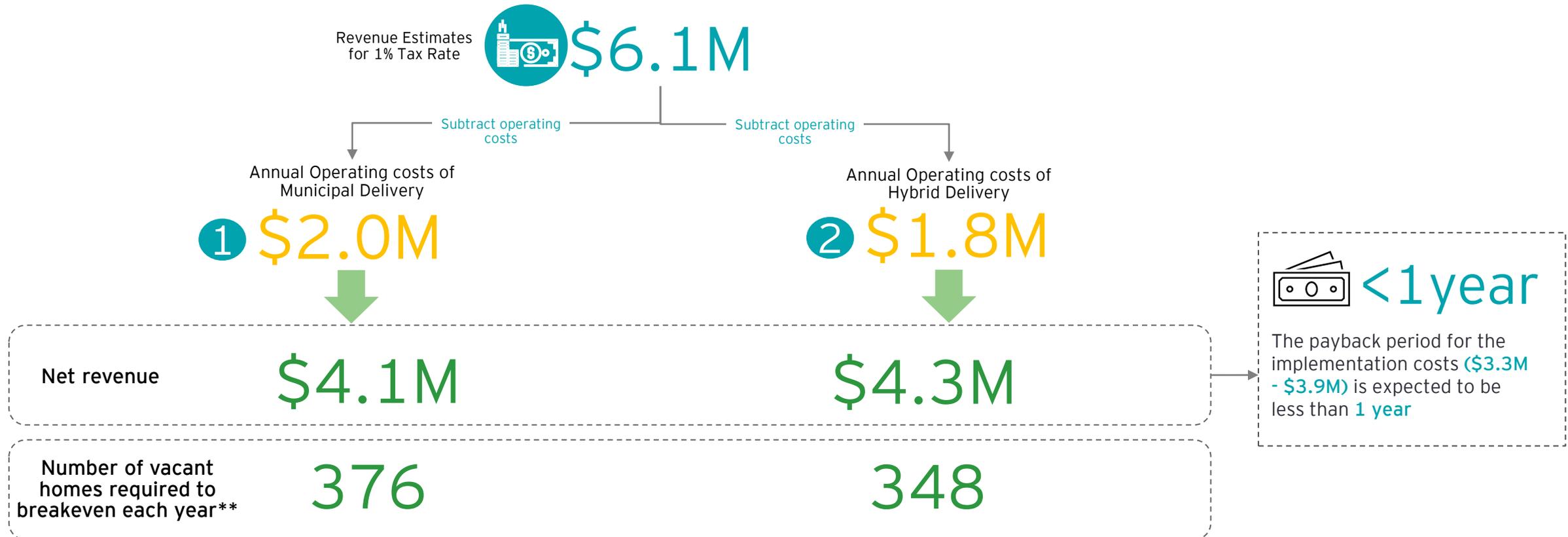
## Risks

Key risks thin the Region may encounter while implementing the vacant homes tax - along with mitigation options

# Feasibility Analysis | Net Financial Impact

In spite of conservative estimates used for revenue projections, it is expected that the vacant homes tax will generate a positive budgetary impact at Halton Region

Findings related to the financial feasibility of implementing a vacant homes tax in the Regional Municipality of Halton is summarized below. This was done by comparing the net revenue (revenue less operating costs) and assessing the breakeven point\* for each delivery model option (minimum number of vacant homes required to generate tax revenue that is greater than the operating costs).



The findings above indicate that, irrespective of the chosen delivery model option, the vacant homes tax is expected to generate net positive financial benefits for the Region, and hence, is a feasible tool to be explored in further detail.

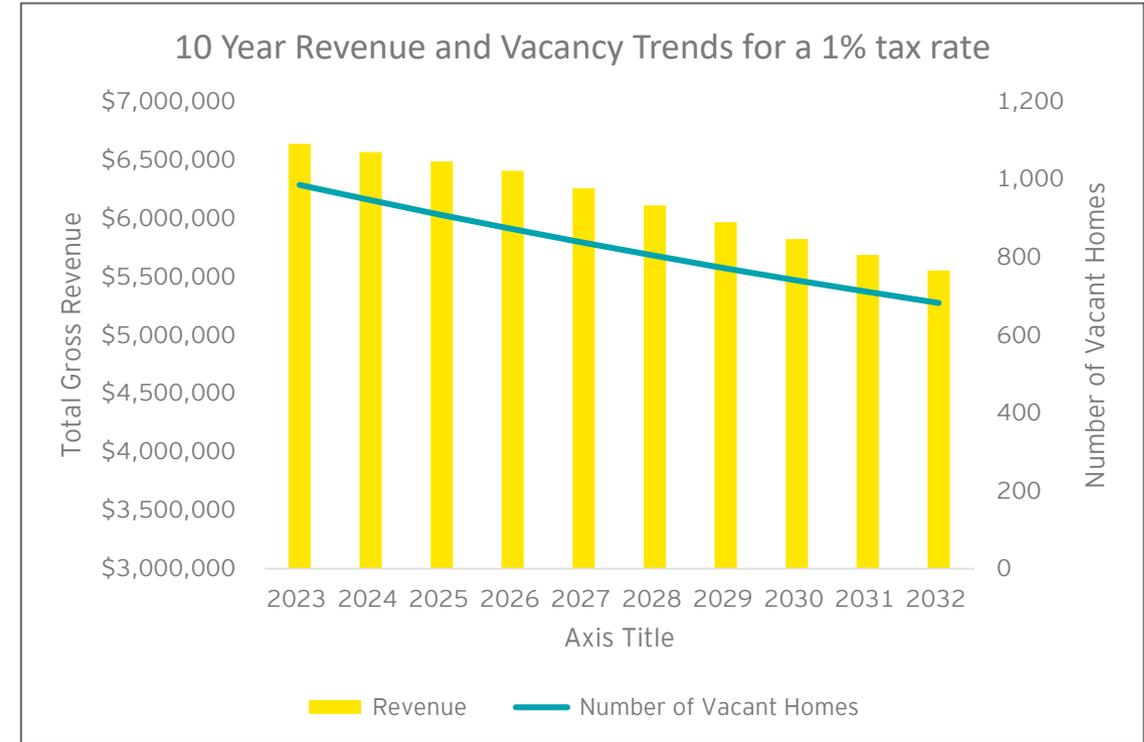
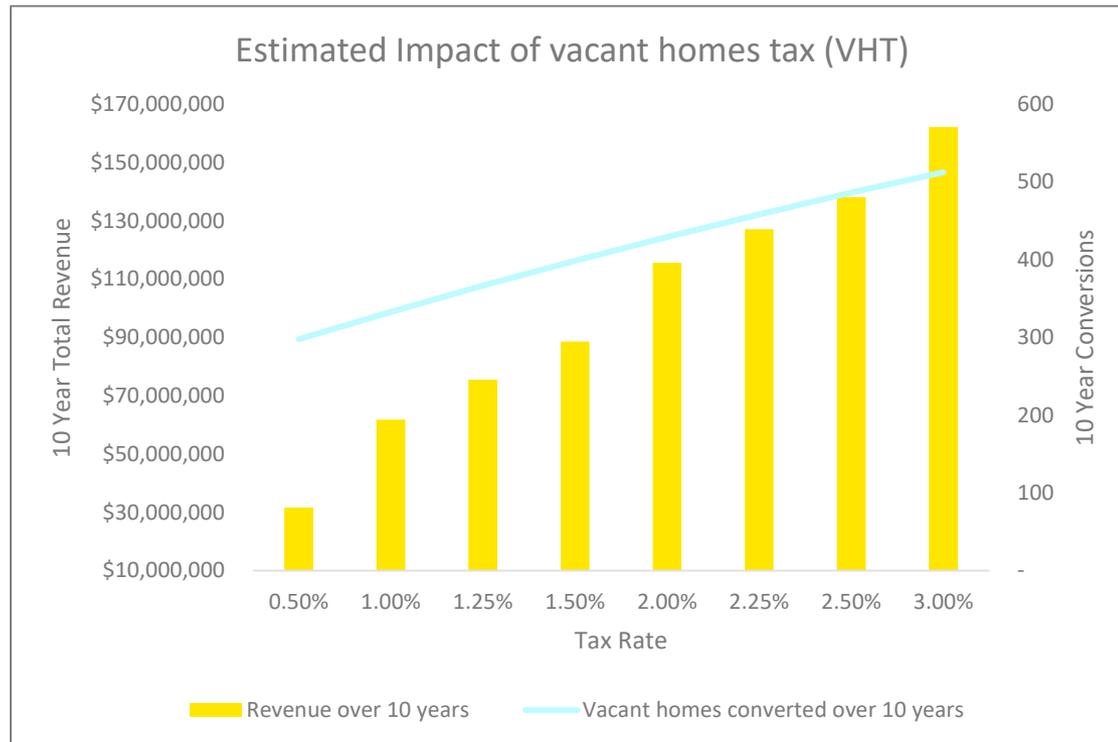
\*Breakeven point is determined by the weighted average assessment value of vacant homes in the Region

