Township of Douro-Dummer
Revised Agenda for a Regular Meeting of Council

Tuesday, December 6, 2022, 5:00 p.m.
Township Douro-Dummer YouTube Channel
https://www.youtube.com/channel/UCPpzm-uRBZRDjB89o2X6R_A

Please note, that Council may, by general consensus, change the order of the agenda, without prior notification, in order to expedite the efficiency of conducting business.

Please contact the Acting Clerk if you require an alternative method to virtually attend the meeting. martinac@dourodummer.on.ca or 705-652-8392 x210

Pages

1. Call to Order

2. Land Acknowledgement

3. Moment of Silent Reflection

4. Disclosure of Pecuniary Interest:

5. Adoption of Agenda: December 6, 2022

6. Adoption of Minutes:

7. Consent Agenda (Reports voted upon by ONE motion) - No Debate:

Minutes of the Special Meeting of Council of the Township of Douro-Dummer

October 4, 2022, 3:00 PM
Township Douro-Dummer YouTube Channel
https://www.youtube.com/channel/UCPpzm-uRBZRDjB89o2X6R_A

Present:	**Deputy Mayor Karl Moher**
	Councillor Shelagh Landsmann
	Councillor Heather Watson
	Councillor Thomas Watt
Absent:	**Mayor J. Murray Jones**
Staff Present:	**CAO, Elana Arthurs**
	Acting Clerk Martina Chait-Hartwig

1. Reason for Special Meeting:

   The Deputy Mayor called the meeting to order at 3:30 p.m. to allow Council to go into Closed Session under Section 239 (2) of the Municipal Act, 2001, S.O. 2001, c. 25, (b) personal matters about an identifiable individual, including municipal or local board employees (personnel matter).

2. Land Acknowledgement

   The Deputy Mayor recited the Land Acknowledgement.

3. Disclosure of Pecuniary Interest:

   The Deputy Mayor reminded members of Council of their obligation to declare any pecuniary interest they might have. None were declared.

4. Approval of Closed Session Agenda - October 4, 2022

Resolution Number 293-2022

Moved by: Councillor Landsmann
Seconded by: Councillor Watson

That the Agenda for the Special Council for October 4, 2022 be adopted.

Carried

5. Approval of Closed Session Minutes

5.1 Closed Session Minutes - August 2, 2022

5.2 Closed Session Minutes - September 6, 2022

Resolution Number 294-2022

Moved by: Councillor Watt
Seconded by: Councillor Watson

That the Closed Session Minutes from August 2, 2022 and September 6, 2022 both be approved. Carried

6. Move into Closed Session

Resolution Number 295-2022

Moved by: Councillor Landsmann
Seconded by: Councillor Watson

That Council go into Closed Session under Section 239 (2) of the Municipal Act, 2001, S.O. 2001, c. 25, (b) personal matters about an identifiable individual, including municipal or local board employees (personnel matter) (3:35 p.m.). Carried

7. Out of Closed Session

Resolution Number 296-2022

Moved by: Councillor Watt
Seconded by: Councillor Watson

That Council come out of closed session at 4:22 p.m. without a report.

Carried

8. Adjournment

Resolution Number 297-2022

Moved by: Councillor Watt
Seconded by: Councillor Landsmann

That this meeting adjourn at 4:23 p.m. Carried

_____

Deputy Mayor, Karl Moher

_____

Acting Clerk, Martina Chait-Hartwig

Minutes of the Regular Meeting of Council of the Township of Douro-Dummer

October 4, 2022, 5:00 PM
Douro-Dummer YouTube Channel
https://www.youtube.com/channel/UCPpzm-uRBZRDjB89o2X6R_A

Present: **Deputy Mayor - Karl Moher**
Councillor, Douro Ward - Heather Watson
Councillor, Dummer Ward - Shelagh Landsmann
Councillor at Large - Thomas Watt

Members Absent: **Mayor - J. Murray Jones**

Staff Present: **CAO - Elana Arthurs**
Acting Clerk - Martina Chait-Hartwig
Acting Treasurer - Paul Creamer
Fire Chief - Chuck Pedersen
Manager of Public Works - Jake Condon
Assistant to the Manager of Recreation Facilities - Mike Mood

1. Call to Order

   With a quorum of Council being present, the Deputy Mayor called the meeting to order at 5:02 p.m.

2. Land Acknowledgement

   The Deputy Mayor recited the Land Acknowledgement.

3. Moment of Silent Reflection

   Council observed a moment of silent reflection.

4. Disclosure of Pecuniary Interest:

   The Deputy Mayor reminded members of Council of their obligation to declare any pecuniary interest they might have. None were declared.

5. Adoption of Agenda: October 4, 2022

Resolution Number 298-2022

Moved by: Councillor Watson
Seconded by: Councillor Watt

That the agenda for the Regular Council Meeting, dated October 4, 2022, be adopted, as amended. Carried

6. Adoption of Minutes:

6.1 Council Meeting Minutes - September 20, 2022

Resolution Number 299-2022

Moved by: Councillor Landsmann
Seconded by: Councillor Watson

That the Minutes from the Regular Council Meeting, held on September 20, 2022, be received and adopted, as circulated. Carried

7. Consent Agenda (Reports voted upon by ONE motion) - No Debate:

7.1 Fire Chief, Chuck Pederson report regarding RFQ Results for Station 2 Septic System

7.2 Ministry of Municipal Affairs and Housing (MMAH) - Approval Timeline Suspended for County Official Plan

7.3 City of Peterborough - Letter regarding Eastside Transportation Study Recommendations

7.4 County of Peterborough - Notice of Complete Application and Public Meeting for Official Plan Amendment 15OP-22010

Resolution Number 300-2022

Moved by: Councillor Watson
Seconded by: Councillor Watt

That the Consent Agenda for October, 2022 be received.

Item 7.1 Fire Department Information Sign, Fire Chief-2022-10 be moved to Section 9. Staff Reports for discussion. Carried

8. Delegations, Petitions, Presentations or Public Meetings:

8.1 Introduction of Shane E. Smith, Building Official I/ By-law Enforcement Officer to Council and Community

Resolution Number 301-2022

Moved by: Councillor Landsmann
Seconded by: Councillor Watt

That the introduction of Shane E. Smith, Building Official I/ By-law Enforcement Officer to Council and Community be received. Carried

8.2 Public Meeting - Zoning By-law Amendment – File: R-04-22, Clark, Planning-2022-04

972 Stoney Lake - Dodworth Island
Dummer Ward
Roll No: 1522-020-005-72000

Resolution Number 302-2022

Moved by: Councillor Landsmann
Seconded by: Councillor Watson

That the Public Meeting regarding the proposed Zoning By-law Amendment R-04-22 (Clark), Roll No. 1522-020-005-72000 be declared open. (5:11 p.m.). Carried

Christina Coulter, Planner, explained the purpose of the proposed Zoning By-law Amendment R-04-22 (Clark), Roll No. 1522-020-005-72000 and stated that the Notice of Public Meeting was circulated in accordance with the Ontario Planning Act.

In attendance:

Holly Richards-Conley, Agent – In Support

Laura Stone, Planning Consultant – In Support

Comments received:

- Enbridge Gas Inc.: No objections to the application.
- Curve Lake First Nation (CLFN): Questions concerning the enlargement of the boathouse, whether a Parks Canada permit was applied for and the nature thereof and whether the shoreline will be impacted.
- Kawartha Pine Ridge District School Board (KPRDSB): KPRDSB has reviewed the application and has not identified any concerns or issues related to their mandate.
- Otonabee Region Conservation Authority (ORCA): The application is consistent with PPS Section 3.1.4 b) regarding natural hazards (development within a floodway). The application conforms to Growth Plan Section 4.2.3.1 e) regarding key hydrologic features, key hydrologic areas and key natural heritage features. The site is regulated by ORCA and permits from their agency will be required prior to any construction, site alteration or further development. The subject property is not located within an area that is subject to the policies contained in the Source Protection Plan.

Resolution Number 303-2022

Moved by: Councillor Landsmann
Seconded by: Councillor Watt

That the Public Meeting for the proposed Zoning By-law Amendment R-04-22 (Clark), Roll No. 1522-020-005-72000 be declared closed. (5:20 p.m.). Carried

8.3 Kathryn Carrington and Ron Davidson - Site Plan and Zoning By-law Amendment for 4034 Centre Road - Withdrawn

8.4 Donna Churipuy, Director of Health Protection & Chief Nursing Officer from Peterborough Public Health - Mandatory Vaccination Policies

Resolution Number 304-2022

Moved by: Councillor Landsmann
Seconded by: Councillor Watt

That the presentation from the Chief Nursing Officer, Donna Churipuy regarding vaccination policies and recommendation from Peterborough Public Health be received. Carried

9. Staff Reports:

9.1 Report and Capital Project Status

Resolution Number 305-2022

Moved by: Councillor Watt
Seconded by: Councillor Watson

That the report and capital project status for September 2022 be received.

Carried

9.2 Fire Department Information Sign, Fire Chief-2022-10

Resolution Number 306-2022

Moved by: Councillor Landsmann
Seconded by: Deputy Mayor Moher

That the report, dated October 4, 2022, regarding Fire Department Information Sign be received. Carried

9.3 Kraft Hockeyville Winnings, Recreation Facilities-2022-09

Resolution Number 307-2022

Moved by: Councillor Watt
Seconded by: Councillor Watson

That the Recreation Facilities-2022-09 report, dated October 4, 2022 regarding Douro Kraft Hockeyville Winnings be received; and

That $25,000.00 be allocated to the 2022 budget for the 4 hockey nets and wall mounted benches in the girls change room at the Douro Community Centre. Carried

9.4 Update to Township Procurement Policy, Treasurer-2022-14

Resolution Number 308-2022

Moved by: Councillor Watson
Seconded by: Councillor Landsmann

That the report, dated October 4, 2022, regarding an Update to the Procurement Policy be received and that Council approve the amended Policy with the removal of schedule C and that the Policy to be brought back to Council in future. Carried

9.5 Group Benefits Program – November 1, 2022 Renewal Report, C.A.O.-2022-30

Resolution Number 309-2022

Moved by: Councillor Watt
Seconded by: Councillor Watson

That the report, dated October 4, 2022 regarding the Group Benefits Program – November 1, 2022 Renewal Report be received for information.

Carried

9.6 COVID Vaccination Policy Review, C.A.O.-2022-31

Resolution Number 310-2022

Moved by: Councillor Watt
Seconded by: Councillor Landsmann

That the report, dated October 4, 2022 regarding COVID Vaccination Policy Review be received for information and brought back by end of December 2022. Carried

9.7 Draft Customer Service Policy, Clerk's Office-2022-17

Resolution Number 311-2022

Moved by: Councillor Watt
Seconded by: Councillor Landsmann

That the report, dated October 4, 2022 regarding a draft Customer Service Policy be received and that the Policy be added to the Township Policy Manual as A-30 – Customer Service Policy. Carried

9.8 Update to Complaint Handling Policy, Clerk's Office-2022-16

Resolution Number 312-2022

Moved by: Councillor Watt
Seconded by: Councillor Landsmann

That the report, dated October 4, 2022 regarding an update to Policy A-23 – Complaint Handling Policy be received and that the Policy be updated in the Township's Policy Manual and provided to the public via the Township website. Carried

10. Committee Minutes and Other Reports:

10.1 Deputy Mayor Moher – Update on County Council Matters

Resolution Number 313-2022

Moved by: Councillor Watson
Seconded by: Councillor Landsmann

That the verbal report from Deputy Mayor Moher regarding an update on County Council matters be received. Carried

10.2 Historical Committee Minutes - September 15, 2022

Resolution Number 314-2022

Moved by: Councillor Landsmann
Seconded by: Councillor Watt

That the Minutes from the Historical Committee Meeting held on September 15, 2022, be received and approved. Carried

10.3 Planning Committee Minutes - September 23, 2022

Resolution Number 315-2022

Moved by: Councillor Watt
Seconded by: Councillor Watson

That the Minutes from the Planning Committee Meeting held on September 23, 2022, be received and approved. Carried

10.4 Report - 2022 Santa Claus Parade

Resolution Number 316-2022

Moved by: Councillor Landsmann
Seconded by: Councillor Watson

That the report from Councillor Shelagh Landsmann dated October 4, 2022, requesting that the Council approve the decision by the Santa Claus Parade Committee be schedule for November 26, 2022, be received and approved. Carried

10.5 Third Quarter Financial Report

Resolution Number 317-2022

Moved by: Councillor Landsmann
Seconded by: Councillor Watson

That the report, dated September 30, 2022, being the Financial Report – 3rd Quarter be received. Carried

11. Correspondence - Action Items: None

12. By-laws:

12.1 By-law 2022 - To Amend Zoning By-law - File R-04-22, Roll No: 1522-020-005-72000

Moved by: Councillor Watt
Seconded by: Councillor Watson

That By-law 2022-48, being a By-law to amend By-law Number 10-1996, as amended, otherwise known as "The Township of Douro-Dummer Comprehensive Zoning By-law" (File R-04-22, Roll No. 1522-020-005-72000), be passed, in open council this 4th day of October, 2022 and that the Deputy Mayor and the Acting Clerk be directed to sign same and affix the Corporate Seal thereto. Carried

13. Account:

13.1 Account September 13, 2022 to September 27, 2022

Resolution Number 318-2022

Moved by: Councillor Landsmann
Seconded by: Councillor Watt

That the Township Accounts from September 13 to September 27, 2022 be received. Carried

14. Reports derived from previous Notice of Motions: None

15. Notices of Motion: No Debate: None

16. Announcements:

Councillor Tom Watt announced the Santa Claus Parade will be held on November 26, 2022, and asked anyone who would like to volunteer to help with the parade.

Deputy Mayor Moher wishes to express his gratitude to all those who supported and helped him during his term on the council.

17. Closed Session: None

18. Rise from Closed Session with or without a Report: None

19. Matters Arising from Closed Session: None

20. Confirming By-law: 2022-49

Moved by: Councillor Landsmann
Seconded by: Councillor Watson

That By-law Number 2022-49, being a By-law to confirm the proceedings of the Regular Meeting of Council, held on the 2nd day of October, 2022, be passed in open Council and that the Deputy Mayor and the Acting Clerk be directed to sign same and affix the Corporate Seal thereto. Carried

21. Next Meeting:

Arena Facilities Future Ad-hoc Committee Meeting - October 12, 2022

Planning Committee Meeting - October 20, 2022

Inaugural Council Meeting - November 15, 2022

22. Adjournment

Resolution Number 319-2022

Moved by: Councillor Watson
Seconded by: Councillor Watt

That this meeting adjourn at 6:45 p.m. Carried

_____

Deputy Mayor, Karl Moher

_____

Acting Clerk, Martina Chait-Hartwig

Minutes of the Special Meeting of Council of the Township of Douro-Dummer

November 15, 2022, 5:00 PM
Township Douro-Dummer Council Chambers and YouTube Channel
https://www.youtube.com/channel/UCPpzm-uRBZRDjB89o2X6R_A

Present:	**Mayor Heather Watson** **Deputy Mayor Harold Nelson** **Councillor Ray Johnston** **Councillor Thomas Watt**
Members Absent	**Councillor Adam Vervoort**
Staff Present	**CAO, Elana Arthurs** **Acting Clerk, Martina Chait-Hartwig** **Interim Treasurer, Paul Creamer** **Manager of Public Works, Jake Condon** **Manager of Recreation Facilities, Mike Mood** **Planner, Christina Coulter**

1. Reason(s) for Special Meeting:

   The CAO called the meeting to order at 5:11 p.m. and stated the reasons for the Special Meeting.

2. Delegations, Petitions or Presentations:

   2.1 Swearing in of New Council Members

   The Acting Clerk had members of Council present sign their Declaration of Election Office and Oath Allegiance.

   At this time the meeting was given to Mayor Watson to presided over.

3. Land Acknowledgement:

   The Mayor recited the Land Acknowledgement.

4. Disclosure of Pecuniary Interest:

The Mayor reminded members of Council of their obligation to declare any pecuniary interest they might have. None were declared.

5. Adoption of Agenda

Resolution Number 2022**-320**

Moved By: Councillor Johnston
Seconded By: Deputy Mayor Nelson

That the agenda for the Council meeting on November 4, 2022 be approved as presented. Carried

6. Introduction of the member of the 2022-2026 Council of the Township of Douro-Dummer

6.1 Greetings from OPP

OPP Inspector Christopher Galeazza brought greeting to the new Council.

7. Confirming By-law: 2022-50

Moved By: Councillor Johnston
Seconded By: Councillor Watt

That By-law Number 2022-50, being a By-law to confirm the proceedings of the Special of Council, held on the 15th day of August, 2022, be passed in open Council and that the Mayor and the Acting Clerk be directed to sign same and affix the Corporate Seal thereto. Carried

8. Adjournment

Resolution Number 2022-321

Moved By: Councillor Watt
Seconded By: Councillor Johnston

That this meeting adjourn at 5:33 p.m. Carried

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Mayor, Heather Watson

_____

Acting Clerk, Martina Chait-Hartwig

Minutes of the Special Closed Meeting of Council of the Township of Douro-Dummer
November 15, 5:30 PM
Upper Level Conference Room

Member Present:	**Mayor Heather Watson** **Deputy Mayor Harold Nelson** **Councillor Thomas Watt** **Councillor Ray Johnston**
Member Absent:	**Councillor Adam Vervoort**
Staff Present:	**CAO, Elana Arthurs** **Acting Clerk Martina Chait-Hartwig**

1. Reason(s) for Special Meeting:

The Mayor called the meeting to order at 5:35 p.m. and stated the reason that the special meeting is to go into Closed Session.

