

Township notes concerns with Bill 23 to Province

By Mark PavilonsEditor

A move to get more homes built across the province will add significant financial and regulatory burdens on local municipalities. King Township staff noted their concerns with Bill 23, the More Homes Built Faster Act. While intended to address the housing crisis by adding 1.5 million homes over the next 10 years, the move will saddle municipalities with extra costs. King councillors supported staff recommendations on the subject, at its virtual meeting Nov. 6. The Bill contains some 50 actions, one of which includes reducing government fees and fixing developmental approval delays. Another measure includes discounting or eliminating development charges fees that municipalities rely on for infrastructure. Staff are unsure whether Bill 23 will have the intended outcomes. Approvals do not always equate to shovels in the ground, as there are several factors that impact construction timing, the report noted. The proposed amendments through Bill 23 will result in significant financial impacts due to the loss of revenue from development charges, reduced parkland contributions, and the potential transfer of various responsibilities currently delivered by York Region and the Conservation Authorities to local municipalities. Township staff resources will also be impacted based on the compounding effects of Bill 109, this proposed Bill 23 and future anticipated further bills. Funding shortfalls will need to be managed and may impact the tax levy rate-based charges or service level adjustments to ensure sufficient funding and staff resources are available for infrastructure, parkland and service delivery. Critics charge the Bill also removes some regulations in the Conservation Authorities Act, to speed up decisions made by these bodies. King, staff said, relies on the expertise of the TRCA and LSRC who comment on development applications. They provide key information into policies that are included in King's Official Plan. The Township relies on partnerships with Conservation Authorities to support day-to-day work on various Planning Act matters. If the mandate of the Conservation Authorities is limited, as proposed in the legislation to natural hazards and flooding, the Township may need to consider alternative approaches to obtain natural heritage review and expert advice for development applications as the Township still has an obligation under Provincial Plans, such as the Oak Ridges Moraine Conservation Plan, to ensure the ecological integrity of the Plan Area is maintained. As a result of the recent changes proposed to the Conservation Authorities Act, King Township, like many other Municipalities, have entered into discussions with CA Staff to discuss ways in which the organizations can better work together, how the organization can support the other and how development applications can be processed more efficiently. These discussions are on-going and are intended to be supported through a future Memorandum of Understanding (MOU). Staff are asking that the Province reconsider the components of the Bill 23 that limit the Conservation Authorities from commenting on planning and infrastructure projects under the various prescribed Acts. They also want discussions leading to MOUs with municipalities to be advanced and concluded. Conservation Authorities are key stakeholders in creating sustainable, healthy and livable communities whose contributions should not be lost in the development process moving forward. Changes in the Bill also impact donations of parkland from developers. The Township relies on such donations, as well as cash in lieu contributions. According to staff, the proposed amendments will result in financial impacts due to the loss of revenue from development charges and parkland rates. Any shortfall in funds caused by Bill 23 will need to be addressed through alternative mechanisms, possibly including within the tax levy. Further, the proposed reduction in parkland dedication rates (both land and cash-in-lieu) will have a negative impact on the Township's ability to acquire adequate parkland under the Planning Act, as forecast in the Official Plan and Parks and Forestry Master Plan. Parkland is an important component of building healthy communities and contributes to a high quality of life in the Township. While the proposed amendments to the parkland dedication rates may be well intentioned to reduce costs for home renters or buyers, it is unknown whether the savings will be passed onto them. In addition, it may not be creating the parkland amenities that people inhabiting these neighborhoods envisioned, staff observed. The legislation also introduces what's known as gentle density housing. This designates residential lands for detached, semis and row houses. One major change is altering the roles of upper-tier municipalities, in our case, curbing input from York Region. Under the changes, York would no longer be the approval authority for King's official plan and OPAs. King staff noted that coordinated land use planning across the region will be vital in the coming years, when high growth is anticipated. Municipalities like King find value in having York as a commenting partner. The Act also deals with servicing requirements of local governments, including sewer and water systems. Resident Mary Muter, chair of the Kingscross Ratepayers Association, said the proposed changes will result in significantly increased responsibilities for King Township. She wanted to know the financial implications of the