\*\*As indicated in the revenue estimates, the estimated number of vacant homes is over 900

# Feasibility Analysis | Sensitivity of Tax Rates

Tax rates are expected to generate a directly proportionate impact on conversion of vacant homes to rental properties which may ease affordability by improving supply

By modeling various tax rates, and their associated behavioural response rate (% of vacant homes sold or converted to a rental property to avoid paying the tax), we estimated the revenue projections and number of vacant homes converted corresponding to each tax rate over a period of 10 years. Findings are illustrated below:



This indicates that the VHT has positive benefits including improving housing affordability by increasing the supply of homes, and utilizing the surplus revenues to support the Region's Comprehensive Housing Strategy's assisted housing programs

# Feasibility Analysis | Risks

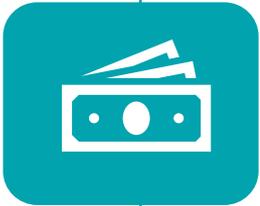
Risks identified below may be mitigated by leveraging learnings from municipalities such as Vancouver, which had implemented this tax, and had to address similar risks as part of their journey

	Lack of revenue	Systems Challenges	Process Challenges	High Non-Compliance Rates	Poor Public Reception
<b>Risk Description</b>	<ul style="list-style-type: none"> <li>Revenue from Vacant Homes are inadequate to cover the implementation and operating costs of the program</li> </ul>	<ul style="list-style-type: none"> <li>Technology challenges with updating vacant homes tax collection and enforcement functionalities on existing systems (e.g. property tax collection systems)</li> </ul>	<ul style="list-style-type: none"> <li>Inability to implement standardized processes related to reporting, collection, and enforcement across the four municipalities thereby leading to inconsistent application of the vacant homes tax</li> </ul>	<ul style="list-style-type: none"> <li>High instances on non-compliance through incorrect declarations of occupancy status or applications for exemptions</li> </ul>	<ul style="list-style-type: none"> <li>Residents of Halton may not welcome the tax for varied reasons (E.g. intrusiveness, privacy concerns, disagreement with the tax as a tool for improving affordability etc.)</li> </ul>
<b>Mitigation Approach</b>	<ul style="list-style-type: none"> <li>Region to validate the findings of the feasibility study during public consultations to gauge the extent of prevalence of vacant homes in the Region prior to launching the tax</li> <li>Infrastructure and staffing investments to be phased in stages to assess volume of revenue prior to full-scale implementation</li> </ul>	<ul style="list-style-type: none"> <li>Perform detailed systems planning in advance to identify scope and complexity of upgrades required.</li> <li>Engage with technology implementation teams at Toronto, Peel, and Vancouver to learn about approach and leading practices for systems enhancement</li> </ul>	<ul style="list-style-type: none"> <li>Conduct detailed process mapping exercise through inclusive consultations with impacted stakeholders to identify and address potential challenges and pain points</li> <li>Leverage learnings from other jurisdictions like Vancouver to understand leading practices in process design to facilitate a vacant homes tax</li> </ul>	<ul style="list-style-type: none"> <li>Design and implement a rigorous, risk-based, and data driven audit process that leverages learnings from Vancouver's techniques to minimize non-compliance rates without being intrusive to the public</li> </ul>	<ul style="list-style-type: none"> <li>Conduct extensive public consultations to gauge the level of public support prior to making decisions about the vacant homes tax</li> <li>Design communications to convey benefits of the tax, along with success stories from other jurisdictions to help residents understand the social outcomes</li> </ul>
	<b>Legend</b> <span style="border: 1px solid black; padding: 2px;">Low</span> <span style="border: 1px solid black; padding: 2px;">Medium</span> <span style="border: 1px solid black; padding: 2px;">High</span>				

# Feasibility Analysis | Key Takeaways

*Preliminary estimates based on available data and validated assumptions indicate that it is financially feasible to implement the Vacant Homes Tax in the Region.*

Key takeaways of the feasibility analysis is discussed below



## Vacant Homes Tax is expected to generate a net positive revenue

- Despite conservative estimates around vacancy rates based on water consumption thresholds, and a low tax rate, the vacant homes tax is still expected to generate revenues that are greater than the operating costs for the program. Additionally revenue estimates are based on 2016 MPAC values and property counts, and are expected to be higher in reality upon completion of the next reassessment
- While upfront investment for implementing the vacant homes tax is >\$3.5M, the Region is expected to recover the investment within the first year of implementing the tax, with a tax rate of 1%



## Hybrid Model expected to provide highest benefits

- Preliminary analysis indicates that the hybrid delivery model has the lowest implementation and operating costs. However, additional analysis is recommended to ascertain the costs by conducting an analysis of the tax systems in all four municipalities to estimate the effort required to create a module for the vacant homes tax.
- The Region and municipalities may benefit from leveraging existing tax collection/administration capabilities at the lower-tier level through a hybrid delivery model, while realizing efficiencies through centralizing activities such as compliance and communications.



## Need for continuous monitoring of net revenue to inform future decisions

- The Region would need to continuously monitor net revenues from the vacant homes tax to make decisions around the future of the program. For e.g.
  - Continued prevalence of vacant homes may require decisions around increasing tax rates to enforce behavioral changes (e.g. City of Vancouver is tripling the tax rate from 1% to 3%)
  - Declining revenues may indicate high conversion rates of vacant homes (home being put up for rent or sale), thereby requiring the Region to develop an appropriate exit strategy for the vacant homes tax (Note: Based on initial estimates, over 330 vacant homes are expected to be converted to rental properties, or sold, as a result of the tax)



## RECOMMENDATIONS AND NEXT STEPS

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# Conclusion and Next Steps

As indicated in the financial analysis, the vacant homes tax appears to be a feasible policy and revenue tool to address housing affordability at Halton Region. However, prior to making decisions around the implementation of the vacant homes tax, the following steps are to be undertaken in the Region and the Local Municipalities



In-depth assessment of implementation costs by conducting a review of the functionality of the existing payment collection systems, and determining level of effort required to implement upgrades to collect a vacant homes tax



Assessment of the key processes that need to be re-engineered, and new processes that are to be deployed to facilitate the implementation of the vacant homes tax



Deployment of public communications and consultation tools to elicit feedback from the public to gauge support for the tax, and obtain inputs to help design the tax