2. Approval of Special Closed Session Agenda - November 15, 2022

Resolution Number 2022-323

Moved by: Councillor Johnston
Seconded by: Deputy Mayor Nelson
That the agenda for the Special Closed Meeting - November 15, 2022 be approved as amended. Carried

3. Declaration of Pecuniary Interest

The Mayor reminded members of Council of their obligation to declare any pecuniary interest they might have. None were declared.

Resolution Number 2022-324

Moved by: Councillor Johnston
Seconded by: Deputy Mayor Nelson

That Council extend the deadline for Councillor Elect – Adam Vervoort to complete his Declaration of Office for an additional 30 day under Section 232 (7) of the Municipal Act, 2002, c. 25, as amended, due to unforeseen circumstances.

Carried

4. Move into Closed Session

Resolution Number 2022-325

Moved by: Councillor Watt
Seconded by: Deputy Mayor Nelson

That Council move into Close Session for the matters under Section 239 (2) of the Municipal Act, 2001, S.O. 2001, c. 25 (b) personal matters about an identifiable individual, including municipal or local board employees (personnel) (5:38 p.m.). Carried

5. Out of Closed Session

Resolution Number 2022-326
Moved by: Councillor Johnston
Seconded by: Deputy Mayor Nelson
That Council come out of closed session at 6:03 p.m. without a report.

Carried

6. Confirming By-law - By-law No. 2022-51

Moved by: Councillor Watt
Seconded by: Deputy Mayor Nelson
That By-law Number 2022-51, being a By-law to confirm the proceedings of the Special of Council, held on the 15th day of November, 2022 at 5:30 p.m., be passed in open Council and that the Mayor and the Acting Clerk be directed to sign same and affix the Corporate Seal thereto. Carried

7. Adjourn

Resolution Number 2022-327
Moved by: Councillor Johnston
Seconded by: Deputy Mayor Nelson
That this meeting adjourn at 6:03 p.m. Carried

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Mayor, Heather Watson

_____

Acting Clerk, Martina Chait-Hartwig

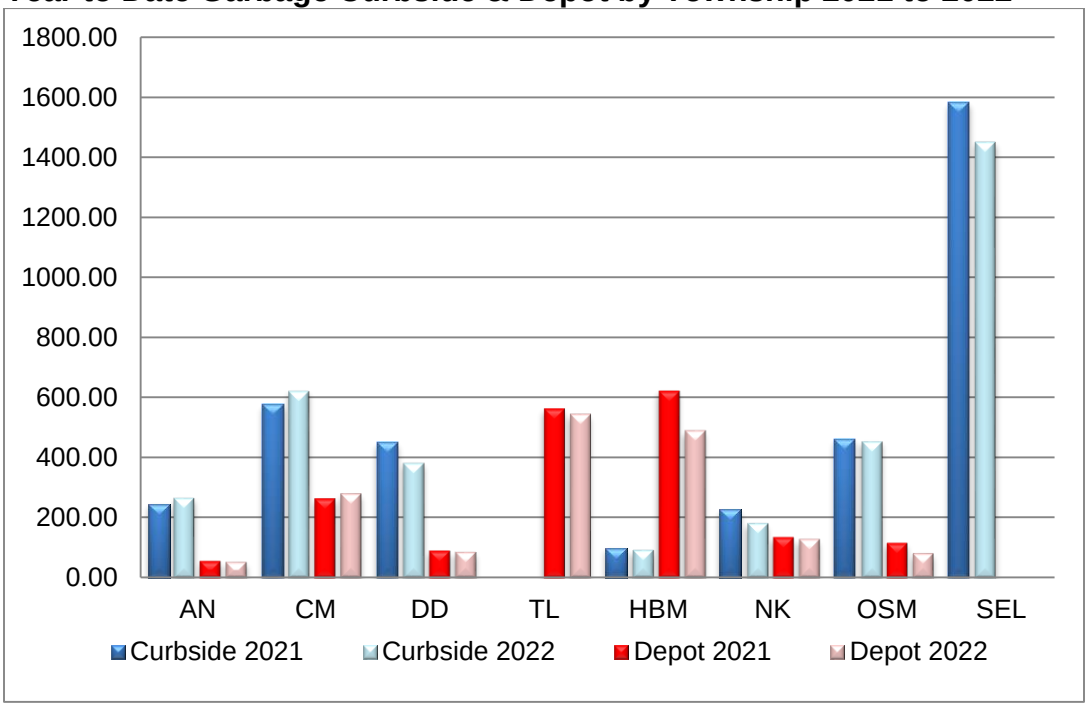
Quarterly Garbage Report 2022
2nd Quarter Comparison
2021 to 2022

2022 Garbage Tonnes by Quarter by Township

Township	Kg per Capita (YTD)	Year to Date	Jan to March	April to June	July to Sept	Oct to Dec
AN	68.60	322.36	149.05	173.31		
CM	104.33	905.35	409.04	496.31		
DD	55.37	471.83	221.28	250.55		
TL	33.70	542.97	223.86	319.11		
HBM	55.75	582.57	240.05	342.52		
NK	34.43	314.16	126.10	188.06		
OSM	71.53	539.65	254.69	284.96		
SEL*	71.56	1,451.39	702.56	748.83		
County	60.32	5,130.28	2,326.63	2,803.65		

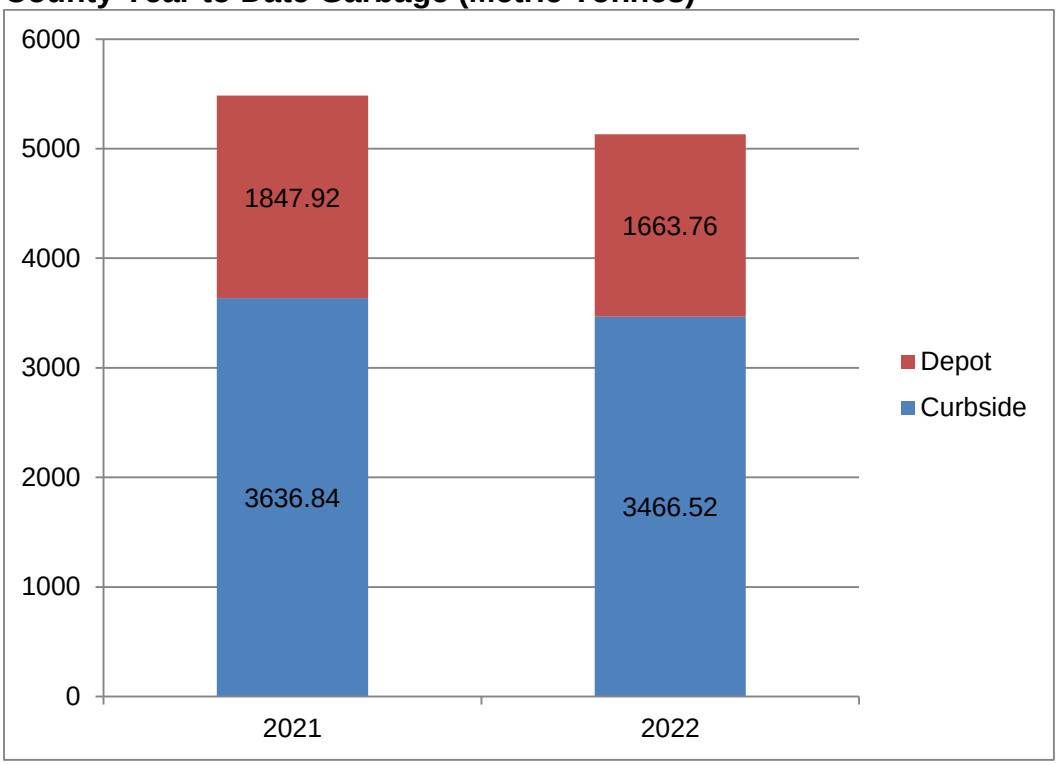
*Selwyn depot waste is not included in quarterly township reports as it is disposed of immediately onsite at the Smith landfill.

Year to Date Garbage Curbside & Depot by Township 2021 to 2022



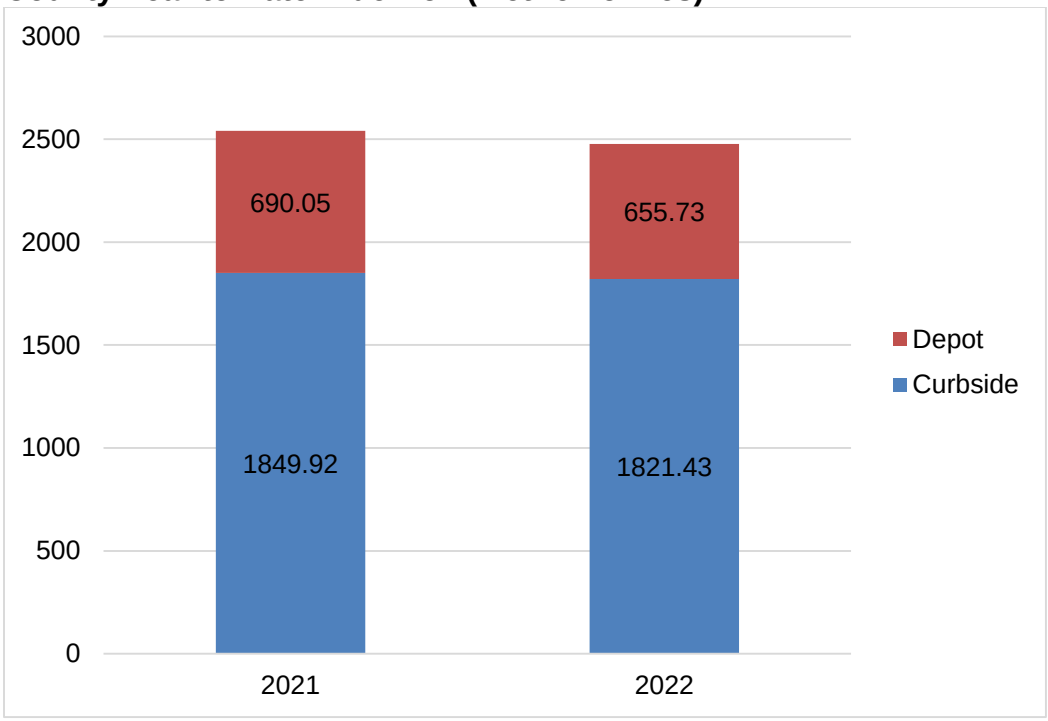
- Total garbage disposal is down by 6.5% in 2022 over 2021

County Year to Date Garbage (Metric Tonnes)



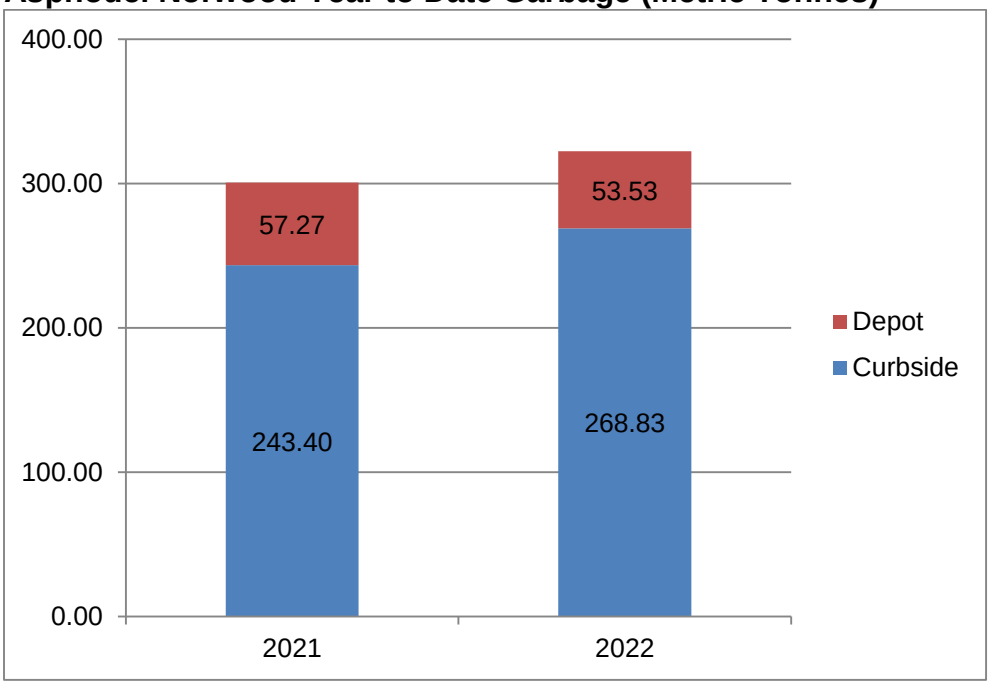
Analysis:
Curbside and Depot garbage is down in the first half of 2022 compared to 2021.

County Year to Date Blue Box (Metric Tonnes)

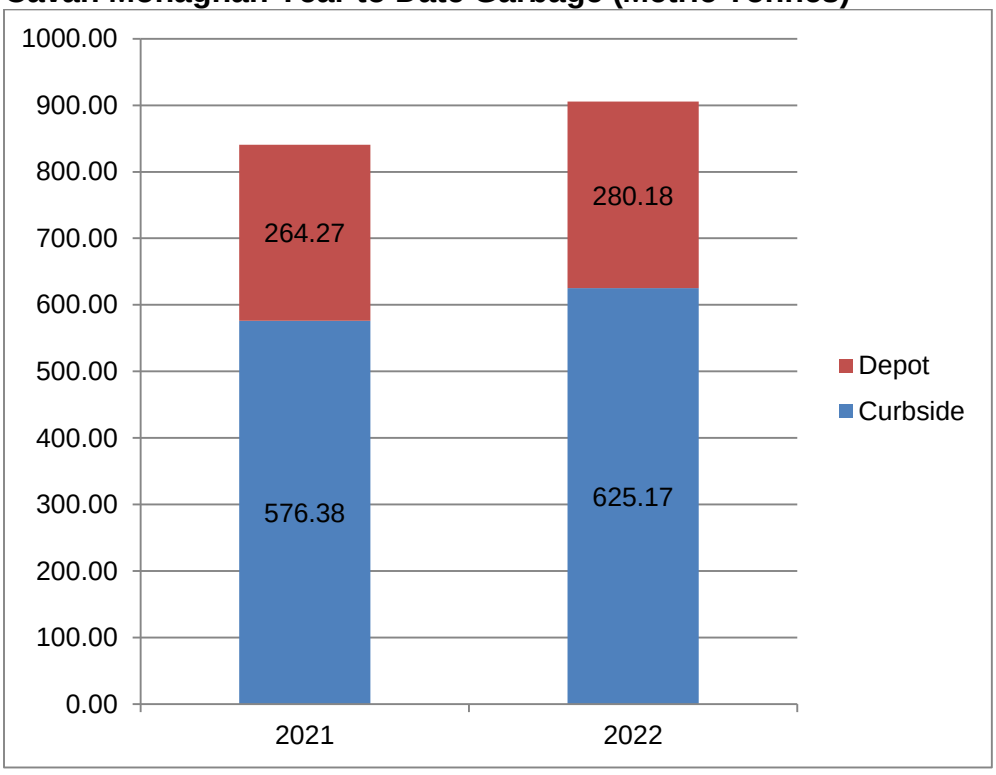


Analysis:
Curbside and Depot blue box is down in the first half of 2022 compared to 2021.