legislation. KRA members, she pointed out, are already paying high taxes and any increase due to Bill 23 implementations would be very concerning. King's status of the "green hole in the donut" is in jeopardy if wetlands and streams are buried and developed under Bill 23. This makes absolutely no sense facing climate change since wetlands and their associated ravines provide critical climate resiliency," she said. Regarding growth in York Region and King Township Muter wants to know whether the premier will support building a new sewage treatment plant to service the new development proposed south of Lake Simcoe. According to ECCC's Great Lakes climate change predictions, water levels on Georgian Bay are predicted to decline by 2030 to three feet or a meter below the record lows. Lake Simcoe is a puddle compared to Georgian Bay. Perhaps it is time that Lake Simcoe interests begin to understand what an increased intrabasin transfer combined with climate change will do to Lake Simcoe water levels. The proposed loss of democracy by not allowing citizens or ratepayer organizations to appeal municipal decisions "is unacceptable." During the LPAT appeal process for the developments abutting our neighbourhood we were able to get agreements in conditions that address our concerns. "If we are living in a democracy this must be continued to be allowed." Bill 23's passage must be delayed until new municipal councils across Ontario have been sworn in and the new councils have had time to properly assess the impacts and comment in detail. Susan Walmer, CEO of the Oak Ridges Moraine Land Trust, noted the trust now protects over 67 properties (5073 acres/2053ha) across the Moraine and Greenbelt. Their newest donated protected property is located at the north edge of the Pottageville Swamp in King Township and consists of wetlands adjacent to the LSRCA lands. The proposed changes in Bill 23 will have a huge impact on municipal governments like King Township. "It will cause municipalities to go back to the drawing board with respect to the calculation of development charges, as well as parkland bylaws. The reduction in development charges to the development industry will push municipal taxes at the local level even higher," she said in her submission to council. "Building our climate change resiliency and the future health of our communities, both for people and nature needs the expertise of the Conservation Authorities as the final word on wetland protection and other ecological values. Without this local oversight, there will be sprawl into rural areas in King township. The changes to exclude the Conservation Authorities oversight on planning applications will not fix the housing crisis and will not create new units faster. It will push sprawl into areas of the Greenbelt creating more asphalt and road salt. Proposed offsets to recreate or restore lands elsewhere have not worked in the USA where there are few examples of success in the past 30 years. I encourage all residents to review the information on this Bill 23, contact your MPP and submit your comments before Nov. 24, The Environmental Registry <https://ero.ontario.ca/notice/019-6163>. Councillor Debbie Schaefer is concerned with significant changes in the Bill to the Ontario Heritage Act. In Our King it's said that "our history and heritage is one of our most valuable assets." The consequence of changes to the Ontario Heritage Act (OHA), included in Bill 23, will be acceleration of the disappearance of our built heritage. Bill 23 implies a prohibition to "list" properties indefinitely. A property is listed when council agrees that it has cultural heritage value but deep research and evaluation has not been conducted. Properties are listed as they contribute to the unique character of our communities; accordingly, many of our listed properties are included in the King Township History & Heritage brochure featuring a map and photos. As most listed properties are not in any danger, listing is an adequate tool for local councils to identify and celebrate these structures. When there is risk of demolition of a listed property Council has 60 days to discuss options with the property owner and to conduct the deep research to verify if its cultural value merits designation. Schaefer said Bill 23 forces either designation or the dropping of 150 properties from the register within two years leaving them with no heritage status. "If we want to avoid a laissez-faire attitude about our built heritage it will be necessary to designate the 150 currently listed properties on the municipal register within two years of Bill 23 being passed. But this is neither desirable nor possible." Bill 23 also attacks our desire to celebrate our history and heritage by changing the standard for designation from at least one of three Ontario's heritage criteria to two, she stressed. "Like many of the changes prescribed in Bill 23 it's not evident how the changes to OHA will result in more houses being built more quickly. And one must question why the Province is forcing unnecessary designations on municipalities and heritage property owners." Staff noted they haven't quantified the shortfall in DCs just yet but they will explore options to make up the shortcomings. Mayor Steve Pellegrini wondered what will become of the upper tier (York Region) planning powers, adding he's not sure if everyone realizes the magnitude of these proposed changes.