Develop draft framework for the Vacant Homes Tax by-law and submit for Council approval

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## APPENDIX A - Financial Assumptions

# Assumptions | Revenue Estimates

## Vacancy Rates

- ▶ Vacancy rates for single detached units were calculated using the Region's data on water consumption levels, applying a threshold of **50L/day** of water usage as a determinant for vacancy in a house.
- ▶ Water consumption data is not available for semi-detached units and townhouses, however, we assume the vacancy rate would be identical to single detached homes, hence the same vacancy rate was applied to these units.
- ▶ For condos, the City of Vancouver data was used as a proxy to estimate the proportion of total vacancies in condos
  - ▶ For the purposes of the modelling, City of Vancouver data was used due to its comprehensiveness
- ▶ As condos are a unique asset class from the perspective of investment (foreign and domestic), and there are differences within each municipality with regards to how many condos exist relative to the total number of housing units (e.g. Halton Hills has very few condos in its housing supply whereas), a number of adjustments were made to scale down the vacancy rate of condos to account for the differences between Vancouver and Halton (and between the municipalities of Halton too). The calculations of these adjustments are displayed in the slide #68

*Note: The conservative estimate for water consumption is expected to inherently account for exemptions for primary residences of snowbirds. For e.g. Snowbirds have to remain in Ontario for at least 5 months in a year to maintain OHIP coverage. A daily water consumption of 50L per day amounts to a total of 18,250 litres per annum - which according to StatsCan's estimate of residential water consumption of 225 litres per day equals less than 90 days of water usage. Hence a single family snowbird household would exceed the threshold with less than 3 months of water usage and hence can be assumed to be excluded/exempted from the vacancy analysis.*

## Eligible Vacant Units

- ▶ Used the City of Vancouver data to determine eligibility ratio of vacant units, since similar exemption/eligibility criteria applied by Vancouver was found to be acceptable for Halton Region during stakeholder consultations
  - ▶ E.g. If City of Vancouver sees 40% of vacant units as non-exempt to the tax, then 40% of total vacant units within each municipality can be assumed to be eligible for a VHT
  - ▶ The calculations were performed based on housing unit type. E.g. an eligibility ratio for condos and non-condos was separately calculated.

# Assumptions | Revenue Estimates (Cont'd)

## Audit Activity

- ▶ Estimated the ratio of Vancouver's revenue from audit activity as a percentage of total revenue, and assumed Halton would have a similar ratio

## Growth Rates

- ▶ Throughout the course of the analysis, growth rates needed to be calculated to estimate current or future values of key parameters
  - ▶ E.g. Housing prices during the forecast period
  - ▶ E.g. Housing supply in 2021 as the last census was conducted in 2016
- ▶ Historical growth rates were calculated for each parameter, and then are assumed to hold constant into the future
  - ▶ E.g. If housing supply grew 25% between 2001 and 2016, an annual growth rate was calculated and applied in the projections

## Assessed Values of Housing Units

- ▶ The assessed value for the purposes of determining a tax base was derived from MPAC Current Value Assessments, based on the valuation date of January 1, 2016.
- ▶ Growth in assessment values was estimated to be at 1.7% year over year as per input from the Region's staff

## Sensitivity Analysis

- ▶ A sensitivity analysis was performed by varying the tax rate on VHT from 0.5% to 3%, and varying the annual behavior response rate from 3.5% to 7%
  - ▶ The scenarios considered under the sensitivity analysis are developed based on the project team's experience implementing other vacant homes taxes and observations which can be derived from City of Vancouver data

# Assumptions | Adjustments for differences across municipalities

- ▶ Below is a summary of the adjustments made to the vacancy rate data obtained from the City of Vancouver to account for the differences between Vancouver and Halton Region (and between the municipalities in Halton Region)
- ▶ Firstly, Vancouver was provided an index score of 100 (as a baseline reference). It was then compared to each of Halton's municipalities for the 5 criteria discussed on slide 7 that are intended to be a proxy for evaluating vacancy of homes
- ▶ The difference between Vancouver and Halton's municipalities were calculated for each of the criteria above - and these differences were used to obtain an index score for each municipality (in comparison with Vancouver's index score of 100). A weightage was assigned to each criteria as follows - Growth rate (30%), housing starts (20%), population density (20%), condo supply (20%), population (10%)
- ▶ The vacancy rate for each municipality was then determined by scaling down Vancouver's vacancy rate by the same factor of the difference between the index scores of each municipality in comparison to Vancouver (E.g. if a municipality's index score is 40, then it's vacancy rate is estimated to be 60% lower than Vancouver)

City of Vancouver					
Vacancy Index and %	Growth Rate in Market Prices (2016-2019 avg.)	Condo Housing Starts a Year (2021)	Population Density (2021)	Population (2021)	Apartments/Condos Supply (2021)
100.00	13.2%	2,099	5493	633,279	98,306
3.7%					
<b>Burlington</b>					
Vacancy Index and %	12%	404	1029.5	191,172	21,433
41.04					
1.52%					
<b>Halton Hills</b>					
Vacancy Index and %	11.77%	0	229.5	63,387	1,363
28.76					
1.07%					
<b>Oakville</b>					
Vacancy Index and %	10.50%	1,589	1482.3	205,845	14,855
50.58					
1.88%					
<b>Milton</b>					
Vacancy Index and %	12.41%	0	395.7	143,763	6,060
33.04					
1.23%					

Estimated vacancy across the municipalities is shown in the cells highlighted in yellow (Note - These are total vacancies, and not eligible vacancies for the vacant homes tax)

Source of data is internal EY research based on StatsCan and housing market analysis

# Assumptions | Vancouver Cost Baseline

In order to estimate the costs for the vacant homes tax at Halton, EY leveraged publicly available information on the implementation and operating costs for the tax program in the City of Vancouver, while adjusting for:

- ▶ The two-tier nature of the Regional Municipality of Halton
- ▶ General budgetary differences, including salaries and cost of labour
- ▶ Demographic and economic differences (e.g. population)

The cost categories considered by the Project Team can be divided into implementation and operating costs. Each category is further divided into additional line items. The tables below present these line items as well as the City of Vancouver costs incurred or budgeted for an initial reference point.

## City of Vancouver - Implementation costs of EHT

Cost Category	Cost
Project Team	\$800,000
Business Support	\$850,000
Technical Support	\$2,100,000
Professional Services*	\$2,750,000
Hardware and Software	\$400,000
Contingency	\$500,000
<b>Total</b>	<b>\$7,400,000</b>

## City of Vancouver - First Year Operating Costs

Cost Category	Cost
Tax Administration Staffing	\$800,000
Review and Compliance Staffing	\$940,000
Notice & Advertising	\$250,000
IT Support and Maintenance	\$270,000
3-1-1- Call Centre and Maintenance	\$385,000
<b>Total</b>	<b>\$2,600,000</b>

Note: Report on Vancouver's costs can be found in [this link](#)

\*Vancouver's costs for professional services doubled during the implementation phase due to challenges encountered during implementation. However, for Halton's case, we have scaled down the professional services cost baseline by 50% to align with the original estimate of Vancouver as we assume that challenges encountered by Vancouver during implementation can be pre-empted and avoided by Halton through sharing of leading practices.