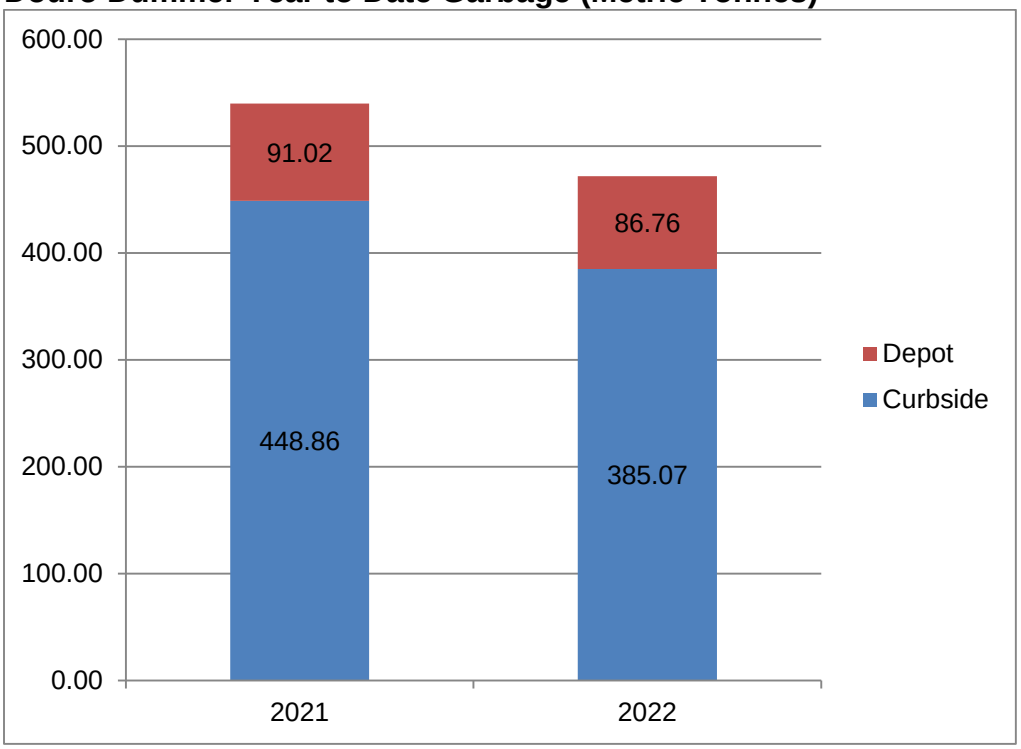
Asphodel Norwood Year to Date Garbage (Metric Tonnes)



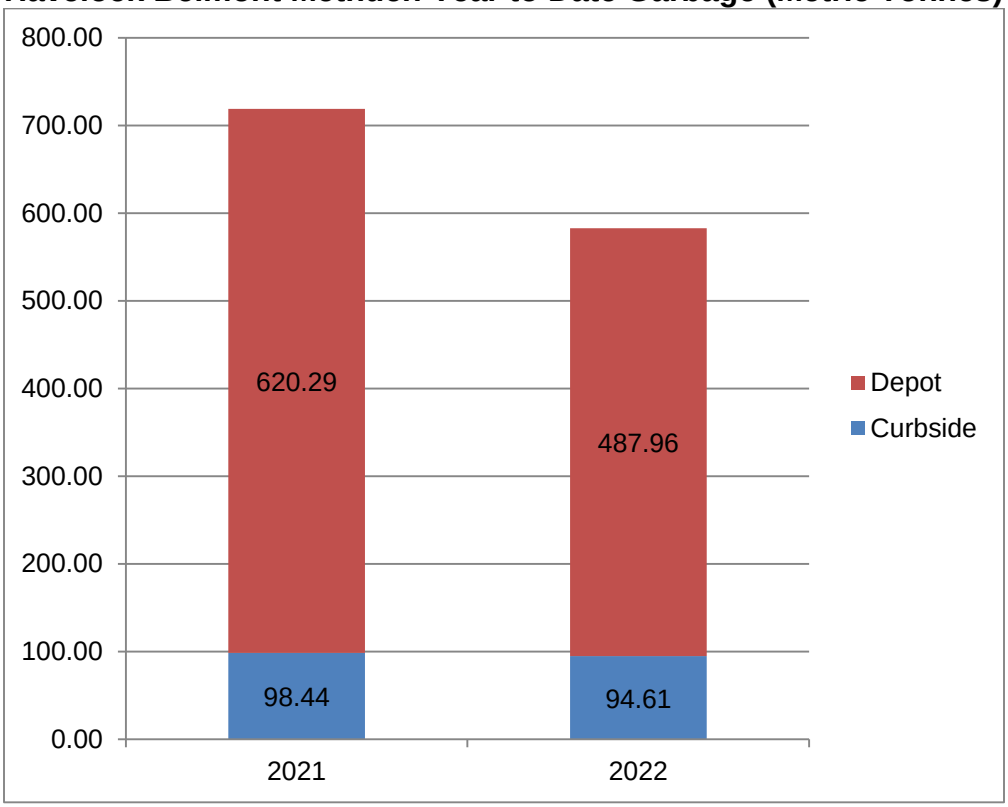
Cavan Monaghan Year to Date Garbage (Metric Tonnes)



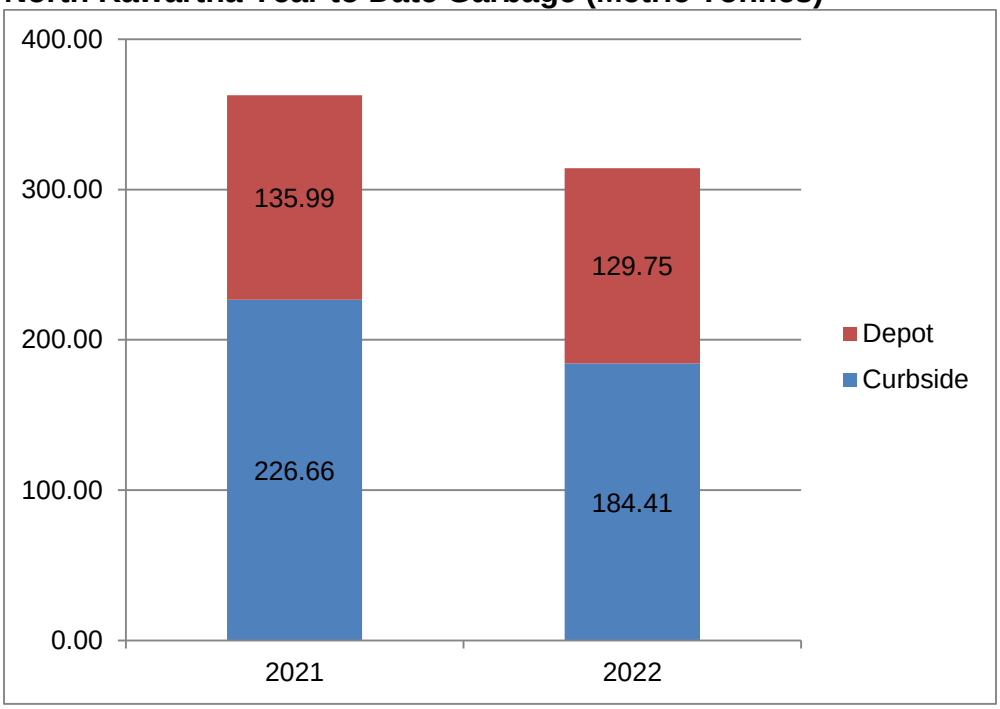
Douro Dummer Year to Date Garbage (Metric Tonnes)



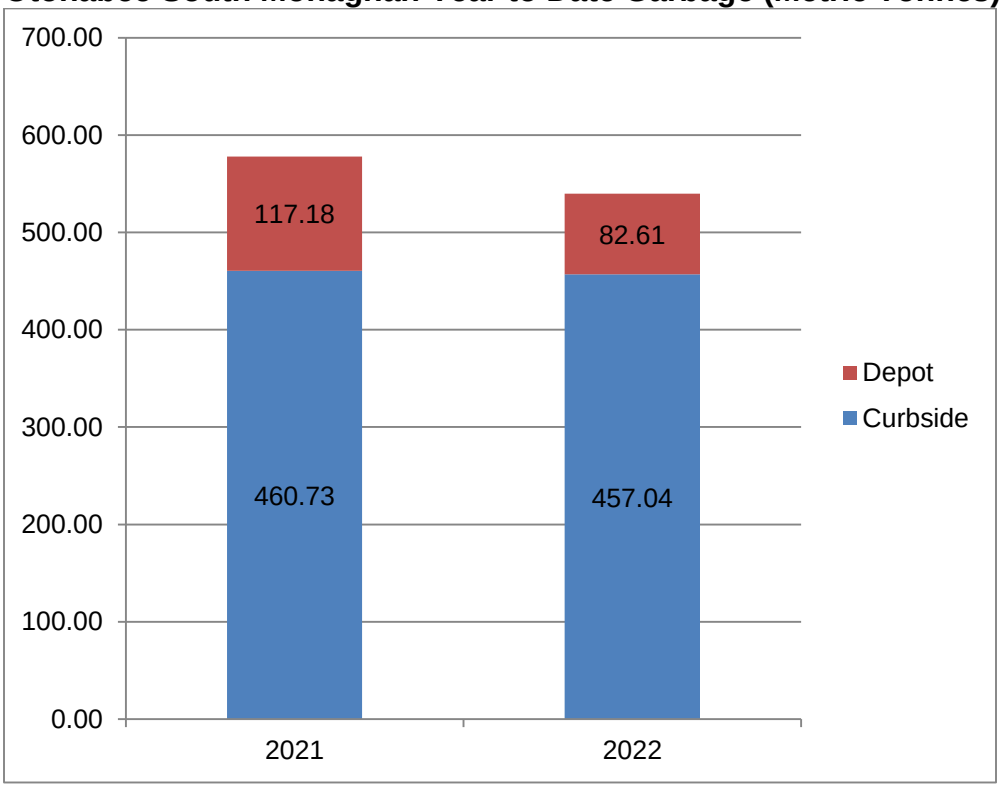
Havelock Belmont Methuen Year to Date Garbage (Metric Tonnes)



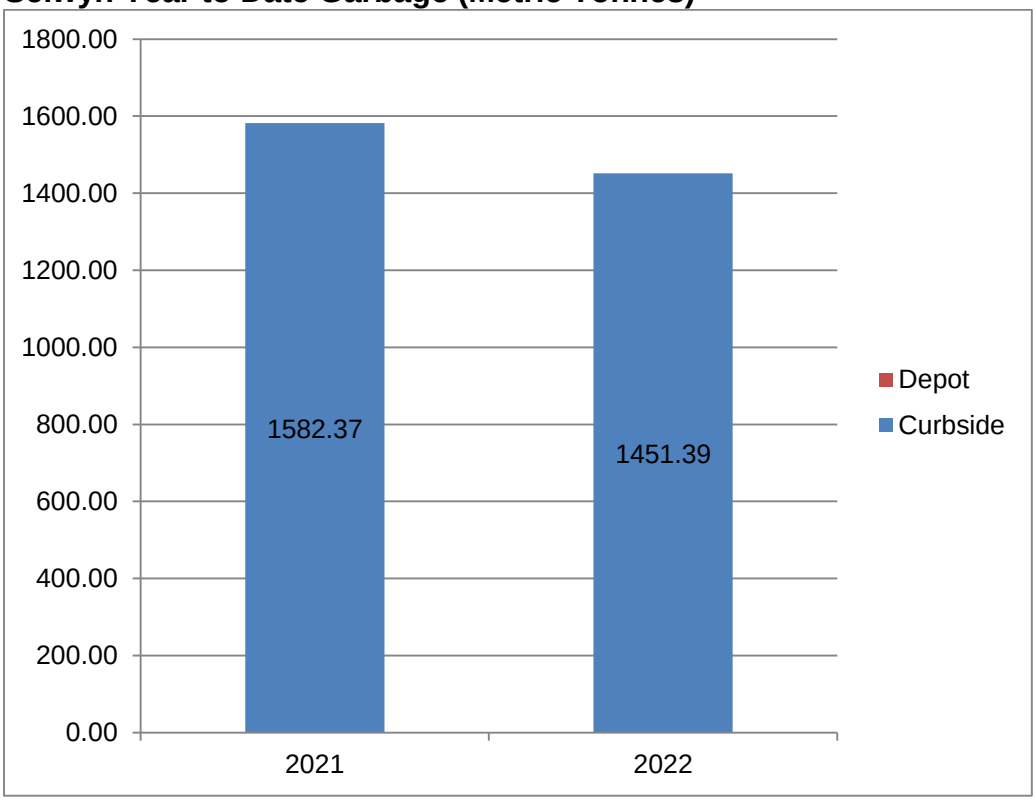
North Kawartha Year to Date Garbage (Metric Tonnes)



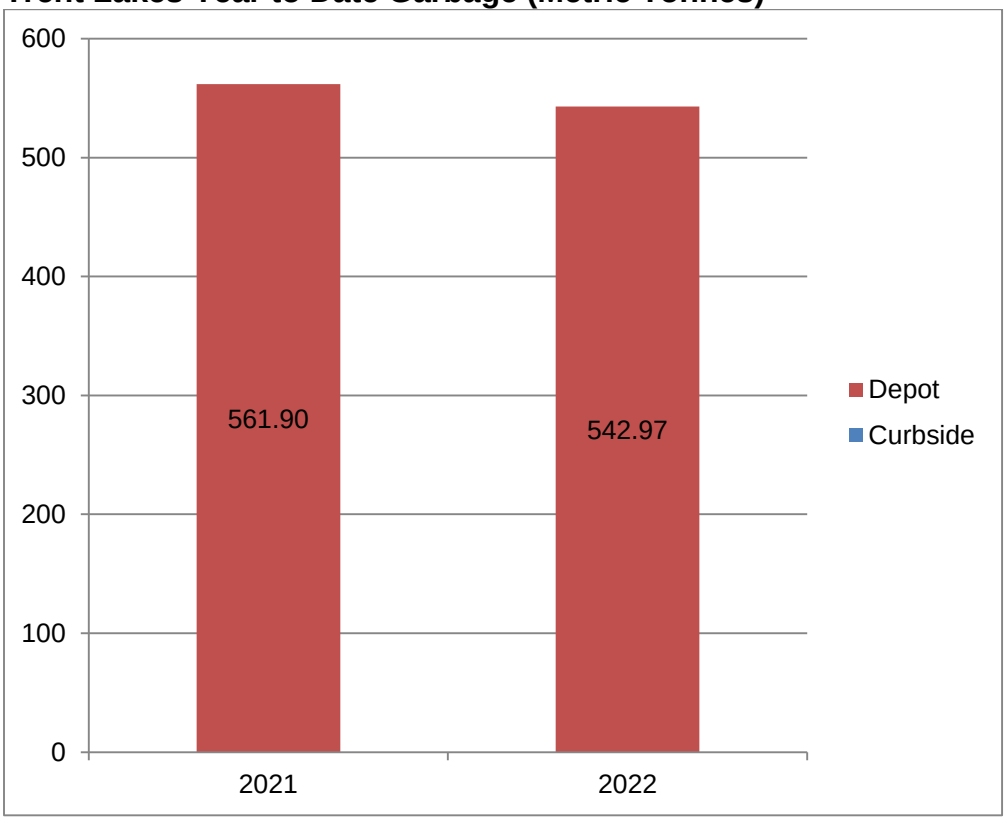
Otonabee South Monaghan Year to Date Garbage (Metric Tonnes)



Selwyn Year to Date Garbage (Metric Tonnes)



Trent Lakes Year to Date Garbage (Metric Tonnes)



OFSC & OFATV Sign Historic Memorandum of Understanding
New Era of Cooperation Focused on Protecting Landowners, Combatting Trespassing and Ensuring Trail Sustainability

(**Barrie, ON: November 30, 2022**): The Ontario Federation of Snowmobile Clubs (OFSC) and the Ontario Federation of All Terrain Vehicle Clubs (OFATV) announced a historic Memorandum of Understanding (MOU) between the province's two largest recreational trail organizations. This first of its kind MOU solidifies a cooperative new approach in organized powersports with the goals to foster the protection, sustainability and growth of motorized recreational trails. The MOU will significantly benefit each Federation, their clubs, volunteers, landowners and trail users, as well as countless trail-connected communities and tourism businesses across Ontario.

"Through these formal cooperative efforts, we will be able to leverage our collective communities to amplify messaging and strengthen our efforts to combat off-trail riding, trespassing, and seasonal trail usage" said Ryan Eickmeier, OFSC CEO. "Where shared trails exist, the ability for our respective clubs to work together to build trail and infrastructure is also a definitive win for both organizations".

With the incredible rise in popularity of powersports in Ontario, this MOU provides an unprecedented opportunity to contribute to the growth of clubs and experience for trail users as well as the integrity of shared trails" said Shari Black, OFATV Executive Director. "Moving forward, riders and clubs in Ontario will benefit from our collaborative approach to working together to encourage the growth of tourism and support the sustainability of our natural resources."

Through the MOU, the OFSC and OFATV seek to develop inter-club alignment and collaboration, and where applicable, explore opportunities to share infrastructure and trail maintenance for more cost effective and efficient operations. While leveraging their respective economic and community impacts to increase support from municipal, provincial, and federal government, the federations will proactively partner on government grants and funding opportunities. They will also develop and promote common themes in their respective messaging around safety, seasonal trail usage, trespassing, off-trail riding, and respecting landowners.

The OFSC and OFATV recognize that many motorized recreational trail users share mutual and overlapping interests as owners of both snowmobilers and ATV's, using snowmobile trails when they are available in the winter and ATV trails that open in the other seasons. This new MOU

will build on these commonalities to strengthen organized powersports and secure the future of motorized recreational trails in Ontario.

-30-

The Ontario Federation of Snowmobile Clubs (OFSC) is a volunteer led, not for profit association that provides the voice for organized snowmobiling in Ontario. OFSC snowmobile trails managed by 200 community based, member clubs generate up to $3.3 billion in economic activity in the province each year.

OFSC Media Contact:
Lisa Stackhouse, Director Programs & Partnerships lstackhouse@ofsc.on.ca:705-739-7669 x235

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The Ontario Federation of All-Terrain Vehicle Clubs (OFATV) is a not-for-profit volunteer-driven association that along with support staff provides resources to our member clubs so that together, we are able to strengthen the public's perception and the position; that our clubs strive to provide responsible, safe, legal, and environmentally-friendly trails, for riding all-terrain vehicles (ATVs & ROVs) in the province of Ontario.