## APPENDIX B - Jurisdictional Scans

# Jurisdictional Findings - Domestic

To help inform decisions around tax policy design, the EY team analyzed the tax structure, exclusions, tax rates, compliance methods, and, if available, results from the implementation of a Vacant Homes Tax within selected domestic and international jurisdictions. In all six jurisdictions analyzed, the policy objective and rationale behind the tax is to increase total number of units on the market and provide municipalities with revenue to tackle homelessness and housing affordability initiatives. A summary of the learnings from this scan can be found below:

	Vancouver	Toronto	Ottawa
Definition of Vacancy	6 months, each stay must be 30 consecutive days in length	Unoccupied for more than 6 months of the year	Unoccupied for more than 184 days of the year
Exclusions / exemptions	<ul style="list-style-type: none"> <li>- Redevelopment or major renovations</li> <li>- Medical care (up to 2 consecutive years)</li> <li>- Rental restrictions or prohibition</li> <li>- Change of 100% of ownership during the year</li> <li>- Court order prohibiting occupancy</li> <li>- Limited use of property (e.g. property used for exclusively parking)</li> <li>- Death of the property owner</li> </ul>	<ul style="list-style-type: none"> <li>- Property under renovation</li> <li>- Owner in medical care</li> <li>- Owner deceased</li> <li>- Property owned by a snowbird (must live in house for a minimum of 4 weeks every year)</li> <li>- Final report and tax bylaw not yet published</li> </ul>	Final report and tax bylaw not yet published
Tax Rate	1% in 2017, 1.25% in 2019, 3% in 2021 of total assessed property value	1% of assessed property value	1% of assessed property value
Declaration / Identification Method	Self-declaration and complaints based	Self-declaration and complaints based	Self-declaration and complaints based
Audit / Compliance Check Method	Random audit	Random audit	Final report and tax bylaw not yet published
Results	25% decrease in vacant units and \$61.3 Million in cumulative revenue as of 2017	Expected outcome to be similar to Vancouver. Estimated revenue to be \$55-65 Million in first year	Expected outcome to be similar to Vancouver. Estimated revenue to be \$6.6 Million in the first year

# Jurisdictional Findings - International

	Melbourne	New York	Paris
Definition of Vacancy	Unoccupied for more than 6 months of the year	To be determined if Law is approved	Occupied for less than 3 months of the year
Exclusions / exemptions	<ul style="list-style-type: none"> <li>- Change of ownership during the period</li> <li>- Property was rezoned into a residential property during the year</li> <li>- Property used as a holiday home (property must be occupied for at least 4 weeks of the year)</li> <li>- Property used and occupied for work purpose for at least 140 days of the year</li> <li>- Properties undergoing significant renovation or construction</li> <li>- Properties that form part of an estate of a recently deceased</li> <li>- COVID-19 exemptions to all vacant land/property's are currently in place, indefinitely</li> </ul>	To be determined if Law is approved	<ul style="list-style-type: none"> <li>- Units who's vacancy is of no fault of the owner</li> <li>- Secondary residences of owners</li> <li>- Illegally occupied accommodation (e.g. squatters)</li> <li>- The accommodation is being sold, or process of being sold</li> <li>- Unit is planned for significant renovation (more than 25% of the value of the unit) or demolition</li> <li>- Premises are uninhabitable</li> <li>- Furnished accommodations, such as second homes</li> </ul>
Tax Rate	1% of assessed property value	0.5%-4.15%, dependant on home value 10%-13.5% on condos over \$300,000 in value	20% of fair market value of rent in 2015, 60% of fair market value of rent in 2017. Expected to be 250% of fair market rent in the future
Declaration / Identification Method	Self-declaration and complaints based	To be determined if Law is approved	Self-declaration
Audit / Compliance Check Method	Random audit	To be determined if Law is approved	Random audits. City has also shut off water or electricity to test if a unit is vacant
Results	Expected to generate \$90 Million annually to fund affordable housing programs	Expected to generate \$232 to \$650 Million in revenue which will be used to fund affordable housing, improve public transportation and other City infrastructure projects	Generated €21 Million (Approximately \$30 Million CAD) at the 20% rate. At the 60% tax rate, the City is expected to triple total earnings to around €60 Million (Approximately \$90 Million CAD) at the 60% fair market rate

# Jurisdictional Analysis - Vancouver

	Vancouver
Policy Objectives	To return empty or under-used properties to the long term rental/for sale market to Vancouverites who live and work within the City
Implementation date	January 1 <sup>st</sup> 2017
Definition of Vacancy	<ul style="list-style-type: none"> <li>- Unoccupied for more than six months during the calendar year</li> <li>- Periods of occupation must be at least 30 consecutive days in duration</li> </ul>
Exclusions / exemptions	<ul style="list-style-type: none"> <li>- Redevelopment or major renovations</li> <li>- Medical care (up to 2 consecutive years)</li> <li>- Rental restrictions or prohibition</li> <li>- Change of 100% of ownership during the year</li> <li>- Court order prohibiting occupancy</li> <li>- Limited use of property (e.g. property used for exclusively parking)</li> <li>- Death of the property owner</li> </ul>
Tax Rate	Began at 1% at time of implementation, increased to 1.25% in 2019. In 2021, the rate has increased to 3% of the property's assessed value
Declaration / Identification Method and potential penalty	<ul style="list-style-type: none"> <li>- All property owners are required to declare if their property is vacant or not</li> <li>- If the property owner is caught falsifying the claim, they are subject to a 1.25% tax on the assessed value of the property and a \$250 by-law ticket for the 2020 year</li> <li>- If the property owner does not fill out declarations, they will be subject to the 1% tax regardless of vacancy</li> </ul>
Audit / Compliance Check Method	<ul style="list-style-type: none"> <li>- Random checks on properties selected based on internal risk assessment profile</li> </ul>
Results	The net revenues of the Vacant homes tax of \$61.3 Million has been allocated to support affordable housing initiatives within the City and the total number of vacant property's has fallen 24% since the taxes implementation in 2017

Source - Vancouver Empty Homes Tax By Law

# Jurisdictional Analysis - Toronto

	Toronto
Policy Objectives	The goal of the tax is to change the behaviours of vacant home owners, encouraging them to sell or rent out their homes, therefore increasing total housing supply. It is estimated the City will generate between \$55 to \$66 Million in revenue from this tax which will be used to help increase affordable housing funding.
Implementation date	January 1 <sup>st</sup> 2022, with first payments being due May 1 <sup>st</sup> 2023* (*Subject to change)
Definition of Vacancy	<ul style="list-style-type: none"> <li>- Unoccupied for more than six months in the previous calendar year</li> <li>- The final report and tax bylaw will be prepared for council's review by the end of 2021 for final details</li> </ul>
Exclusions / exemptions	<ul style="list-style-type: none"> <li>- Property under renovation</li> <li>- Owner in medical care</li> <li>- Owner diseased</li> <li>- Property owned by a snowbird (must live in house for a minimum of 4 weeks every year)</li> <li>- The final report and tax bylaw will be prepared for council's review by the end of 2021 for final detail</li> </ul>
Tax Rate	1% of the total assessed value of the home
Declaration / Identification Method and potential penalty	<ul style="list-style-type: none"> <li>- Property owner to self-declare</li> <li>- The final report and tax bylaw will be prepared for council's review by the end of 2021 for final details</li> </ul>
Audit / Compliance Check Method	<ul style="list-style-type: none"> <li>- Random checks on properties selected based on internal risk assessment profile</li> </ul>
Results	The expected result is similar to the Vancouver outcome, which brought 5,000 condos to the market and reduce vacancy rates by 24% since the taxes implementation in 2017

Source - Toronto Vacant Homes Tax Staff Report

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GENERAL INFORMATION PACKAGE

Feasibility study for a Vacant Homes Tax in the Halton Region | Final Report

MAY 21, 2022

# Jurisdictional Analysis - Ottawa

	Ottawa
Policy Objectives	The main objective of the tax is to increase the total housing stock within the City and encourage owners to rent out or sell their vacant units. It is estimated that the City will generate around \$6.6 Million in revenue in the first year based on the assumption of 1,500 vacant units. The City's vacancy rates rose to 3.9% in 2020 from 1.8% largely due to COVID-19 related factors, such as lower student rentals. (Details can be found in <a href="#">this link</a> )
Implementation date	January 1 <sup>st</sup> 2022, with first payments being due in 2023
Definition of Vacancy	<ul style="list-style-type: none"> <li>- The units is vacant for more than 184 days (around 6 months) of the year</li> <li>- The final report and tax bylaw will be prepared for council's review by Spring 2022 for final details</li> </ul>
Exclusions / exemptions	<ul style="list-style-type: none"> <li>- The final report and tax bylaw will be prepared for council's review by Spring 2022 for final details</li> </ul>
Tax Rate	1% of assessed property value
Declaration / Identification Method and potential penalty	<ul style="list-style-type: none"> <li>- All 307,000 homeowners will need to declare if their unit is occupied or not</li> </ul>
Audit / Compliance Check Method	<ul style="list-style-type: none"> <li>- The final report and tax bylaw will be prepared for council's review by Spring 2022 for final details</li> </ul>
Results	The expected result is similar to the Vancouver outcome, which brought 5,000 condos to the market and reduce vacancy rates by 25%

Source - Ottawa Vacant Unit Tax Staff Report

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GENERAL INFORMATION PACKAGE

Feasibility study for a Vacant Homes Tax in the Halton Region | Final Report

MAY 21, 2022

# Jurisdictional Analysis - Melbourne

	Melbourne
Policy Objectives	Originally, the tax targeted land owners who left their lot vacant hoping they can sell the land to a developer for a profit. In 2020, the City approved the extension of this tax to empty residential properties within the greater Melbourne region.
Implementation date	January 1 <sup>st</sup> 2018
Definition of Vacancy	- Unoccupied for more than six months during the calendar year
Exclusions / exemptions	<ul style="list-style-type: none"> <li>- Change of ownership during the period</li> <li>- Property was rezoned into a residential property during the year</li> <li>- Property used as a holiday home (property must be occupied for at least 4 weeks of the year)</li> <li>- Property used and occupied for work purpose for at least 140 days of the year</li> <li>- Properties undergoing significant renovation or construction</li> <li>- Properties that form part of an estate of a recently deceased</li> <li>- COVID-19 exemptions to all vacant land/property's are currently in place, indefinitely</li> </ul>
Tax Rate	1% of assessed property value
Declaration / Identification Method and potential penalty	<ul style="list-style-type: none"> <li>- Self identification by property/land owners by January 15<sup>th</sup> of the calendar year</li> <li>- The City also has a form that encourages homeowners or residents to "tip-off" City officials if they believe a property owner is not complying with the law</li> <li>- If the property owner is caught, the City will levy a 5% assessed property value if the vacant property owner admits before the investigation, a 20% levy if the owner admits during the investigation or up to 90% of the total value if the owner intentionally disregarded the law and hindered the investigation</li> </ul>
Audit / Compliance Check Method	- Random checks on properties selected based on internal risk assessment profile
Results	In 2017, it was estimated that the City had 82,000 homes that were not being used and estimated to generate \$90 Million dollars, however media outlets have reported revenues were as low as \$5.4 Million in the first year, far lower than the intended revenue. While water usage data indicates 4.1% of Melbourne homes were vacant in 2019, the Vacant Residential Land Tax was only levied on 2.6% of homes. Vacancies within the Greater Melbourne area have risen by 13.3% between 2017 and 2019 - before and after the tax.

# Jurisdictional Analysis - New York

	New York
Policy Objectives	There were three main objectives of the tax, first to bring down the total number of short-term vacation rental units which represented 2.1% (75,000 units) of total housing within the City. Secondly is to increase availability of affordable house. Finally, the City looked to increase total revenue to help fund its public transit system.
Implementation date	The tax has not been approved and is in the City's Senate Local Government for deliberation as of February 2021
Definition of Vacancy	- To be determined if law is approved
Exclusions / exemptions	- Condos less than the \$300,000 market value - Primary resident and/or immediate family members residing within the property
Tax Rate	0.5% to 4.15% of the assessed value on homes with a 5-year average of more than \$5 million dollars. 10%-13.5% on condos above \$300,000 in market value.
Declaration / Identification Method and potential penalty	- To be determined if law is approved
Audit / Compliance Check Method	- To be determined if law is approved
Results	The City estimates that the tax could bring between \$232 Million to \$650 Million in annual revenues which will be split between affordable housing, funding public transportation and other public projects. A Wall Street Journal analysis suggested the tax could drop the value of properties assessed more than \$25 Million by 46%.

# Jurisdictional Analysis - Paris

	Paris
Policy Objectives	The objective of the tax is to help bring the estimated 100,000 vacant units, representing, in some estimates, 8% of Paris' total available units to the market. It was found that 40,000 units were disconnected from the electrical grid, implying that the units were most probably used for speculative purposes.
Implementation date	January 1 <sup>st</sup> 2015, revised in September 2017
Definition of Vacancy	- Occupied for less than 90 consecutive days of the year (approximately 3 months)
Exclusions / exemptions	<ul style="list-style-type: none"> <li>- Units who's vacancy is of no fault of the owner (unable to find a suitable occupant)</li> <li>- Occupied for more than 90 consecutive days in a year</li> <li>- Secondary residences of owners (these units are subject to an alternative tax called the owner tax)</li> <li>- Illegally occupied accommodation (e.g. squatters)</li> <li>- The accommodation is being sold, or process of being sold</li> <li>- Unit is planned for significant renovation (more than 25% of the value of the unit) or demolition</li> <li>- Premises are uninhabitable</li> <li>- Furnished accommodations, such as second homes</li> </ul>
Tax Rate	Originally set at 20% of fair market value of rent, which tripled to 60% in September of 2017. Some media outlets are reporting the local government is considering to increase it to 250% in the future.
Declaration / Identification Method and potential penalty	<ul style="list-style-type: none"> <li>- Self declaration</li> <li>- The City also runs a "rent solidarity" program in which the owner will entrust the vacant unit to a partner agency for 3-6 years. The partner will select a tenant, guarantee the owners will be paid on time and any damages will be paid for by the City. In exchange, the owner will receive 70-80% of the market rent. Currently this program accommodates 902 units housing 2,900 tenants.</li> <li>- Delayed payment of the vacant homes tax will result in a 10% penalty in addition to the tax</li> </ul>
Audit / Compliance Check Method	- Random checks on properties selected based on water and utility usage. City may also shut off water or electricity supply to test if unit is vacant
Results	The City's original 20% of fair market value of rent rate had a 0.13% impact on the vacancy rate, which means it was largely ineffective. However, it did bring the City more than €21 Million (Approximately \$30 Million CAD) at the 20% rate. At the 60% tax rate, the City is expected to triple the total earnings to around €60 Million (Approximately \$90 Million CAD)

April 26, 2022

Delivered by email

SUBJECT: Motion regarding GTA West Corridor (Highway 413)

Please be advised that at its meeting held Tuesday, April 19, 2022, the Council of the City of Burlington approved the following resolution:

Whereas the Province of Ontario initiated an Environment Assessment process in 2007 for the planning and construction of the proposed Highway 413; and

Whereas the final recommendation of the Stage 1 Provincial Environmental Assessment (2012) was to first put in place the transportation system management components, rapid transit, freight rail improvements and expansion of existing highways prior to construction of a new expressway; and

Whereas the Stage 2 Environmental Assessment (new expressway) undertaken by the previous provincial government was shelved because of strong objections by an Expert Panel in the fields of rural development, renewable cities, agriculture, environment, and efficient transportation who sounded alarms over predicted irreversible ecological harm caused by the uncontrolled, low density urban sprawl enabled by the Corridor; and