OFATV Media Contact:
Shari Black, Executive Director shari.black@quadon.ca 613-853-9225

November 29, 2022

Call for Applications:
2022 - 2024 AMO Board of Directors

AMO is soliciting applications from qualified candidates for the 2022 - 2024 AMO Board of Directors. The vacancies remain following the AMO Board Elections held in August 2022 and the recent municipal elections. The vacant positions are:

- County Caucus: Two (2) vacant municipal elected official positions; One (1) vacant municipal staff position
- Regional & Single Tier Caucus: Two (2) vacant municipal elected official positions
- Rural Caucus: One (1) vacant municipal elected official position
- Small Urban Caucus: One (1) vacant municipal staff position

The 2022 – 2024 AMO Board of Directors Call for Applications package includes:

- A summary of current vacancies for which expressions of interest will be received;
- A summary of the qualifications to serve on the Board of Directors;
- An overview of the process for filling the vacancies;
- An estimate of the annual time commitment required to serve on the AMO Board of Directors and for those who will then serve on the AMO Executive Committee; and
- The application form.

Qualifications

From the AMO By-Law No. 2 Part 3, Directors shall:

- be an individual of eighteen (18) or more years of age;
- be an elected official of a Member Municipality or an employee of a Member Municipality of the Corporation;
- not be an undischarged bankrupt; and
- not be declared incapable.

Please note the following:

- To provide the broadest representation possible, AMO By-law No. 2 stipulates that a member municipality can only have one representative on the Board unless another representative is on the Board as an appointed official from a municipal group. Please see the AMO Board webpage for a current list of Board members and their municipality.
- In filling any vacancy, the Board and Caucuses are required to be mindful of the need for broad geographic representation and gender representation.

Submission

A completed application and supporting material must be received no later than **12:00 p.m. (noon) Friday, February 10, 2023**. Late or incomplete submissions will not be accepted beyond that time and date.

Please forward a completed Application Form to the Association via email amoelections@amo.on.ca or fax at (416) 971-6191 or mail to the attention of Brian Rosborough, Executive Director. Scans and photographic images of documents are acceptable.

If you have any questions regarding this information, please contact Brian Rosborough, Executive Director at (416) 971-9856, ext. 362, e-mail brosborough@amo.on.ca or Adam Garcia, Manager, Executive Office, ext. 356, email agarcia@amo.on.ca.

ROMA 2023: Breaking New Ground

Sunday, January 22 - Tuesday, January 24
Sheraton Centre Hotel - 123 Queen Street West, Toronto

The 2023 ROMA Annual General Meeting and Conference is back live and in person for the first time in 2 years. Gather in downtown Toronto with over 1,000 municipal colleagues, provincial and federal elected officials and senior staff for this much anticipated event. The 2023 Conference will have all of the critical rural municipal issues front and centre for you to engage, learn, network and bring innovative solutions to your community.

The 2023 Conference also brings delegation meetings with provincial ministers back to you in-person. As well, the Ministers' Forum and addresses by provincial leaders will give you insight into the coming year and what your municipality can anticipate.

The ROMA Board is looking forward to meeting with you again in-person!

CONTACT
ROMA Conference Coordinator - Victoria Van Veen
events@roma.on.ca
T 416.971.9856 x315

October 12, 2022

Dear Municipal Clerk, Member Municipality

Re: Appointments to the Otonabee Region Conservation Authority

I am writing to remind you of the requirements for appointing representatives to the Otonabee Region Conservation Authority and to inform you of the changes to these requirements that occurred when the *Conservation Authorities Act (CAA)* was amended in 2017.

Number of Appointments:

The number of representatives the council of each municipality may appoint to the Authority is based on population and is prescribed in subsection 2(2) of the CAA. The City of Peterborough is entitled to appoint three representatives, the Township of Selwyn is entitled to appoint two representatives and all other member municipalities are entitled to appoint one representative.

Qualifications:

Subsection 14(3) requires that each appointee "shall be a resident in a participating municipality in which the authority has jurisdiction".

Term of Appointment:

Subsection 14(4.1) prescribes that "a member may be appointed for a term of up to four years as may be determined by the council that appoints the member". Previously the maximum term of appointment was three years.

Subsection 14(4.2) prescribes that "a member's term begins at the first meeting of the authority after his or her appointment and expires immediately before the first meeting of the authority after the appointment of his or her appointment". The next regular Board meeting of the Authority after the end of the current term of council is December 15, 2022. Early notification of appointments would be helpful to ensure an orderly transition.

250 Milroy Drive, Peterborough ON K9H 7M9
P: 705-745-5791 F: 705-745-7488
otonabeeca@otonabeeconservation.com
otonabeeconservation.com

Subsections 14(4.3) and 14(4.4) clarifies council's powers to replace a member and the eligibility of a member for reappointment.

The Authority's Governance By-laws and Code of Conduct and Conflict of Interest policies are on our website at https://www.otonabeeconservation.com/ .

Prospective new appointees may wish to make themselves familiar with these policies before accepting an appointment to the conservation authority.

If you have any questions please do not hesitate to call.

Janette Loveys Smith
Chief Administrative Officer / Secretary - Treasurer
705-745-5791 x222
jsmith@otonabeeconservation.com

Township of Douro-Dummer

Report and Capital Project Status

- Directed by Council and/or CAO
- Directed by the Province/legislation
- Directed by an Agency

Report Status

Department	Date Requested	Directed By	Resolution/Direction	Est. Report Date
Public Works / CAO	May 17, 2022	Council	Speed Limit Reduction Request Policy & Follow up on Birchview Road Speed Study Report	March 2023
CAO	August 3, 2021	Council	Public Process to Address Short Term Rentals	Appointment of Committee Members Complete – Awaiting Council Appointment after Election
Building Department	December 21, 2021	Council	Building Department Customer Service Policy with Wait Times	February 2023 – Delayed due to Building Department Personnel Change
Corporate	May 3, 2022	Council	Future Gravel Resources	Winter 2023
Planning	June 7, 2022	Council/Province	Bill 109 – Update to Site Plan Control By-law, Create Pre-Consultation By-law, ensure language in Official Plan allows for Peer Review as part of Complete Application	Changes pending release of final provincial regulations
Public Works	August 8, 2022	Committee of the Whole	Update Hard Top Policy with timelines for grandfathered roads	February 2023

Capital Project Status

Department	Capital Project List	Status
General Government	Demolition of Old House at Fifth Line - Waiting on bidder to pick up dismantle barn	Barn is removed – August 2022 Tender for house demolition and clean up – Required
General Government	New Sloped Roof - Town Hall	RFP in Spring 2023
General Government	Asset Management Plan	Ongoing
General Government	Computer Modernization	Ongoing
General Government	Finance Modernization	In progress – will continue into 2023
Building Department	Boat and Trailer	Deferred to 2023
Fire	Douro Station Reconfiguration	Ongoing
Fire	Station 2 Pumper	RFP Awarded
Fire	Equipment: - Bunker Gear - Extrication Tools - Fire Helmets - Vehicle Stabilization Kit	Items to be received throughout 2022

	- Lifting Air Bags - Ground Monitor - Forestry Pump - Electronic Sign	
Transportation Services	One Ton Pickup Truck with snow plow	Awarded – Waiting on delivery
Parks and Recreation	Harvest Room Floor	To be completed December 2022
Parks and Recreation	Parks and Rec Master Plan - Implementation	On hold due to Covid-19
Parks and Recreation	Tables and Chairs	Fall 2022
Parks and Recreation	Lime Kiln Restoration – 2022 Budget	Fall 2022

Recommendation:
That the Planning-2022-09 report, dated December 6, 2022, regarding Cloudpermit Planning Module be received; and

That Council direct Staff to proceed with the purchase of the Cloudpermit Planning Module for a minimum term of five (5) years.

Overview:
In summer 2021, Provincial approval was granted to the County of Peterborough to allow the County to work jointly with the Township of Havelock-Belmont-Methuen, Township of North Kawartha, and Municipality of Trent Lakes to review service delivery processes related to Land Development Tracking and Asset Management and Work Orders with the goal of identifying potential efficiencies through software integration.

MNP LLP ("MNP") was contracted to deliver a requirements report, long list of vendors following a market scan, evaluation summary, short list of vendors, vendor demonstration script, and recommendation summary. Their work included a functional requirement analysis, software rationalization, integration planning, and 5-year implementation costing of prospective software solutions.

On February 16, 2022, Peterborough County Council received Report CPS 2022-05, Process and Software Review Final Report that included a recommendation to select Cloudpermit based on the results of the 2021 Request for Information conducted by MNP. A copy of Report CPS 2022-05 is attached to this Report.

The resolution of County Council was as follows:

> **Resolution No. 64-2022**
>
> Moved by Councillor Amyotte Seconded by Councillor Clarkson
> That CPS 2022-05, Process and Software Review Final Report, be received;
>
> That MNP LLP's final report (Appendix "A") titled, "County of Peterborough Software Selection – Recommendation Summary", and dated January 21, 2022 be received;
>
> That Cloudpermit be recognized as the Preferred Vendor for the Land Development Tracking solution; and
>
> That Staff be directed to negotiate a single-source contract for the Cloudpermit Ontario Planning Module from Cloudpermit with the County and interested local municipalities, with funding support

available for those partnering in the Municipal Modernization Program Intake 3 – Implementation Steam; and

That Staff be directed to issue an invitational RFP to the Preferred Vendors, PSD and Esri Canada and the incumbent provider CentralSquare, for the Asset Management / Work Order solution.

Carried

In co-operation with the County of Peterborough, the Township of Douro-Dummer has an opportunity to implement the Planning Module of the Cloudpermit software and cost-share a portion of the $2,625 implementation fee. The cost share portion will be determined based on the number of lower-tier participants, and places the estimated share for the Township between $375 and $875 as outlined in Appendix A and B attached to this Report. At present, there are three participating lower-tier municipalities being Cavan Monaghan, Havelock-Belmont-Methuen, and Trent Lakes. North Kawartha has shown a strong interest while the Township of Selwyn previously implemented the Cloudpermit Planning Module prior to the MMF project.

Township Planning Staff have been meeting with a user-group of Staff from the County of Peterborough, Cloudpermit, and other lower-tier municipalities within the County on a monthly basis. The user-group provides an opportunity to discuss common questions, address shared concerns, and obtain an idea of how the system looks in its preliminary phase. If the system is implemented in Douro-Dummer, Planning Staff will continue to meet monthly to share our experiences and to provide input directly to Cloudpermit. Implementation of the Cloudpermit software also includes dedicated training sessions for staff who will be using the program.

The Township of Douro-Dummer began using the Cloudpermit software for the Municipality's Building Department in January 2022. As both internal and external user's have become more familiar with the platform, efficiencies are being realized in streamlining the permit process by providing a consolidated platform for tracking application submission, payments, permit issuance and inspections. Given that the majority of Peterborough County lower-tier municipalities use Cloudpermit in their building departments (e.g. Selwyn, Cavan Monaghan, Trent Lakes, Havelock-Belmont-Methuen and North Kawartha) the development community is able to experience the same submission platform and requirements whether they are submitting an application in Lakefield, Buckhorn, Blairton or Apsley.

The Cloudpermit Planning Module works in a similar fashion to the Building Permit Module by bringing planning processes online for planning departments, applicants, and development communities. The Cloudpermit Planning module would provide a platform for a more collaborative, efficient, and straight-forward processing of all Planning applications. As outlined in the Cloudpermit Planning Brochure attached to this Report, some of the features include:

- Submit pre-consultation requests online
- Conduct pre-consultations online with relevant Staff and external agencies online
- Manage meeting dates and agendas for upcoming council and committee meetings online
- Schedule applications to an upcoming meeting to easily create and share relevant documents
- Comment and provide feedback on planning proposals
- Request and circulate comments and other relevant documents and data to any internal or external department
- Easy-to-follow collaborative communication
- Enable online and over-the-counter payments
- Enable two-tier decision making between lower and upper-tier local governments
- Use interactive maps with GIS to easily find neighbouring properties and their owners

The County of Peterborough will utilize the Cloudpermit Planning Module to process upper-tier applications such as severances, plans of subdivision and Official Plan Amendments. In this regard, the Township will be circulated on and connected to the Planning Applications within the Township of Douro-Dummer. The Township will be able to provide comment on and receive status updates with respect to all upper-tier planning applications within this Municipality.

The Township will utilize the Cloudpermit Planning Module to process lower-tier applications such as minor variances, rezonings and site plan applications.

The Township Building Department will be able to access the Planning Module and share information with the Planning Department to flag concerns early in an application process. This link will also allow for Staff to move building permit applications into the Planning Module if Planning Approval, such as a Minor Variance, is required prior to the issuance of a building permit.

Applicable agents, for example MTO and the Conservation Authority, will be able to access the Cloudpermit Planning Module to comment on Planning Applications. A Cloudpermit account will be required by these agencies and given that the implementation for the Cloudpermit Planning Module is being adopted across Peterborough County, Cloudpermit has the potential to become a mainstream service utilized by all applicable agencies shared with the County.

Changes to Planning processes in 2023, due to the introduction of Ontario's More Homes for Everyone Act, 2022 (Bill 109), will result in application refunds for Zoning By-law Amendments and Site Plan Applications if a decision is not made within the legislative timelines. The Cloudpermit Planning Module will support the Planning Department in tracking legislative timeframes.

Adoption of this system prior to the implementation of Bill 109 will support the Douro-Dummer Planning Department, as Staff will require adequate training to ensure a seamless protocol during 2023.

If supported, Planning Staff foresee proceeding with the implementation of the Planning Module specific to Minor Variance Applications and then adding Rezoning and Site Plan Applications once the software is established.

Conclusion:
It is recommended that Council support the implementation of the Cloudpermit Planning Module so that Staff can proceed with its purchase and begin the necessary training for a successful integration.

Financial Impact:
The Township of Douro-Dummer would pay a $5,000 first-year licensing fee, in addition to a cost-share portion of a $2,625 implementation fee. For the remaining 4 years of the five year term, the Township will need to budget a cost of $5,000 per year for the license.

Strategic Plan Applicability:
To ensure and enable an effective and efficient municipal administration.

Sustainability Plan Applicability:
N/A

Report Approval Details

Document Title:	Cloudpermit for Planning.docx
Attachments:	- Cloudpermit Planning Brochure.pdf - Funding Appendices.pdf - 2022-02-16 CPS 2022-05 SoftwareSelectionReport and Appendices (County).pdf
Final Approval Date:	Nov 30, 2022

This report and all of its attachments were approved and signed as outlined below:

Martina Chait-Hartwig

Elana Arthurs

CLOUDPERMIT

YOUR PLANNING DEPARTMENT DESERVES DIGITAL PROCESSES,TOO

We will also help your planning department become more efficient

Cloudpermit

Check out what Cloudpermit can do for your local government planning department.

- Applicant Experience
- Staff User Experience
- Meeting Management
- Public Notice
- Circulation
- Fees Management
- Configurable Two-Tier Approvals
- Interactive Maps with GIS
- Processing Timeline Management

Cloudpermit brings all planning processes online for planning departments, applicants, and development communities.

- Submit pre-consultation requests online
- Conduct pre-consultations online with relevant staff and external agencies online
- Manage meeting dates and agendas for upcoming council and committee meetings online
- Schedule applications to an upcoming meeting to easily create and share relevant documents
- Comment and provide feedback on planning proposals
- Request and circulate comments and other relevant documents and data to any internal or external department
- Easy-to-follow collaborative communication
- Enable online and over-the-counter payments
- Enable two-tier decision making between lower and upper-tier local governments
- Use interactive maps with GIS to easily find neighbouring properties and their owners

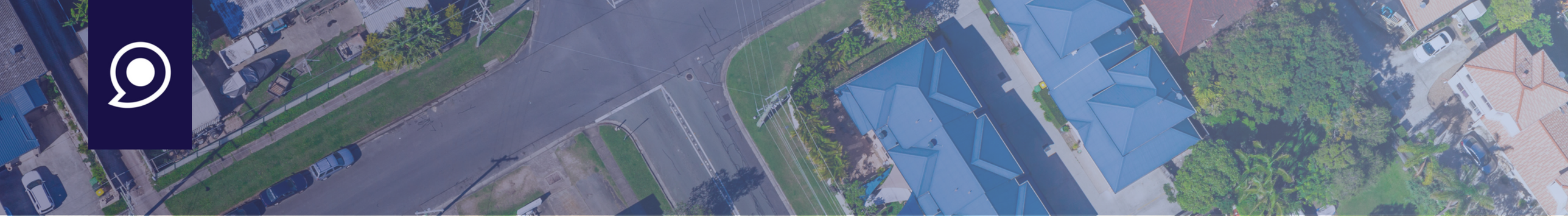
Cloudpermit

Applicant Experience

Cloudpermit enables an end-to-end digital experience for applicants, consultants, property owners, and other parties involved in each application. Applicants can easily communicate online, follow an online checklist to stay on top of their application, request a pre-consultation, submit needed documents, pay for applications, and easily use the software with no installations or manual updates – anytime and online.

Staff User Experience

Cloudpermit gives planning department staff an easy and simple user experience. Staff can accept applications online, schedule pre-consultations, manage meeting dates for upcoming council and committee meetings, communicate with all involved parties, and accept payments online.