Whereas the current Provincial Government revived the \$6+ billion Highway 413 proposal in 2018, saying it could relieve congestion issues in the fast-growing Toronto suburbs and boost Ontario's economy; and

Whereas a significant number of reputable organizations have demanded cancellation of the Highway 413 project, including: Environmental Defense, the David Suzuki Foundation, the Federation of Urban Neighborhoods, Gravel Watch, Halton Environmental Network, National Farmers' Union-Ontario, Rescue Lake Simcoe Coalition, Transport Action Ontario, Greenbelt Council; as well as formal opposition of Councils from the municipalities of Halton Hills, Caledon, Orangeville, Vaughan, Brampton, Mississauga, King and the City of Toronto; and

Whereas the Federal Government has decided to conduct an Impact Assessment study for the proposed Highway 413; and

Whereas Ontario farming and food processing together employ one million persons and generate over \$35 billion economic benefits annually: and

Whereas the Greater Golden Horseshoe is the third largest agricultural producer in North America after California and Chicago; and

Whereas the Province of Ontario is proposing to develop the Highway 413 by razing 809 hectares of pristine farmlands, some of which are Class A and Class B farmlands and many of which will immediately cease to be farmed and other lands which over time will be developed for non-agricultural uses; and

Whereas the Minister of Agriculture, Food and Rural Affairs has not completed an Agricultural Impact Assessment for the proposed Highway 413; and

Whereas the proposed Highway 413 will cut across 85 waterways, and destroy protected Greenbelt lands including 7 entire woodlots, 220 important wetlands and valley land features, 10 different species-at-risk and hundreds of acres of vulnerable wildlife habitat; and

Whereas the Greenbelt Plan's permission for new infrastructure which negatively impacts key natural heritage features, key hydrologic features or key hydrologic areas requires determination that there is "no reasonable alternative" and that this has not been established through a planning process; and,

Whereas the Toronto and Region Conservation Authority (TRCA), which is the regulatory authority for developments in flood plains, wetlands, and valley lands, has also raised concerns about the potential impact of the proposed Highway 413 as well as the streamlined Environmental Assessment process; and,

Whereas the City of Burlington has declared a climate emergency and approved a Climate Action Plan with a target to be a net carbon neutral community by 2050; and

Whereas responding to the climate emergency requires immediate re-evaluation of all transportation plans as the transportation sector is the highest single source of emissions; and

Whereas the Province must take immediate measures to decrease GHGs through alternatives such as increasing public transit, including the necessary local public transit networks, to enable broad access to the higher order transit including high-speed electric trains; and,

Whereas the Highway 407 was created as a truck by-pass in order to relieve congestion on Highway 401, but the Highway 407 was tolled, thereby limiting the amount of relief provided by the Highway 407; and

Whereas it is well known that, as new road capacity (lane-km) is constructed, traffic demand grows to fill this capacity by the phenomenon known as "induced demand", resulting in roads that are as congested as they were prior to the expansion of the road; and

Whereas several reasonable highway network management alternatives to the proposed Highway 413 exist and were recommended by the Expert Panel, including possible subsidies or congestion pricing that would shift truck traffic to the under-utilized Highway 407; and

Whereas the proposed Highway 413 will allocate limited Provincial funds to the movement of vehicular traffic instead of much needed transit investments for complete transit-oriented communities; and

Whereas transit investments and good land use planning decisions are vital to creating complete transit-oriented communities which are economically vibrant, where people and goods are moved seamlessly, and where multiple modes of transportation support the community including a focus on active transportation; and

Whereas the proposed Highway 413 will lead to greater demand for development with more than 13,350 hectares of Whitebelt lands in the Greater Golden Horseshoe (Caledon and Vaughan) being impacted, leading to greater urban sprawl and development that is not supportive of transit investment; and

Whereas analysis has shown (<https://ontario.transportation.ca>) that investment in various unfunded rapid transit projects, including GO Transit, 407 Transitway and LRT/BRT projects which can move 4-10 times the number of people as the proposed Highway 413, for the same invested dollars; and

Whereas the 407 Transitway has been planned for decades but has no approved funding for its construction; and

Whereas the City of Burlington has consistently supported development of the transit-oriented communities, to support long term inter-regional transportation solutions and to enhance integration of our existing communities and supported rail integrated communities along both the GO Transit rail lines and the 407 rail transitway; and

Whereas uncontrolled urban growth threatens these resources and is widely seen to embed unsustainable infrastructure maintenance costs, deepen traffic congestion problems, increase transportation-related emissions of greenhouse gases and smog precursors, and reinforce social divisions; and

Whereas planning and infrastructure decisions affect the shape of communities for decades, even centuries to come; and

Whereas Transit Oriented Communities (TOC) positively contribute toward more environmentally friendly and economically sustainable communities, reduce the reliance on car-dependent trips for all members of the community, therefore reducing Vehicle Kilometers Travelled (VKT) and reducing the high costs of auto ownership thus contributing to achieving affordable housing outcomes; and

Whereas strategic land-use planning requires public policy that communicates TOCs as integral to a community's long-term vision with supportive official plan and zoning provisions that facilitate density and mixed land use; and

Now therefore, be it resolved that Burlington City Council does not support the proposed Highway 413 at this time; and

Further That Burlington City Council continues to support an integrated GTHA rail transit network which includes high speed rapid rail transit running beside the Highway 407 (407 Transitway); and

That Burlington City Council supports a complete Federal Environmental Impact Study pursuant to s.9(1) of the Impact Assessment Act (I.A.A.), prior to any advancement of the proposed Highway 413 project; and, That Burlington City Council requests that the Province undertake an economic evaluation and time travel analysis of Highway 407 versus the proposed Highway 413 including the potential for congestion and non-peak hour pricing or other highway management alternatives; and

That Burlington City Council requests the Province of Ontario work with 407 International Inc. to devise strategies to increase 407 ETR usage and enforce penalties provided to encourage efforts at congestion relief on the 401 Hwy and all surrounding roads; and

That the capital cost for the proposed 413 Hwy be re-designated to the expansion of long term, environmentally sustainable rapid transit throughout the GTA; and

That Burlington City Council recommends that the Province undertake a comprehensive economic benefits analysis of the potential for TOCs along the 407 Transitway, GO Rail Transit Network and new LRT/BRT lines versus the cost of urban sprawl triggered by the proposed Highway 413; and

That the Province undertake an integrated review of the Provincial Growth Plan for the Greater Golden Horseshoe and the Metrolinx Regional Transportation Plan to develop a sustainable communities strategy to provide consistent and comprehensive policies for achieving affordable housing near TOC stations. This should include policies to support intensification within the Built-Up Area, particularly within MTSAs and along high frequency (15 minutes or less, peak hour) bus transit; and

That the Province must also update its affordable housing program to recognize the relationship between housing affordability and transit including the positive role of having housing near rail transit TOC stations to improve the operational efficiency of the Provincial investment in mass rail transit; and

That Ontarians need serious, transparent, and accountable infrastructure planning processes, based on clear and consistent rules designed to advance the environmental, social, and economic sustainability of their communities; and

That a copy of this resolution be provided to the Regions of York, Peel and Halton, the Cities of Richmond Hill, Vaughan, Brampton, Mississauga, Toronto and the Towns of Milton, Caledon, and Halton Hills; and

Further, That this resolution be forwarded to: Doug Ford, Premier of Ontario; Peter Bethlenfalvy, Minister of Finance; Caroline Mulroney, Minister of Transportation; Kinga Surman, Minister of Infrastructure and Transit-Oriented Communities; David Piccini, Minister of Environment and Climate Change; Stan Cho, Associate Minister of Transportation (GTA); Steve Clark, Minister of Municipal Affairs and Housing; Lisa Thompson, Minister of the Agriculture, Food and Rural Affairs; Victor Fedeli, Minister of Economic Development, Job Creation and Trade; Andrea Horwath, Leader of the Official Opposition & Ontario NDP Party; Steven Del Duca, Leader of the Ontario Liberal Party; All Members of Federal Parliament in Halton Region; All Members of Provincial Parliament in Halton; All Members of Halton Regional Council; All Town Clerks in Halton Region; Justin Trudeau, Prime Minister of Canada; Chrystia Freeland, Federal Minister of Finance; Omar Alghabra, Federal Minister of Transport; Marie Claude Bibeau, Minister of Agriculture and Agri-Food; Melanie Joly, Federal Minister of Economic Development; Dominic Leblanc, Federal Minister of Infrastructure and Communities; Jonathan Wilkinson, Federal Minister of Natural Resources; Steven Guilbeault, Federal Minister of Environment and Climate Change; Wayne Emmerson, Chairman and CEO, York Region; John Mackenzie, CEO, Toronto And Region Conservation Authority; Phil Verster, President and CEO, Metrolinx.

If you have any questions, please contact me at extension 7702 or the e-mail address above.

Sincerely,



Kevin Arjoon  
City Clerk



April 28, 2022

Ministry of Municipal Affairs and Housing  
Ministry of Municipal Affairs and Housing -  
Finance Policy Branch  
Stephen Crawford, MPP, Oakville  
Effie Triantafilopoulos, MPP,  
Oakville North – Burlington  
Jane McKenna, MPP, Burlington  
Ted Arnott, MPP, Wellington- Halton Hills  
Region of Halton  
City of Burlington  
Town of Milton  
Town of Halton Hills  
Conservation Halton  
Credit Valley Conservation  
Grand River Conservation Authority  
Association of Municipalities of Ontario

minister.mah@ontario.ca  
ruchi.parkash@ontario.ca  
stephen.crawford@pc.ola.org  
effie.triantafilopoulos@pc.ola.org  
jane.mckenna@pc.ola.org  
ted.arnott@pc.ola.org  
graham.milne@halton.ca  
kevin.arjoon@burlington.ca  
townclerk@milton.ca  
valeriep@haltonhills.ca  
web@hrca.on.ca  
info@cvc.ca  
grca@grandriver.ca  
amo@amo.on.ca

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

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At its meeting on April 25, 2022, Oakville Town Council approved the following resolution with respect to the subject item noted above:

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*

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

*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.*

The link to the staff report can be found [here](#).

Should you have any questions regarding this matter or should you require additional information, please contact Vicki Tytaneck, Town Clerk at 905-845-6601, extension 2003, or email [vicki.tytaneck@oakville.ca](mailto:vicki.tytaneck@oakville.ca).

Sincerely,



Vicki Tytaneck  
Town Clerk

April 28, 2022

Melissa Lawr  
Deputy Clerk  
Town of Halton Hills  
1 Halton Hills Drive  
Halton Hills, ON L7G 5G2

Dear Ms. Lawr,

Please be advised that the Council of the County of Lennox and Addington endorsed the following resolution at its Regular Meeting held April 27, 2022:

*That the April 20, 2022 - resolution re: **Build it Right the First Time** (Town of Halton Hills) be endorsed.*

*CARRIED*

*(signed) Warden Ric Bresee*

I trust that County Council's support may be beneficial in your pursuit of this matter.

Sincerely,



Tracey McKenzie  
Clerk



April 27, 2022

Ministry of Municipal Affairs and Housing  
Office of the Minister  
777 Bay Street, 17<sup>th</sup> Floor  
Toronto, ON  
M7A 2J3

Overview of Bill 109, More Homes for Everyone Act, 2022 – PLAN-23-22

**Resolution No.2022-121**

**Moved** by Councillor Clark

**Seconded** by Councillor Van Egmond

**BE IT RESOLVED THAT** Council receive Report PLAN-2022-23 for information; and

**THAT** Council direct staff to prepare a resolution letter to be endorsed by Council, signed by the mayor, and sent to David Piccini, MPP and the Ministry of Municipal Affairs and Housing prior to April 29, 2022.

**CARRIED.**

**Re: Bill 109: More Homes for Everyone Act**

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Dear Minister Clark,

This letter is in response to the request for feedback concerning Bill 109 in addition to the April 20, 2022 Information Session and Technical Overview for Bill 109 presented by the Ministry of Municipal Affairs and Housing.

It is acknowledged that housing affordability and availability is becoming a serious issue in the province of Ontario, however it is the concern of many that the proposed changes will not achieve the goals being set for expediting the housing project process.

Whereas the Township of Cramahe supports housing supply initiatives, especially initiatives that balanced and sustainable growth which is a key objective of its Strategic Plan, the Township of Cramahe and the Northumberland County Official Plans . Although all Municipalities are wanting to expediate housing project processes, it is difficult to see how the proposed changes are executing this goal responsibly.

Whereas municipalities, including the Township of Cramahe, are facing unprecedented development pressures, complex development files, and ongoing resource challenges on the heels of a global pandemic.

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**Corporation of the Township of Cramahe**

P.O. Box 357, Colborne, Ontario K0K 1S0 • T (905)355-2821 • F (905)355-3430

Whereas the Province of Ontario through the Homes for Everyone Act, 2022 proposes to:

- enact legislation to refund application fees should certain planning approvals not be issued within prescribed timeframes;
- regulate the supporting materials necessary for a complete site plan application; and,
- to provide limitations on the types of subdivision conditions that can be imposed on development applications.

Now therefore be it resolved that while Council for the Township of Cramahe generally supports many of the revisions to provincial legislation to support increased housing supply, the Township of Cramahe respectfully objects to:

1. Refunding development application fees that would result in lost revenue for staff time spent on files, and which delays may not be attributed to a lack of staff resources on the file, but rather the result of increasingly complex matters that impact timeframes and are largely outside the control of municipal planning departments, including the quality and timeliness of application material by the applicant and/or their consulting team.
2. Prescribing the requirements for a complete site plan application. At the pre-consultation stage together with staff and agencies a detailed list of requirements for the complete site application is provided. Municipal and agency staff together with the applicant work well to scope the types of studies and level of detail through approved Terms of Reference, as required. This practice should be left to Municipalities, with appeal rights provided to the applicant under the *Planning Act*, should a dispute arise.
3. Limiting the types of conditions of approval for Draft Plans of Subdivision may impact staff and Councils' ability to appropriately respond to the unique and complex nature of development applications and to best protect the interests of the Municipality. The applicant has the right to appeal under the *Planning Act* should a dispute arise.

And further that that this resolution be circulated to David Piccini, MPP and through the Provincial commenting window for the More Homes for Everyone Act, 2022.

If you have any questions, please feel free to contact the undersigned.

Sincerely,



Mandy Martin  
Mayor  
Township of Cramahe  
(905) 376-7241  
mmartin@cramahe.ca

cc. Members of Council  
David Piccini, MPP  
Municipal Clerk

**Corporation of the Township of Cramahe**

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## **Town of Arnprior Support for Humanitarian Efforts in Ukraine**

To Whom it may concern,

Council of the Corporation of the Town of Arnprior passed the following resolution regarding supporting Ukraine in these difficult times. Council at their meeting, requested staff provide this resolution to all municipalities in the province of Ontario for their information.