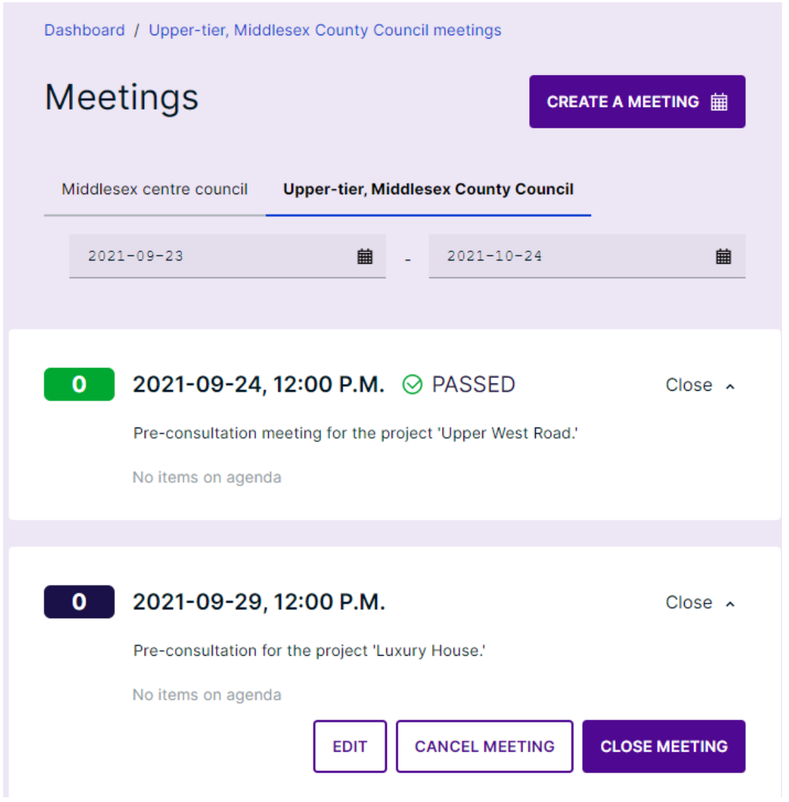


Meeting Management

Cloudpermit allows planning departments to keep track and organize all meetings with various stakeholders, such as pre-consultation meetings and council meetings.

Public Notice

Cloudpermit allows planning departments to manage public notice notifications, understand who needs to be made aware of any upcoming projects, and send relevant information to those who attended a council or committee meeting.



Cloudpermit

Circulation

Planning departments can easily circulate comments and approval requests to internal and external departments, such as its internal parties like its fire or engineering department, and external parties like the Conservation Authority or infrastructure companies and agencies.

Fees Management

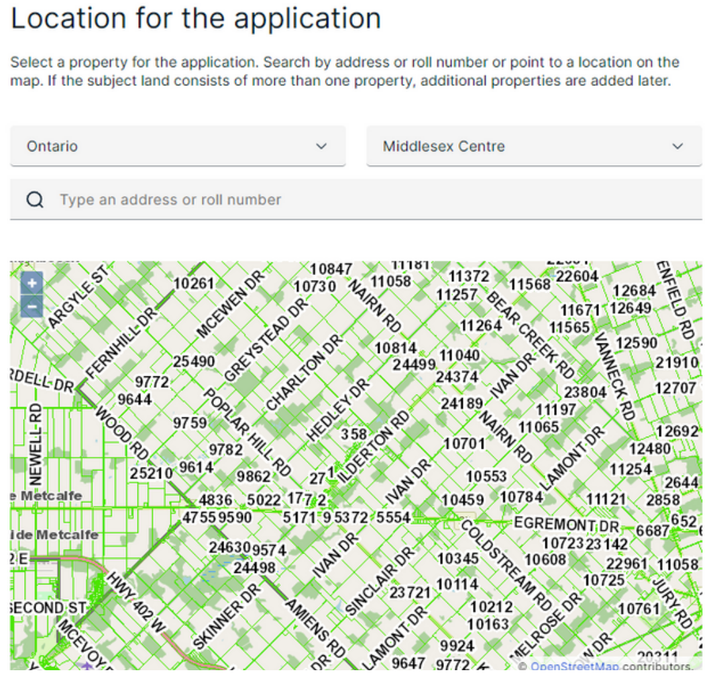
Cloudpermit makes it easy for department staff to configure fees for different application types. The fees are automatically calculated and can be paid online. Cloudpermit supports integration with several third-party online solutions.

Configurable Two-Tier Approvals

Cloudpermit enables easy and online collaboration between lower-tier and upper-tier governments. Government staff can configure which other governments they want to share information with and process applications accordingly. Lower-tier governments can easily send applications to its upper-tier government for approval on Cloudpermit.

Interactive Maps with GIS

Seamless GIS (geographic information system) integration ensures an optimized user experience. Our interactive maps and property data pulled from the GIS keep our information accurate and easy to find.



Processing Timeline Management

Cloudpermit makes it easy for planning departments to manage processing timelines and set deadlines for each application type.

Cloudpermit

Appendix A- Fees Chart

- Funded Partners would pay $1,750 Yr-1 licensing + cost-share portion of $2,625 implementation (based on number of participants, est btw $375 – 875 ea)
- Non-Funded Partners would pay $5,000 Yr-1 licensing + cost-share portion of $2,625 implementation (based on number of participants, est btw $375 – 875 ea)

Funded Municipalities ONLY

	Full Cost	County Cost (35%)	Twp Cost (35%)	Prov Cost (65%)
Cloudpermit Licence (County - Yr 1)	$ 50,000	$ 17,500		$ 32,500
Cloudpermit Licence (Per Twp – Yr 1)	$ 5,000 **Assume 3 participating**		$ 1,750 each	$ 3,250
Implementation Fee	$ 15,000	$ 2,625	$ 2,625 / # Twps (shared by all Twps – see below; payable prior to Mar 1, 2023)	$ 9,750
MMF3 Cloudpermit TOTAL	$65,000 + 3 Twps = $15,000 ========== **$80,000**	**$ 20,125**	* 3 Twps assumed: **$ 7,875**	**$ 52,000**

Non-Funded Municipalities

Cloudpermit Licence (Non-MMF3 Twps – Yr 1)			$5,000	
Implementation Fee			Cost-share btw all Twps of above $ 2,625 / # Twps ---------- If 3 Twps participate, $875 ea If 7 Twps participate, $375 ea	

*** 3 funding partners include Havelock-Belmont-Methuen, North Kawartha, and Trent Lakes***

Appendix B – County Pricing

TERMS AND CONDITIONS

Effective Date:	July 5th, 2022
Initial Term:	5 Years

PRICING

Annual Subscription Fee: (Does not include HST)	Cloudpermit Planning Module - $50,000.00 Additional Lower Tier Municipalities will be added at a cost of $5,000.00 per year: • Lower Tier municipalities must execute an agreement directly with Cloudpermit • The above pricing is Valid through February 28th, 2023
Implementation Fees:	Planning Module Implementation - $15,000.00 • Includes set-up, configuration, training, and go-live support
Payment Term:	Net 30 days

Staff Report

Meeting Date:	**February 16, 2022**
To:	**County Council**
Report Number:	**CPS 2022-05**
Title:	**Process and Software Review Final Report**
Author:	**Tammy Sikma, Enterprise Applications Manager**
Approval:	**Sheridan Graham, CAO**
Recommendation:	That CPS 2022-05, Process and Software Review Final Report, be received; That MNP LLP's final report (Appendix "A") titled, "County of Peterborough Software Selection – Recommendation Summary", and dated January 21, 2022 be received; and That Cloudpermit be recognized as the Preferred Vendor for the Land Development Tracking solution; and That staff be directed to negotiate a single-source contract for the Cloudpermit Ontario Planning Module from Cloudpermit with the County and interested local municipalities, with funding support available for those partnering in the Municipal Modernization Program Intake 3 – Implementation Steam; and That staff be directed to issue an invitational RFP to the Preferred Vendors, PSD and Esri Canada, for the Asset Management / Work Order solution.

Overview
Staff are seeking direction to procure (1) Land Development Tracking and (2) Asset Management and Work Order solutions following the recommendations outlined in this report.

Background
The County gratefully acknowledges the Province of Ontario for up to $60,000 support to complete the Project through the Municipal Modernization Program Intake 2 – Review

Stream by January 31, 2022. The views expressed in Appendix “A” and this report are the views of the authors and do not necessarily reflect those of the Province.

The final Recommendation Summary from the “Peterborough County and Three Member Municipalities Joint Service Delivery Process and Software Review” project (“Project”), led by consultants at MNP, are provided as Appendix “A” (attached).

In summer 2021, Provincial approval was granted allowing the County to work jointly with the Township of Havelock-Belmont-Methuen, Township of North Kawartha, and Municipality of Trent Lakes (“the Project Partners”) to review service delivery processes related to (1) Land Development (“LD”) Tracking and (2) Asset Management and Work Orders (“AM/WO”) with the goal of identifying potential efficiencies through software integration.

MNP LLP (“MNP”) was contracted (as the firm that undertook the IT/GIS Master Plan previously) to deliver a requirements report, long list of vendors following a market scan, evaluation summary, short list of vendors, vendor demonstration script, and recommendation summary. Their work included a functional requirement analysis, software rationalization, integration planning, and 5-year implementation costing of prospective software solutions.

The Project Partners reviewed their existing process needs with MNP and these were used to develop the Functional Requirements for each software system. The opportunity to replace, expand or integrate with existing software was explored. An interim report indicated that new systems must provide ease of use, increased automation and improvements to integration and reporting in order to simplify efforts, create efficiencies, improve citizen service, reduce errors, and improve annual planning, budgeting and reporting. A market scan assessed available vendors for fit with the Project Partners and long-listed prospects were invited to respond to an RFI. Functional scores were evaluated and successful vendors invited to provide a demonstration where a multi-agency, multi-departmental panel assigned Usability Scores. Vendors with significantly higher demonstration results or who passed the overall utility assessment by at least half the panel were included in the final evaluation in Appendix “A”.

Analysis

In Appendix “A”, MNP measured the 5-year total cost of ownership (TCO) for applications judged by reviewers to be acceptable. Vendor budgetary responses were measured against the functional and usability scores to create a Performance/Price (P/P) Score. The highest-scoring P/P Score was deemed to offer the most “value for money”. Second- or third-place solutions received an equivalent 5-year TCO value calculated by comparing their P/P Scores and TCO to offer a comparative cost in order for the County to receive an equal “value for money”.

MNP identified Cloudpermit as the recommended solution due to high functional and usability scoring and significantly lower five-year Total Cost of Ownership. Other identified benefits include their advanced Ontario-market (including being named as the approved e-permitting partner by AMO), product development, integrated data exchange with MPAC, and compliance with Planning Act requirements. Because six local municipalities currently licence Cloudpermit's parallel e-permitting module, including two funding partners, extending software licensing to Planning purposes would limit integration efforts. Staff at the County and Townships fully support the MNP recommended solution.

In Appendix "A", MNP identifies Cityworks AMS and Citywide as the "two best scoring solutions" and identifies strengths of each. Both applications are understood to offer the capabilities that the County is seeking through integration with existing County applications or recommended partner products. To ensure the integration capabilities of the selected solution, staff support MNP's recommendation that a brief Proof of Concept engagement precede the signing of any AM/WO contract. In order to fully assess both solutions, staff are recommending that an invitational RFP be issued to the two best scoring proponents, with a final review and selection report to be brought back to Counci.

Financial Impact

The County is pleased to receive notice from the Province of Ontario of its successful application for a Municipal Modernization Program Intake 3 – Implementation Stream ("MMP3 – Implementation") grant to assist with the procurement and implementation of the Land Development Tracking and Asset Management and Work Order systems. This provides up to $231,504, or a maximum of 65% of incurred project costs, to be spent by March 31, 2024 to support the implementation of these solutions. The draft 2022 County budget has allocated $250,000 to this project, with funding provided by participating Townships as well.

In the 2021 Public Works Service Delivery Review by WSCS Consulting Inc. the estimated the 10-year savings / cost avoidance of $542,857 to develop an IT Strategy to implement a comparative system for work orders, asset management, patrolling, and payroll that would offset the software licensing and maintenance fees identified by MNP.

Further, MNP has identified on page 10 of Appendix "A" that replacing legacy systems with the new AM/WO system could potentially result in $216,000 in licensing fees over 5-years that could offset new AM/WO expenditures.

Anticipated Impacts on Local and/or First Nations Communities

Project Partners continue to participate in the MMP3 – Implementation funding opportunity. All municipalities will be invited to join Cloudpermit negotiations.

Alignment to County of Peterborough Strategic Plan Priorities

To provide high quality services to residents, businesses and Townships:

Communications – To elevate the County of Peterborough's profile, enhance community engagement, and communicate proactively.

Full lifecycle software will enable staff to provide transparent and more efficient responses to service requests, Planning applications, and Council reporting.

Financial Responsibility – To ensure evidence-informed planning and approaches to achieve financial sustainability and accountability, while keeping ratepayers top of mind.

Streamlining and documenting staff processes in a central location will provide greater staff efficiency, mitigate potential risk, and allow for clearer financial management of resources resulting in cost savings over time.

Infrastructure – To efficiently address current infrastructure demands, while maintaining the vision and planning necessary to meet future needs.

Centralizing the documentation of service requests, work orders, asset management, and related project inventory, costs, and usage will help staff to maintain and improve infrastructure stock.

Organizational Development – To invest in our people and systems to foster a resilient, thriving organizational culture.

Implementing fewer enterprise-level applications that share information between departments will streamline staff processes, eliminate waste, save time, and reduce potential risk. Enterprise-level information management supports improvements to customer service, use of staff time and talents, and staff pride in their work.

Housing – To engage in partnership and planning in support of meeting the housing needs of our community.

Providing a centralized and historic electronic record of Planning decisions will improve information access and flow between applicant, approver, and commenting agencies and future response times.

In consultation with:

1. MNP LLP – Vivek Baijal, Project Lead & Kunal Jain, Project Consultant
2. Lynn Fawn, Director of Corporate Services
3. County Public Works
4. County Planning
5. County Finance
6. County IT
7. Township of Havelock-Belmont-Methuen
8. Township of North Kawartha
9. Municipality of Trent Lakes

10. WSCS Consulting Inc. – Tammy Carruthers, CEO

Communication Completed/required: Staff from the County and participating local municipalities were involved in requirements interviews, product demonstrations, reviews of draft deliverables. WSCS CEO met with MNP Project Lead to discuss process mapping from the Public Works Service Delivery Review on October 27, 2021. References were contacted from the County of Grey, Northumberland County, City of Peterborough, Town of East Gwillimbury, and Springwater Township.

Additional meetings will be held to prepare for and facilitate procurement requirements.

Attachments

Appendix A – Software Selection Recommendation Summary

Respectfully Submitted,

Tammy Sikma, Enterprise Applications Manager

For more information, please contact:
Tammy Sikma, Enterprise Applications Manager
tsikma@ptbocounty.ca
(705) 743-0380 ext. 2407

County of Peterborough Software Selection

Recommendation Summary

January 21, 2022

Demonstration Results – Land Development Permitting

The demonstrations were scored independently by each member of the County and Township team on five criteria listed below. The focus was on assessing usability while assigning a Pass/Fail score on the overall utility of the solution. Cloudpermit scored significantly higher on all criteria and Cityworks PLL lowest. The table below illustrates the average score for each product for each criterion. Scores below do not include MNP scoring.

Product/Vendor	# of evaluations	Simplicity	Efficiency	Learnability	Satisfaction	Utility
Cloudpermit	3	7.7/9 = 85%	8.3/9 = 93%	5.3/6 = 89%	8.3/9 = 93%	3 passes
Cityview/ Harris Computer Systems	3	6.3/9 = 70%	6.3/9 = 70%	4.3/6 = 72%	6.7/9 = 74%	3 passes
Cityworks PLL/ ESRI Canada	3	4.7/9 = 52%	5.0/9 = 56%	3/6 = 50%	3.7/9 = 41%	2 fails, 1 pass

Based on the results of the demonstration, Cityworks PLL should be dropped from further consideration.

Performance-Price Analysis – Land Development Permitting

Performance/Price scores were obtained by dividing the technical score from the Functional Requirements Weighted Analysis combined with the Usability score from the demonstrations by the **five year total cost of licensing and maintenance in thousands**. While the technical score is a very rough measure based on vendor responses to the RFI, combined with the demonstration results, this assessment does provide a guide to "value for money" – functionality and usability that is provided per dollar.

Assessment Criteria	Cloudpermit	Cityview
Annual Software-as-a-Service subscription (County and Townships)	vendor proprietary information	Vendor proprietary information
Maximum escalation factor for years 2 to 5	0%	Not-provided (assumed 2%)
One-time implementation services	vendor proprietary information	Vendor proprietary information
5 Year Total Cost of Ownership	**$514,000**	**$1,252,581**
Functional Score (out of 428)	409	406
Usability Score (out of 33)	29.7	23.7
Performance/Price Score (functionality & usability equally weighted, pts per $1000)	**1.54**	**0.57**
Cityview 5 yr TCO for equivalent P/P Score		Approx. $463,000

Observations – Land Development Permitting

Cloudpermit has confirmed in writing their commitment to providing the features listed below within 1-2 years.

- bi-directional data exchange with ArcGIS (currently Cloudpermit can only consume data from ArcGIS)
- offline mode for inspections on mobile app in 2022
- MS Office 365 integration, particularly Sharepoint

This will address all of the functional limitations that were identified through the RFI process and demonstrations

In addition, the Cloudpermit solution was highly applicable to the Ontario context. The product demonstrated support for data exchange with MPAC and compliance with Planning Act requirements in the design of application forms.

Note that the Cloudpermit costs on the previous slide include the current annual subscription for future years for the 2 Townships currently using the system. Cloudpermit has offered a discounted subscription for the third Township.