**Whereas** the Council of the Corporation of the Town of Arnprior supports our Federal, Provincial and local municipalities in condemning the aggression and violent acts that Russia is taking upon Ukraine; and

**Whereas** on March 2, 2022 Mayor Stack issued a press release voicing the Town's support of "the Ukrainian people, who are fighting bravely against the invading Russian forces" and asked that everyone in Arnprior keep "these brave souls in our hearts and minds, and hope for a swift end to this conflict," and

**Whereas** the clock at the D.A. Gillies (Museum) will stay lit in blue and yellow until the attacks cease.

**Therefore Be It Resolved That:**

1. That Council support the humanitarian efforts in Ukraine with a \$1000.00 donation to the Canadian Red Cross Ukraine Humanitarian Crisis Appeal.
2. That the Mayor send a letter to the Ukrainian Embassy in Ottawa in support and solidarity of those in Ukraine, their friends and families across the globe and those of Ukrainian heritage within our community.

The Town of Arnprior has sent a donation to the Canadian Red Cross Ukraine Humanitarian Crisis Appeal, and the Mayor has issued a letter to the Ukrainian Embassy in Ottawa, as noted.

Sincerely,

Kaila Zamojski  
Deputy Clerk  
Town of Arnprior  
613-623-4231 Ext. 1818

May 2, 2022

**SENT VIA EMAIL – [premier@ontario.ca](mailto:premier@ontario.ca)**

The Honourable Doug Ford  
Premier of Ontario  
Legislative Building, Queen's Park  
Toronto ON M7A 1A1

**Re: Moratorium on New Aggregate Operations**

Please be advised that, at its regular meeting of Council held April 19, 2022, the Council of the Township of Guelph/Eramosa endorsed the following resolution:

Be it resolved that The Council of the Township of Guelph/Eramosa endorse the following resolution regarding a moratorium on new aggregate operations:

WHEREAS Ontario currently has over 5000 licensed pits and quarries located throughout the province that are able to meet the expected near term needs of Ontario's construction industry;

AND WHEREAS applications continue to be submitted without a definitive determination if there is a need for additional supply;

AND WHEREAS gravel pits and quarries are destructive of natural environments and habitats;

AND WHEREAS pits and quarries have negative social impacts on host communities in terms of noise, air pollution, and truck traffic;

AND WHEREAS pits and quarries have property assessments that well below their true market value due to the exploitation of tax loopholes, requiring residents and businesses to subsidize their operations;

NOW THEREFORE BE IT RESOLVED THAT the Ontario government be requested to impose an immediate temporary moratorium on all new gravel mining applications pending a broad consultation with municipalities, independent experts and scientists to chart a new path forward for gravel mining in Ontario which:

Jenni Spies  
Deputy Clerk

Tel: 519-856-9596 X 107  
[jspies@get.on.ca](mailto:jspies@get.on.ca)

- Eliminates unfair property tax loopholes and assesses the properties at their true market value;
- Recommends a fair levy for gravel mining that includes compensation for the full environmental and infrastructure maintenance costs to the local community of extraction and distribution of aggregate;
- Proposes criteria and processes for determining the need for new gravel licences;
- Recommends updated policies and restrictions for gravel mining below the water table to reflect current groundwater sciences;
- Develops new guidelines for reprocessing in order to ensure sustainable aggregate supplies;
- Provides greater weight to the input by local municipalities to lessen the social impacts from mining operation and trucking through their communities;

AND FURTHER THAT a copy of this resolution be sent to the Honourable Doug Ford Premier of Ontario, the leaders of all Provincial Parties, Minister of Natural Resources and Forestry, the Honourable Ted Arnott MPP, AMO, Small Urban GTHA Mayors.

Please accept this for your information and any necessary action.

Sincerely,



Jenni Spies  
Deputy Clerk

Cc. Andrea Horwath - ahorwath-qp@ndp.on.ca  
 Steven Del Duca info.leader@ontarioliberal.ca  
 Mick Schreiner mschreiner-co@ola.org  
 Jim Karahalios jim@jimkarahalios.ca  
 Derek Sloan - derek.sloan@parl.gc.ca  
 Minister of Natural Resources and Forestry - greg.rickford@pc.ola.org  
 Honourable Ted Arnott MPP - ted.arnott@pc.ola.org  
 AMO - amo@amo.on.ca  
 Town of Aurora – TMrakas@Aurora.ca  
 Bradford West Gwillimbury - rkeffer@townofbwg.com  
 Township of Brock – jgrant@townshipofbrock.ca  
 City of Burlington – mayor@burlington.ca  
 Town of Caledon – allan.thompson@caledon.ca  
 East Gwillimbury – vhackson@eastgwillimbury.ca  
 Township of Georgina – mquirk@georgina.ca  
 Halton Hills - Mayor@haltonhills.ca  
 Township of King - spellegrini@king.ca  
 Newmarket - jtaylor@newmarket.ca  
 Orangeville - sbrown@orangeville.ca  
 Township of Scugog - bdrew@scugog.ca  
 Township of Uxbridge - dbarton@uxbridge.ca  
 Town of Whitchurch-Stouffville - mayor@townofws.ca

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Jenni Spies  
Deputy Clerk

Tel: 519-856-9596 ext. 107  
[jspies@get.on.ca](mailto:jspies@get.on.ca)

THE CORPORATION OF THE TOWN OF COCHRANE

REGULAR COUNCIL

DATE:

April 5, 2022

RESOLUTION NO.:

118 -2022

AGENDA ITEM NO.:

10.1

MOVED BY

Befisile

SECONDED BY

O'Connor

**WHEREAS** the Year of the Garden 2022 celebrates the Centennial of Canada's horticulture sector; and

**WHEREAS** gardens and gardening contribute to the quality of life of our municipality and create safe and healthy places where people can come together; and

**WHEREAS** the Year of the Garden 2022 will highlight and celebrate the important contribution of gardeners, our local gardening organizations, horticultural professionals and local horticultural businesses which contribute to garden culture and the experience garden of our municipality; and

**WHEREAS** gardens and gardening have helped us face the challenges of the COVID pandemic; and

**WHEREAS** Communities in Bloom in collaboration with the Canadian Garden Council, invites all municipalities to celebrate the Year of the Garden;

**NOW THEREFORE BE IT RESOLVED THAT** I, Mayor Denis Clement, on behalf of the Town of Cochrane do hereby proclaim 2022 as the Year of the Garden in celebration of the contribution of gardens and gardening to the development of our country, our municipality and the lives of our citizens in terms of health, quality of life and environmental challenges; and

**THAT** the Saturday before Father's Day, June 18, 2022, be recognized as Garden Day in the Town of Cochrane as a legacy of Canada's Year of the Garden 2022; and

**THAT** the Town of Cochrane is committed to be a Garden Friendly Town supporting the development of its garden culture; and

**THAT** all the municipalities across Canada be invited to proclaim 2022 to be the Year of the Garden in their respective municipalities, and that a copy of this resolution be provided to all municipalities of Ontario, and for that purpose.

THE CORPORATION OF THE TOWN OF COCHRANE

DECLARED THE MOTION

- CARRIED
- DEFEATED
- DEFERRED
- REFERRED TO: \_\_\_\_\_

RECORDED VOTE - Requested by: \_\_\_\_\_

  
\_\_\_\_\_  
Mayor (Acting Mayor)

RECORDED VOTE	FOR	AGAINST	CONFLICT	ABSENT
Daniel Bélisle				
Todd Calaiezzi				✓
Denis Clement				
Rodney Hoogenhoud				✓
Robert Hutchinson				
Desmond O'Connor				
Frank Sisco				

DECLARATION OF CONFLICT OF INTEREST

\_\_\_\_\_  
DISCLOSED HIS/HER INTEREST(S)

\_\_\_\_\_  
VACATED HIS/HER SEAT

ABSTAINED FROM DISCUSSION AND DID NOT VOTE ON THIS QUESTION.