Cityview

- While functional and will meet all the requirements, was deemed by the evaluators to have an outdated look and feel and was significantly less usable than Cloudpermit.

Cityworks PLL

- Not user-friendly
- Workflows were cumbersome
- Does not support Bluebeam for markups
- Document management seemed awkward
- MPAC report not currently available, will be available next year

Recommendation – Land Development Permitting

Cloudpermit should be selected based on the overall high functional score, significantly higher rating by the evaluation team in terms of usability at the demonstrations and significantly lower five year Total Cost of Ownership.

A sole source negotiated contract with Cloudpermit will allow the County and Townships to conclude the most beneficial arrangement with the vendor in an efficient and expedited manner. It may be possible to negotiate reductions in current annual subscription for the Townships that currently use the Building module of Cloudpermit.

Demonstration Results – Work Order/Asset Management

The demonstrations were scored independently by each member of the County and Township team on five criteria listed below. Cityworks AMS and Citywide scored higher on almost all criteria. EAM scored the lowest. The table below illustrates the average score for each product for each criterion. Scores below do not include MNP scoring.

Product/Vendor	# of evaluators	Simplicity	Efficiency	Learnability	Satisfaction	Utility
Assetic/Dude Solutions	7	6.4/9 = 71%	6.1/9 = 68%	4.4/6 = 74%	5.4/9 = 60%	6 passes, 1 fail
Citywide/ PSD Citywide	8	6.4/9 = 71%	7.5/9 = 83%	4.5/6 = 75%	7.0/9 = 78%	8 passes
Cityworks AMS/ ESRI Canada	8	6.6/9 = 74%	7.0/9 = 78%	4.8/6 = 79%	7.0/9 = 78%	8 passes
EAM/ Centralsquare	7	6/9 = 67%	5.9/9 = 65%	4.5/6 = 75%	4.9/9 = 54%	2 passes, 5 fails

Cityworks AMS, Citywide and Assetic scored high on the usability criteria and should move forward to the price-performance analysis. While EAM was judged to have an excellent user interface, there were significant gaps in functionality and should be dropped from consideration. It should be noted that In general, evaluators provided similar scores. However, one of the evaluators scored EAM highest across the board.

Performance-Price Analysis – Work Order/Asset Management

Performance/Price scores were obtained by dividing the technical score from the Functional Requirements Weighted Analysis combined with the Usability score from the demonstrations by the **five year total cost of licensing and maintenance in thousands**. While the technical score is a very rough measure based on vendor responses to the RFI, combined with the demonstration results, this assessment does provide a guide to "value for money" – functionality and usability that is provided per dollar .

Assessment Criteria	Assetic	Citywide	Cityworks AMS
Annual Software-as-a-Service subscription (County & Townships)	vendor proprietary information	Vendor proprietary information	vendor proprietary information
Maintenance	NA	vendor proprietary information	NA
Maximum escalation factor for years 2 to 5	2.5% to 3.5% (assumed 3%)	3.5% on maintenance	Yr 2 – add $2726 Yr 3 – add $2376 CPI escalation for Yr 3-5 (assumed 2%)
One-time implementation services	vendor proprietary information	Vendor proprietary information	vendor proprietary information
5 Year Total Cost of Ownership	**$1,105,880**	**$847,939**	**$938,004**
Functional Score (out of 880)	791	759	831
Usability score (out of 33)	**22.4**	**25.4**	**25.4**
Performance/Price Score (functionality & usability equally weighted, pts per $1000)	**1.26**	**1.69**	**1.61**
TCO for equivalent P/P Score	$820,492		$890,528

Observations – Work Order/Asset Management (1)

All vendors recommended an export/import process for transferring time and cost information to GP and other payroll systems. Automated generation of journal entries in GP is doable and proven but requires additional implementation services.

Note that pricing provided is for budgetary purposes and could vary after discovery conversations with the selected vendor.

Cityworks AMS:

- Proposed solution comprises 1 instance of Cityworks AMS and IDS Asset Optimizer for 4 tenants (County and 3 Townships)
- GIS-centric product
- Provides the most comprehensive inventory control solution of all the assessed products.
- Uses a third-party product (IDS Optimizer) for Capital Asset Planning. Will have to periodically import asset registry into IDS Optimizer and will have a separate log-in.
- ESRI Canada has provided pricing for a "turnkey" versus a "knowledge transfer" implementation approach as well as separate pricing for an API-based direct integration with financial and payroll systems versus an export/import-based data exchange . The pricing analysis on the previous slide assumes a "turnkey" implementation approach and an export/import approach to integration with GP & Keystone.
- Since export/import integration approach is selected, the Workorder Extended API is not included in the subscription price. If it were included, annual subscription would be $25,195 higher with the 5 year cost of ownership at **$1,065,500**.
- ESRI Canada has provided pricing for hosted or on-premise options. The pricing analysis assumes a hosted solution.
- Software subscription for Cityworks AMS is $90,780 – year 1, $92,650 – year 2, $94, 170 – year 3 with a Consumer Price Index (CPI) based escalation factor from year 4 onwards. Also includes pricing for Citizen Engagement API ($3,980), Cityworks Online Managed Service Fee ($7125). IDS Optimizer subscription is $42,800 with a CPI based escalation factor from year 2 onwards.

Observations – Work Order/Asset Management (2)

All vendors recommended an export/import process for transferring time and cost information to GP and other payroll systems. Automated generation of journal entries in GP is doable and proven but requires additional implementation services.

Note that pricing provided is for budgetary purposes and could vary after discovery conversations with the selected vendor

Citywide:

- Comprehensive, integrated and functional solution that addresses all the requirements with no third-party add-ons. In general, functionality is a little less deep than Cityworks or Assetic. Scored almost identical to Cityworks on usability.
- Approximately $18,000/year cheaper than Cityworks AMS over a 5-year period based on initial budgetary pricing.
- Vendor has provided details on multiple approaches for integration/data exchange with ArcGIS and with Great Plains.
- Vendor has provided a clear product roadmap as to what new functionality is expected to be available by end of 2022.
- Vendor has confirmed that OSIM-compliant inspection data can be captured.
- Time tracking functionality allows for non-work order time (such as vacations, sick time etc) to be captured and transferred to Great Plains and provides approval/rejection capability.
- Vendor has provided details about back-up and security for their data centre.

Assetic:

- While functional and comprehensive, it was deemed less usable than the other two shortlisted products.
- There was some concern about level of support for road patrol.
- Timesheet approval seemed awkward

Recommendation – Work Order & Asset Management

Cityworks AMS and Citywide are the two best scoring solutions. In addition to the demonstration results, they also had very similar scores on vendor capability and delivery approach. Cityworks AMS has richer functionality. However, it will likely be more complex to implement. Citywide is somewhat cheaper, meets the requirements, and will be less complex to implement since it appears to be more aligned to the needs of smaller municipalities. However, it is less of a market leader than Cityworks AMS.

Cityworks should be selected if there is a clear preference for a GIS-centric, market leading comprehensive solution. Citywide should be selected if depth of functionality is less important than cost and implementation complexity.

The County should follow up with provided references before finalizing the selection.

Implementation Recommendations:

- Regardless of which vendor is selected, the County should undertake a brief Proof of Concept engagement to confirm that the required integration/data exchange with Great Plains, Keystone, Easypay will work.
- Sequencing of implementation activities should be aligned with legislative mandates, internal capacity, and ease of implementation. Keeping these in mind, a sequence such as : (1) Land Development, (2) Engineering & Design; (3) Facilities Management and Fleet, (4) Operations could be considered.
- Realizing full value for money will occur when the new systems replace legacy systems which can then be decommissioned. The Work Order/Asset Management solution should replace Worktech 6, Worktech Pearl, Mesh and Maintenance Care. The financial saving could be potentially $216,000 over 5 years, in addition to the operational improvements.
- Both recommended solutions provide the ability to capture employee time for work orders as well as other “administrative” time. Various methods are available for transferring time data to Great Plains, Keystone or Easy Pay for payroll processing. The replacement of legacy systems with a new system does not place payroll processing at risk.

Thank you

MNP

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KINCENTRIC Best Employer CANADA 2019

Township of Douro-Dummer

Report to Council
Re: Planning-2022-10
From: Christina Coulter
Date: December 6, 2022
Re: Road Allowance Agreement – Paterson and Carrington

Recommendation:
That the Planning-2022-10 report, dated December 6, 2022, regarding Road Allowance Agreement – Paterson and Carrington be received and;
That the By-law be approved allowing the Mayor and Acting Clerk to execute the Road Allowance Agreement.

Overview:
On behalf of the property owners David Paterson and Kathryn Carrington, their Agent, Ron Davidson Land Use Planning Consultant Inc., has applied to remove the Holding symbol and amend the zoning of their property located at 4034 Centre Road/County Road 32, being Roll No. 1522-010-004-08100.

The subject property is an existing vacant lot of record and is currently zoned the Special District 190 - Holding Zone (S.D. 190-H). The effect of the proposed Zoning By-law Amendment is to remove the Holding symbol and to allow for a new special provision to permit an increase in the maximum lot coverage to allow for the construction of a dwelling and accessory structures.

In order to remove the Holding Symbol from the S.D. 190 Zone the following conditions of Section 21.190.2.2 of By-law No. 10-1996, as amended must be met:

a) A Level of Municipal Services and Access Agreement be entered into;
b) A site plan be approved; and
c) A site plan agreement be entered into, all to the satisfaction of the Township of Douro-Dummer.

A Public Meeting was held at the September 6, 2022 Regular Meeting of Council. A copy of the Planning Department 2022-08 Report from the Public Meeting is attached to this Report.

At the public meeting, concerns and objections were raised by Dean Bolton, 4030 County Road 32 and 4016 County Road 32, Allan Bolton 4014 County Road 32 and Brian Bolton 4026 County Road 32. The concerns raised related to flooding of their properties which are adjacent to the subject property.

Following the Public Meeting, a request for a site visit was made by Dean Bolton. Township Staff organized a site visit on September 28, 2022.

The parties agreed to some minor changes to the site plan one of which included the illustration of a drainage ditch extending along the existing roadside ditch on the Township Road Allowance directly into the Otonabee River.

On October 12, 2022 a revised site plan submission was received from the Applicant's Engineer. A copy of the revised site plan submission is attached to this Report.

The revised site plan was peer reviewed by ORCA and the Township Engineer, D.M. Wills who found the submission to be acceptable in correspondence dated October 28, 2022 and November 6, 2022 respectively. A copy of the ORCA and D.M. Wills correspondence is attached to this Report.

Given the extension of the drainage ditch within the Township Road Allowance and into the Otonabee River, Township Staff sought legal advice regarding Drainage Act issues, the future maintenance of the driveway, existing and proposed ditches and check dam and to ensure that the Constructed Roadway Agreement (Level of Municipal Services and Access Agreement) executed in 2014 (the 2014 Agreement) with the previous property owners was sufficient.

The Township's legal counsel, LLF Lawyers, reviewed all documents and noted that the 2014 Agreement was never registered on title. Further, an Agreement under the Drainage Act between two property owners must include specified information. As such, it was recommended that the 2014 Agreement be rescinded and replaced with a new Agreement. The new Road Allowance Agreement has been drafted by LLF Lawyers and includes most of the language of the 2014 Agreement and adds additional clauses to address the current requirements of the Township as well as requirements under the Drainage Act. The new Road Allowance Agreement is attached to this Report and a copy has been provided to the Owners.

Conclusion:
In order to remove the Holding Symbol from the S.D. 190 Zone, the following conditions of Section 21.190.2.2 of By-law No. 10-1996, as amended must be met:

a) A Level of Municipal Services and Access Agreement be entered into;
b) A site plan be approved; and
c) A site plan agreement be entered into, all to the satisfaction of the Township of Douro-Dummer.

With the execution of the new Constructed Roadway Agreement item a) above will be met. With respect to item b), the Site Plan has been approved to the satisfaction of Staff, the Township's Engineering Consultant and ORCA. Once the new Constructed Roadway Agreement is duly executed and registered on title, the Site Plan Agreement can be entered into via delegated authority to the CBO and Planner per By-law No. 2022-32.

Once the Site Plan Agreement has been entered into, Staff will bring a By-law forward to a future Council meeting to remove the Holding symbol and to amend the S.D. 190 Zone to allow for a new special provision to permit an increase in the maximum lot coverage to allow for the construction of a dwelling and accessory structures.

Financial Impact:
All costs related to Road Allowance Agreement, the construction and/or improvements to the driveway, ditching and check dam and the Site Plan Application such as peer review fees and legal costs are the responsibility of the applicant.

Strategic Plan Applicability:
To ensure that the public works department operates efficiently and effectively.

Sustainability Plan Applicability:
N/A

Report Approval Details

Document Title:	Staff Report Regarding Road Allowance Agreement - Paterson and Carrington.docx
Attachments:	- M.J. Davenport Site Plan Submission (October 12, 2022).pdf - Amended_2nd Sub_R-17-21 _Site Plan_4034_Centre_Road_ORCA PPLD-2019 and PPLD-2220_28OCT2022.pdf - D.M. Wills 88002 - 4034 Centre Road - 5th Sub Engineering Review - Nov 6 2022.pdf - Road Allowance Agreement 2022 v.2.pdf - Draft By-law to Authorize Execution of an Agreement.pdf
Final Approval Date:	Nov 30, 2022

This report and all of its attachments were approved and signed as outlined below:

Martina Chait-Hartwig

Elana Arthurs

M.J. Davenport & Associates Ltd.

CONSULTING ENGINEERS AND PLANNERS

MURRAY J. DAVENPORT, P.Eng. MICHAEL M. DAVENPORT, P.Eng.

October 12, 2022

Township of Douro-Dummer
894 South Street,
P.O. Box 92
Warsaw, ON
K0L 3A0

Attention: Ms. Christina Coulter
Senior Planner

Re: Paterson and Carrington - Site Plan Approval
4034 Centre Road, Bolton's Corners
Township of Douro-Dummer
Project No. 21-D-5883

Dear Christina,

Attached is a copy of the following drawings and calculations prepared in response to the D.M. Wills Associates comments dated October 4, 2022 and the Otonabee Region Conservation Authority comments dated October 5, 2022 submitted for your information:

1. Site Plan Drawing No. 5883-02.
2. Drainage Area Plan Drawing No. 5883-03.
3. Erosion Control Plan Drawing No. 5883-EC.
4. 100-year Rational Method and Open Channel Flow Calculation for Proposed Drainage Ditch.

D.M. Wills Associates Comments:

1. *The revision block should be updated to reflect the current submission and date.*

   The revision blocks on the Site Plan and the Erosion Control Plan have been updated.

2. *Confirm the drainage area and 100-year flow directed to the proposed outfall ditch. A rough sketch and rational method calculations are sufficient to address this comment.*

Drainage Area Plan Drawing No. 5883-03 identifies the total catchment area and the landuse of the area flowing into the proposed outfall ditch. The 100-year rational method calculations and the open channel flow calculations attached to this letter indicates that the proposed outfall ditch has sufficient capacity to convey peak stormwater flows in excess of the calculated 100-year flow rates.

3. *The size and depth of rip-rap should be identified on the Site Plan.*

   150mm diameter rip-rap with a design depth of 0.30 metres.

4. *An updated Erosion Control Plan is required and should include the external ditching.*

   The Erosion Control Plan has been updated to show the external ditching. Light duty silt fence is proposed to be placed around the proposed outfall ditch and the culvert to be removed and replaced. A 0.20-metre-high pea stone bag flow check dam is proposed in the outfall ditch and will remain in place until the soils are stabilized and the outfall ditch vegetation is established.

Otonabee Region Conservation Authority Comments:

1. *Please add rip-rap Slope Protection details to the drawing.*
   a. *What size of rip-rap is being placed?*
   b. *What thickness of rip-rap layer?*
   c. *There should be a scour protection measure placed under the proposed rip-rap?*

   The specified rip-rap is a 0.30 metre depth of 150mm diameter rip-rap. The rip rap will be placed on non-woven terrafix filter cloth for scour protection.

2. *Please provide re-vegetation details for the ditch and slope.*

   A note has been added to the Site Plan specifying that the proposed drainage ditch, side slopes and disturbed area around the drainage ditch shall be hydroseeded after final grading has been completed. Hydroseeding will establish and stabilize the underlying soil more quickly then seed and requires less initial maintenance than sod.

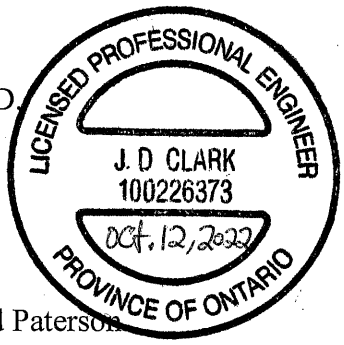
3. *Please include erosion and sediment control measured for the ditch and slope work.*

   See response to D.M. Wills Associates comment Point #4 above.

We are available to discuss this project at your convenience.

Yours truly,

M.J. DAVENPORT & ASSOCIATES LTD.



Jacob Clark, P.Eng.

c.c.: Ms. Kathy Carrington & Mr. David Paterson

M.J. Davenport & Associates Ltd.

CONSULTING ENGINEERS AND PLANNERS

MURRAY J. DAVENPORT, P.Eng. MICHAEL M. DAVENPORT, P.Eng.

PATERSON & CARRINGTON
4034 Center Road, Bolton's Corners
PROPOSED DITCH RATIONAL METHOD CALCULATION

The peak flow capacity of the grass ditch proposed to be constructed northwest of the project site was analyzed using the Manning's equation for calculating open channel flow. The Rational Method was used to calculate the 100-year storm event peak flow rate expected to accumulate in the ditch based on the upstream catchment area. By demonstrating that the conveyance capacity of the proposed drainage ditch is greater than the calculated 100-year peak flow rate, it will be shown that adequate capacity of conveyance in the proposed ditch exists.

The watershed area directed to the proposed drainage ditch is based on the natural topography of the land determined by a topographical survey, by a visual field inspection and from Ontario Base Mapping taken from the County of Peterborough GIS application. The proposed grading of the subject site is used in determining the ditch drainage area. The watershed area draining into the proposed ditch is detailed on the Drainage Area Plan Drawing No. 5883-03.

The proposed drainage ditch is designed with a minimum flow depth of 0.47 metres, maximum 5:1 side slopes and a minimum longitudinal slope of 2.0 percent. It is assumed in the following calculations that the ditch lining will consist of unmaintained tall grass, making the 'n' value in the Manning's equation 0.050. The conveyance capacity of the proposed ditch has been evaluated at the section with the lowest depth of flow and the narrowest bottom section. This corresponds to the section of the ditch with the lowest conveyance capacity.

The detailed ditch capacity calculation using the Manning's equation are as follows:

Worst Case Grass Ditch Section (0.47m Depth, 3.0m Bottom Width):

$$Q = \frac{1.0}{n} A R^{\frac{2}{3}} S^{\frac{1}{2}}$$
$$= \left(\frac{1.0}{0.050}\right)(2.5145)(0.3227)^{\frac{2}{3}}(0.020)^{\frac{1}{2}}$$
$$= 3.346 m^3/s$$

n = 0.050 (Manning's coefficient for unmaintained tall grass lined channels)
A = 2.5145m^2 (Area of cross-section of channel)
R = 0.3227m (Hydraulic radius)
S = 2.00% m/m (Lowest slope of proposed swale)

Rational Method – 100-Year Peak Flow Rate Calculations

Proposed Drainage Ditch:

The drainage area directed to the proposed ditch is approximately 1.679 hectares. The watershed length is 230 metres and the average watershed slope is 1.6%. The calculated time of concentration is 11.3 minutes using the Bransby-Williams Method for the watershed area. The minimum time of concentration is conservatively assumed to be 10 minutes for the urban subwatershed area. The peak flow rate expected to accumulate in the drainage ditch during the 100-year storm event is calculated using the Rational Method as follows:

$$Q = 0.0028CiA$$
$$= 0.0028 \times 0.41 \times 141.1 \times 1.679$$
$$= 0.272\ m^3/s$$

Q = Peak runoff rate (m^3/s)
C = 0.41 (Weighted composite runoff coefficient of drainage area - Table 1)
i = 141.1 mm/hr (10 minute - 100 Year Peterborough Airport rainfall intensity, mm/hr)
A = 1.679 ha (Drainage area, ha)

Table 1
Drainage Ditch Weighted Composite Runoff Coefficient

Surface	Area (sm)	Runoff Coefficient (C)
Impervious	2,104	0.90
Grass Landscaped	9,937	0.25
Gravel	2,285	0.80
Treed	2,467	0.25
Total	**16,793**	**0.41**

From the calculations demonstrated above, the proposed drainage ditch will provide adequate capacity of conveyance of calculated peak flow rates generated by all storm events up to and including the 100-year storm event.

NOTES:

1. DRAINAGE SHALL BE SELF-CONTAINED ON SITE BY THE CONSTRUCTION OF SWALES OR DRAIN TO A PROTECTED OUTLET. DRAINAGE SHALL NOT IMPACT ADJACENT PROPERTIES.
2. SEDIMENT AND EROSION CONTROL MEASURES SHALL BE IMPLEMENTED TO PREVENT MIGRATION OF SILT AND SEDIMENT FROM THE SUBJECT LOT TO ANY ADJACENT LOT, INCLUDING MUNICIPAL RIGHT-OF-WAY. SPECIAL CARE SHALL BE TAKEN TO ENSURE THAT SILT AND SEDIMENT LADEN SURFACE WATER DOES NOT ENTER ANY WATERCOURSES OR ENVIRONMENTALLY SENSITIVE AREA, EITHER OVERLAND OR THROUGH THE STORM DRAINAGE SYSTEM. THE OWNER/BUILDER SHALL COMPLY WITH ALL DIRECTIVES ISSUED BY ANY OF THE ENVIRONMENTAL AGENCIES.
3. INTERIM GRADING MEASURES MAY BE REQUIRED DURING BUILDING CONSTRUCTION TO ENSURE THAT DRAINAGE DOES NOT ADVERSELY AFFECT THE NEIGHBORING PROPERTIES. ROUGH GRADING OF THE PROPERTY SHALL BE COMPLETED SUCH THAT DRAINAGE IS CONTAINED ON SITE OR CONTROLLED TO A PROTECTED OUTLET.
4. THE OWNER/BUILDER IS RESPONSIBLE FOR OBTAINING UTILITY AND SERVICING LOCATES PRIOR TO ANY WORKS.
5. ALL DISTURBED AREAS ON SITE ARE TO BE SODDED OR SEEDED OVER A MINIMUM OF 150mm OF TOPSOIL OR APPROVED EQUIVALENT.
6. THE PROPOSED DRAINAGE DITCH, SIDE SLOPES AND DISTURBED AREA AROUND THE DRAINAGE DITCH SHALL BE HYDROSEEDED AFTER EXCAVATION AND SHAPING IS COMPLETED.
7. NO ELEVATIONS WILL BE LESS THAN 0.15m BETWEEN FINAL GRADE AND TOP OF FOUNDATION WALL.
8. THE SUBMISSION OF THIS PLAN REPRESENTS THAT OWNER HEREBY ACKNOWLEDGES THAT ANY GRADING CHANGES THAT OCCUR THROUGH THE CONSTRUCTION THAT RESULT IN ADVERSE EFFECTS TO EXISTING ADJACENT PROPERTIES WILL REQUIRE AN AS-CONSTRUCTED SITE GRADING PLAN.

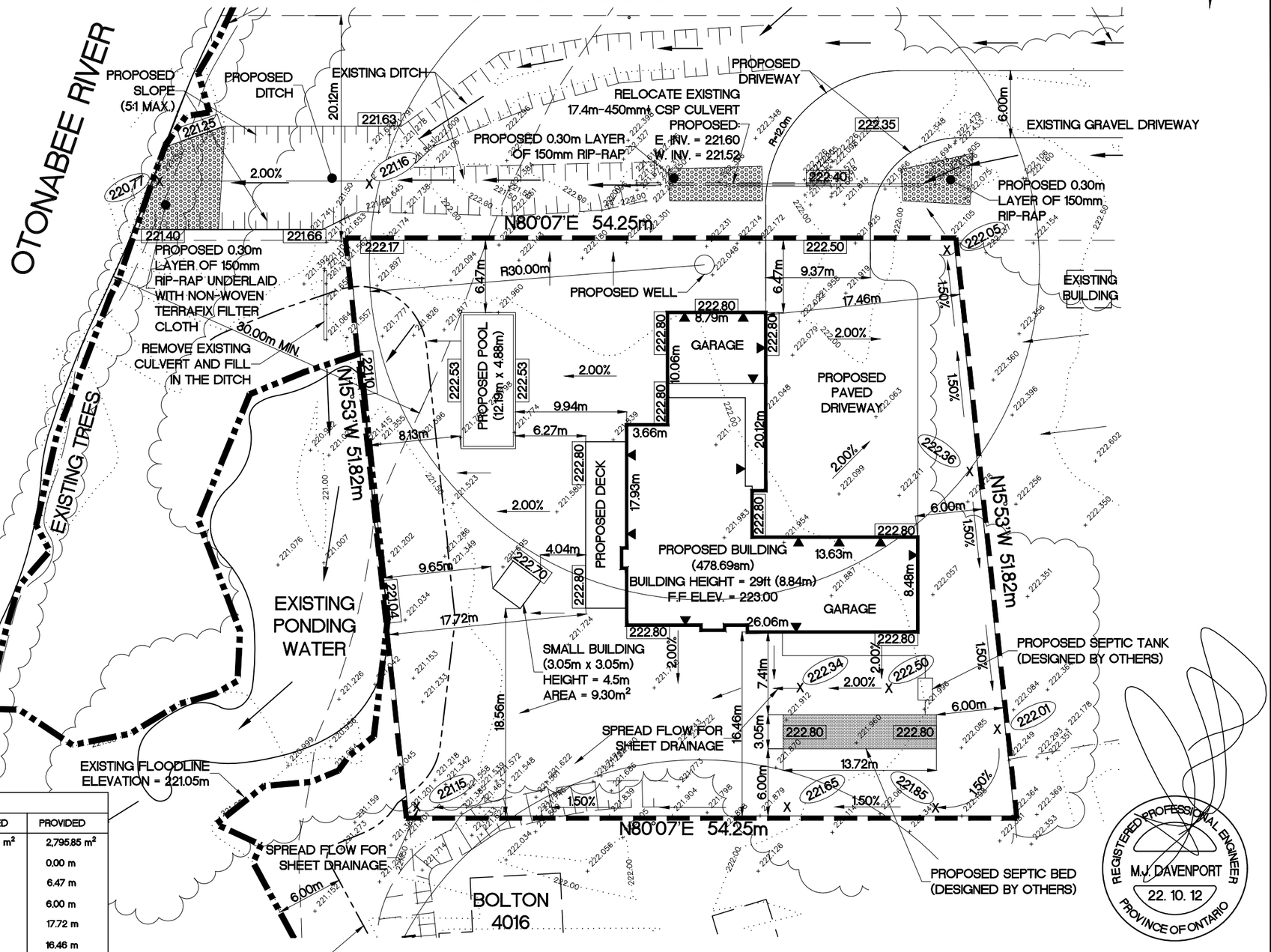
SCALE 1 : 400

10 0 10 20

NOTE:

1. THIS DRAWING MUST NOT BE INTERPRETED AS A LOCATION SURVEY PREPARED BY AN ONTARIO LAND SURVEYOR. THIS DRAWING IS FOR GRADING ONLY.

NOTE: UNDERGROUND HYDRO SERVICES TO COUNTY ROAD No. 32.



TYPICAL SWALE SECTION

KEY PLAN

NO.	REVISIONS	DATE	BY	APP'D
4.	AS PER D.M. WILLS AND ORCA (04/10/22)	06/10/22	JC	MJD
3.	UNDERGROUND HYDRO NOTE REVISED	30/08/22	JC	MJD
2.	GARAGE IDENTIFIED	08/06/22	JZ	MJD
1.	AS PER TOWNSHIP OF DOURO-DUMMER COMMENTS (25/05/22)	26/05/22	JZ	MJD

BENCHMARKS

BM 1 ELEV. 224.784 (CGVD28:78)

BRASS CAP ON THE CONCRETE OF EAST SIDE OF LOCK 24.
BENCHMARK No. 72U414

LEGEND

- 100.00 — PROPOSED ELEVATION
- (100.00) — PROPOSED SWALE ELEVATION
- → — PROPOSED DRAINAGE
- 3R ▼ — PROPOSED NUMBER OF 200mm RISERS
- (100.00) — EXISTING SWALE ELEVATION
- * 100.00 — EXISTING ELEVATION TO REMAIN UNCHANGED

M.J. DAVENPORT
& ASSOCIATES LIMITED
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TEL. : (705) 745-6676
FAX : (705) 745-7326

PATERSON & CARRINGTON

4034 CENTRE ROAD, BOLTONS CORNERS
LOT 10 CONCESSION IX
TOWNSHIP OF DOURO
TOWNSHIP OF DOURO DUMMER
COUNTY OF PETERBOROUGH

REGISTERED PROFESSIONAL ENGINEER
M.J. DAVENPORT
22. 10. 12
PROVINCE OF ONTARIO

LOT SUMMARY

DESCRIPTION	REQUIRED	PROVIDED
MINIMUM LOT AREA	2,700 m²	2,795.85 m²
MINIMUM LOT FRONTAGE	0 m	0.00 m
MINIMUM FRONT YARD	6 m	6.47 m
MINIMUM INTERIOR SIDE YARD	6 m	6.00 m
MINIMUM EXTERIOR SIDE YARD	15 m	17.72 m
MINIMUM REAR YARD	15 m	16.46 m
MINIMUM WATER YARD	30 m	---
MINIMUM FLOOR AREA	100 m²	478.69 m²
MINIMUM FIRST STOREY FLOOR AREA	60 m²	478.69 m²
MAXIMUM LOT COVERAGE	15%	17.1%
MAXIMUM HEIGHT	9 m	8.84 m
MAXIMUM NUMBER OF DWELLINGS PER LOT	1	1

AREA SUMMARY

DESCRIPTION	AREA (sq.m)	COVERAGE (%)	BYLAW
DETACHED DWELLING AND ATTACHED DECK	478.69	17.1%	15.0%
ACCESSORY STRUCTURES	68.79	2.5%	5.0%
LANDSCAPE	2,248.37	80.4%	
TOTAL	2,795.85	100%	

SITE PLAN

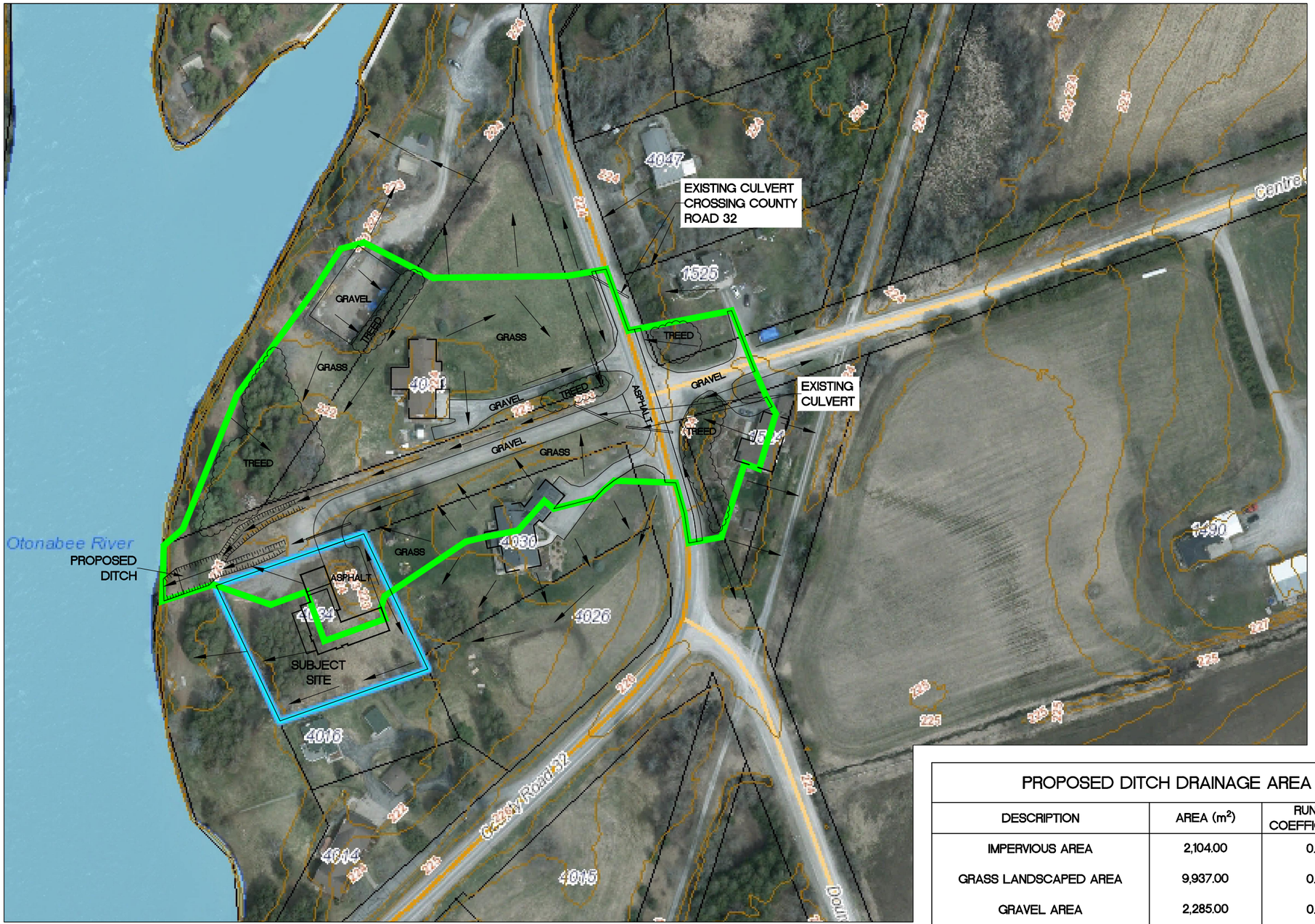
DESIGNED BY: M. J. DAVENPORT	SCALE: 1 : 400
DRAWN BY: J. ZHOU	
DATE: APRIL, 2021	DRWG. NO.: 5883-02B
PROJECT NO.: 21-D-5883	

NOTES:

1. THE WATERSHED AREA DIRECTED TO THE PROPOSED OUTLET DITCH IS BASED ON THE NATURAL TOPOGRAPHY OF THE LAND DETERMINED BY A TOPOGRAPHICAL SURVEY CARRIED OUT BY M.J. DAVENPORT + ASSOCIATES, A VISUAL FIELD INSPECTION AND FROM ONTARIO BASE MAPPING FROM THE COUNTY OF PETERBOROUGH GIS SYSTEM. THE PROPOSED GRADING OF THE PROJECT SITE WAS ACCOUNTED FOR IN THE WATERSHED AREA DETERMINATION.

SCALE 1 : 1500

50 0 50 100



PROPOSED DITCH DRAINAGE AREA SUMMARY

DESCRIPTION	AREA (m^2)	RUNOFF COEFFICIENT 'C'	COVERAGE (%)
IMPERVIOUS AREA	2,104.00	0.90	12.53
GRASS LANDSCAPED AREA	9,937.00	0.25	59.17
GRAVEL AREA	2,285.00	0.80	13.61
TREED AREA	2,467.00	0.25	14.69
TOTAL	16,793.00	0.41	100.00

KEY PLAN

NO.	REVISIONS	DATE	BY	APP'D

BENCHMARKS

BM 1 ELEV. 224.784 (CGVD2978)

BRASS CAP ON THE CONCRETE OF EAST SIDE OF LOCK 24.
BENCHMARK No. 72U414

LEGEND

- 100.00 PROPOSED ELEVATION
- (100.00) PROPOSED SWALE ELEVATION
- DRAINAGE
- DRAINAGE AREA BOUNDARY
- <100.00> EXISTING SWALE ELEVATION
- * 100.00 EXISTING ELEVATION TO REMAIN UNCHANGED

REGISTERED PROFESSIONAL ENGINEER
M.J. DAVENPORT
22. 10. 12
PROVINCE OF ONTARIO

M.J. DAVENPORT
& ASSOCIATES LIMITED
P.O. BOX 2452 STN MAIN, PETERBOROUGH, ONTARIO K9J 7Y8
TEL. : (705) 745-6676
FAX : (705) 745-7326

PATERSON & CARRINGTON

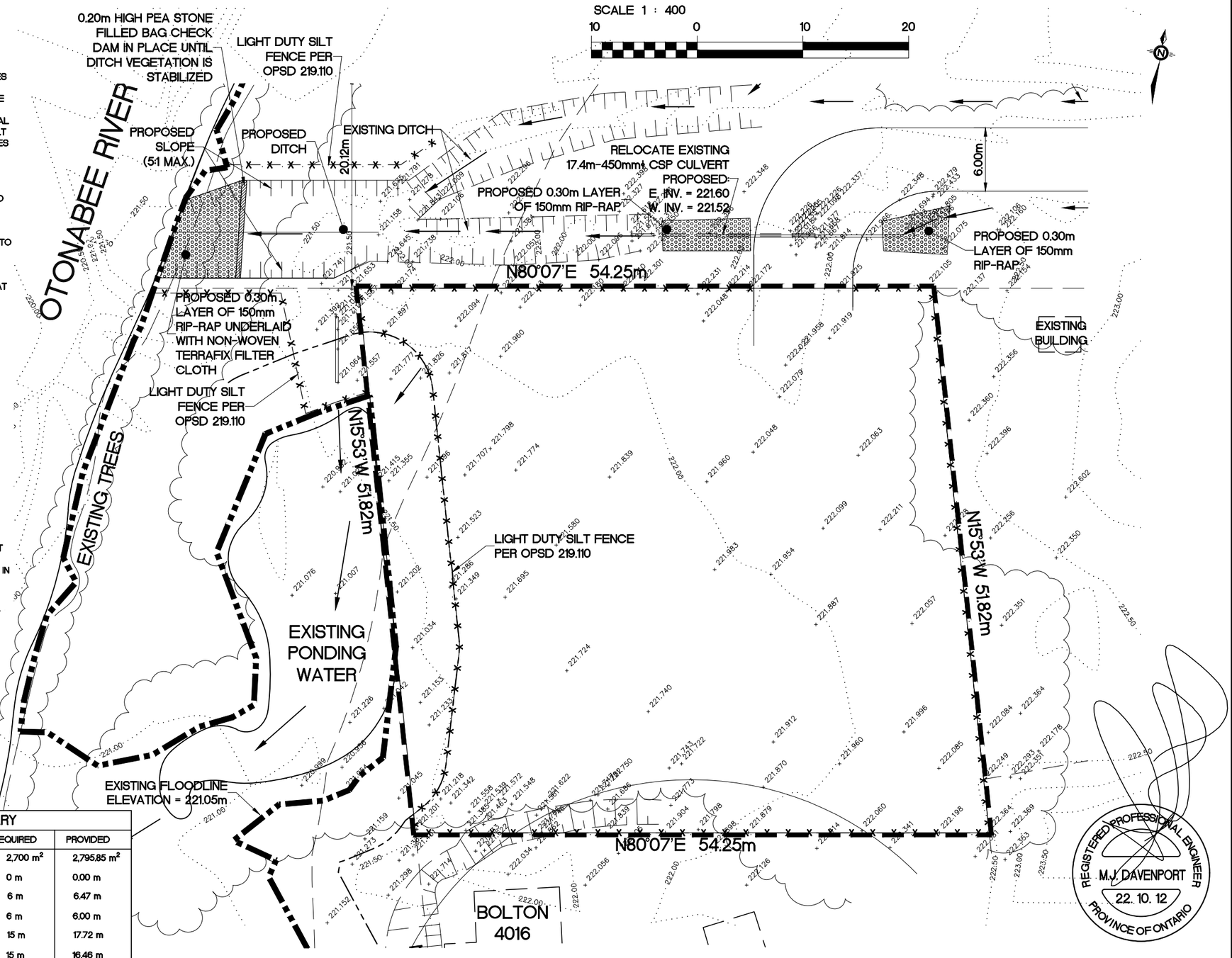
4034 CENTRE ROAD, BOLTONS CORNERS
LOT 10 CONCESSION IX
TOWNSHIP OF DOURO
TOWNSHIP OF DOURO DUMMER
COUNTY OF PETERBOROUGH

DRAINAGE AREA PLAN

DESIGNED BY: M. J. DAVENPORT	SCALE: 1 : 1500
DRAWN BY: J. CLARK	
DATE: OCTOBER, 2022	DRWG. NO.: 5883-03
PROJECT NO.: 21-D-5883	

NOTES:

1. DRAINAGE SHALL BE SELF-CONTAINED ON SITE BY THE CONSTRUCTION OF SWALES OR DRAIN TO A PROTECTED OUTLET. DRAINAGE SHALL NOT IMPACT ADJACENT PROPERTIES.
2. SEDIMENT AND EROSION CONTROL MEASURES SHALL BE IMPLEMENTED TO PREVENT MIGRATION OF SILT AND SEDIMENT FROM THE SUBJECT LOT TO ANY ADJACENT LOT, INCLUDING MUNICIPAL RIGHT-OF-WAY. SPECIAL CARE SHALL BE TAKEN TO ENSURE THAT SILT AND SEDIMENT LADEN SURFACE WATER DOES NOT ENTER ANY WATERCOURSES OR ENVIRONMENTALLY SENSITIVE AREA, EITHER OVERLAND OR THROUGH THE STORM DRAINAGE SYSTEM. THE OWNER/BUILDER SHALL COMPLY WITH ALL DIRECTIVES ISSUED BY ANY OF THE ENVIRONMENTAL AGENCIES.
3. INTERIM GRADING MEASURES MAY BE REQUIRED DURING BUILDING CONSTRUCTION TO ENSURE THAT DRAINAGE DOES NOT ADVERSELY AFFECT THE NEIGHBORING PROPERTIES. ROUGH GRADING OF THE PROPERTY SHALL BE COMPLETED SUCH THAT DRAINAGE IS CONTAINED ON SITE OR CONTROLLED TO A PROTECTED OUTLET.
4. THE OWNER/BUILDER IS RESPONSIBLE FOR OBTAINING UTILITY AND SERVICING LOCATES PRIOR TO ANY WORKS.
5. ALL DISTURBED AREAS ON SITE ARE TO BE SODDED OR SEEDED OVER A MINIMUM OF 150mm OF TOPSOIL OR APPROVED EQUIVALENT.
6. THE PROPOSED DRAINAGE DITCH, SIDE SLOPES AND DISTURBED AREA AROUND THE DRAINAGE DITCH SHALL BE HYDROSEEDED AFTER EXCAVATION AND SHAPING IS COMPLETED.
7. NO ELEVATIONS WILL BE LESS THAN 0.15m BETWEEN FINAL GRADE AND TOP OF FOUNDATION WALL.
8. THE SUBMISSION OF THIS PLAN REPRESENTS THAT OWNER HEREBY ACKNOWLEDGES THAT ANY GRADING CHANGES THAT OCCUR THROUGH THE CONSTRUCTION THAT RESULT IN ADVERSE EFFECTS TO EXISTING ADJACENT PROPERTIES WILL REQUIRE AN AS-CONSTRUCTED SITE GRADING PLAN.



0.25m (MIN.)
3:1 (MAX.)

TYPICAL SWALE SECTION

KEY PLAN

NO.	REVISIONS	DATE	BY	APP'D
2.	AS PER D.M. WILLS AND ORCA (04/10/22)	06/10/22	JC	MJD
1.	AS PER TOWNSHIP OF DOURO-DUMMER COMMENTS (25/05/22)	26/05/22	JZ	MJD

BENCHMARKS

BM 1 ELEV. 224.784 (CGVD28:78)

BRASS CAP ON THE CONCRETE OF EAST SIDE OF LOCK 24.
BENCHMARK No. 72U414

LEGEND

100.00	PROPOSED ELEVATION
(100.00)	PROPOSED SWALE ELEVATION
→	PROPOSED DRAINAGE
3R ▼	PROPOSED NUMBER OF 200mm RISERS
◇100.00◇	EXISTING SWALE ELEVATION
* 100.00	EXISTING ELEVATION TO REMAIN UNCHANGED

M.J. DAVENPORT
& ASSOCIATES LIMITED
P.O. BOX 2452 STN MAIN, PETERBOROUGH, ONTARIO K9J 7Y8
TEL. : (705) 745-6676
FAX : (705) 745-7326

PATERSON & CARRINGTON

4034 CENTRE ROAD, BOLTONS CORNERS
LOT 10 CONCESSION IX
TOWNSHIP OF DOURO
TOWNSHIP OF DOURO DUMMER
COUNTY OF PETERBOROUGH

LOT SUMMARY

DESCRIPTION	REQUIRED	PROVIDED
MINIMUM LOT AREA	2,700 m^2	2,795.85 m^2
MINIMUM LOT FRONTAGE	0 m	0.00 m
MINIMUM FRONT YARD	6 m	6.47 m
MINIMUM INTERIOR SIDE YARD	6 m	6.00 m
MINIMUM EXTERIOR SIDE YARD	15 m	17.72 m
MINIMUM REAR YARD	15 m	16.46 m
MINIMUM WATER YARD	30 m	---
MINIMUM FLOOR AREA	100 m^2	478.69 m^2
MINIMUM FIRST STOREY FLOOR AREA	60 m^2	478.69 m^2
MAXIMUM LOT COVERAGE	15%	17.1%
MAXIMUM HEIGHT	9 m	8.84 m
MAXIMUM NUMBER OF DWELLINGS PER LOT	1	1

AREA SUMMARY

DESCRIPTION	AREA (sq.m)	COVERAGE (%)	BYLAW
DETACHED DWELLING AND ATTACHED DECK	478.69	17.1%	15.0%
ACCESSORY STRUCTURES	68.79	2.5%	5.0%
LANDSCAPE	2,248.37	80.4%	
TOTAL	2,795.85	100%	

EROSION CONTROL PLAN

DESIGNED BY: M. J. DAVENPORT	SCALE: 1 : 400
DRAWN BY: J. ZHOU	
DATE: APRIL, 2021	DRWG. NO.: 5883-EC
PROJECT NO.: 21-D-5883	

October 28, 2022

Christina Coulter
Planner
Township of Douro Dummer
Warsaw, ON, K0L 3A0

Re: Revised 2nd Submission
File: Removing the Holding Symbol (R-17-21) and Site Plan Approval,
Carrington and Paterson,
4034 Centre Road, Douro Ward;
Roll# 1522 010 004 08100; ORCA Files: PPLD-2219 and PPLD-2220

Dear Christina Coulter,

The Otonabee Region Conservation Authority (Otonabee Conservation) has received the revised documentation related to circulated 2nd submission *Planning Act* application noted above.

The subject lands are currently zoned S.D. 190-H (Special District 190- Holding). The effect of this by-law amendment is to remove the Holding symbol and to allow for a new special provision to permit an increase in the maximum lot coverage to allow for the construction of a dwelling and accessory structures.

The purpose of the Site Plan application is to facilitate the registering of a site plan agreement on the property as a condition of the removal of the holding symbol.

Otonabee Conservation technical staff have reviewed the submitted documents:

- 'Scoped Environmental Impact Study (EIS)' prepared by Oakridge Environmental Ltd. (ORE Project #21-2979) October 2021
- 'Planning Report' prepared by Ron Davidson Land Use Planning Consultant Inc. dated December 13, 2021.
- 'Site Plan' (Drawing No. 5883-02B) prepared by M.J. Davenport & Associates Ltd. dated April 2021 Revision date October 6, 2022

- Response Letter - 4034 Centre Road (M.J. Davenport & Associates Ltd., April 14, 2022)

- 5883-02B Site Plan – 4034 Centre Road (M.J. Davenport & Associates Ltd., stamped & signed April 13, 2022) Revision date October 6, 2022
- 5883-EC Erosion Control Plan – 4034 Centre Road (M.J. Davenport & Associates Ltd., stamped & signed April 13, 2022) Revision date October 6, 2022

Site Grading Plan

The April 13, 2022 site grading plan has been found to be satisfactory by ORCA technical staff.

Otonabee Conservation's Interest in this application is four-fold:

1. *Otonabee Conservation has reviewed this application through our delegated authority from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS).*

   A review of the available information and the submitted site plan indicate that the flooding hazard of the Otonabee River abuts the western property line. **Therefore, it is the opinion of Otonabee Conservation that the application has demonstrated consistency with PPS 3.1.**

2. *The Authority has reviewed the application as a service provider to the Township of Douro Dummer, in that we provide technical advice on natural heritage matters through a Memorandum of Understanding.*

   A review of available mapping indicates the subject property is within 120 metres of the Otonabee River, a key hydrological feature (KHF). The VPZ includes the flooding hazard associated with this feature. The Site Plan demonstrates that all residential development is setback from the VPZ. ORCA staff recommend this setback is established in the Site Plan Agreement.

   Technical staff generally agree with the recommendations outlined in the EIS.
   Development and site alteration (including planting plan) should adhere to the recommendations (setbacks, ESC plan, timing windows) as illustrated on EIS Figure 7 and outlined in EIS Section 10.0. Rip Rap placement and the proposed ditching in the Right-of Way, are in keeping with the drainage plan to continue to direct overland drainage to the Otonabee River, and should be designed to the satisfaction of Douro-Dummer Township.

   Therefore, given the submission of above noted comments, it is the opinion of Otonabee Conservation that the application has demonstrated consistency with PPS 2.1, 2.2 and GPGGH 4.2.3 and 4.2.4.

3. *Otonabee Conservation has reviewed the application through a regulatory lens. Under Ontario Regulation 167/06, this Authority's 'Development, Interference with Wetlands and Alterations to Shorelines and Watercourses' regulation under Section 28 of the Conservation Authorities Act, any*

development, interference with or alteration within a flooding hazard, erosion hazard, watercourse, wetland and their adjacent lands/areas of interference requires a permit from the Authority. When an application is circulated under the Planning Act will also require an Otonabee Conservation permit, it is the practice of the Authority to establish the policy requirements of both processes during the planning stage.

The above property is subject to Ontario Regulation 167/06, Otonabee Conservation 'Development, interference with wetlands and alterations to shorelines and watercourses' regulation. **Permits from this agency will be required prior to any site alteration, construction, or demolition.**

4. *Otonabee Conservation has reviewed the application in terms of the Revised Trent Source Water Protection Plan (SPP), prepared under the Clean Water Act. The SPP, intended to protect Ontario's drinking water at its source, came into effect on January 1, 2015 and contains policies to protect sources of municipal drinking water supplies from existing and future land use activities.*

   The application was also reviewed in consideration of the SPP. It was determined that the subject property is located within an area that is subject to the policies contained in the SPP.
   Risk Management Official (RMO) that the subject property is situated within a Vulnerable Area for a municipal drinking water source. A notice has been issued from the RMO.

Please contact me if you have any further questions or concerns.

Best regards,

Matthew Wilkinson

Matthew Wilkinson
Planner

WILLS

PARTNERS IN ENGINEERING, PLANNING & ENVIRONMENTAL SERVICES

November 6, 2022

Township of Douro-Dummer
894 South Street, P.O. Box 92
Warsaw, Ontario
K0L 3A0

Attention: Christina Coulter, Planner

Dear Ms. Coulter,

Re: 4034 Centre Road – Site Plan Approval
Township of Douro-Dummer
Drainage and Grading Review – 5th Submission
D.M. Wills Project No. 88002

D.M. Wills Associates Limited (Wills) has been retained by the Township of Douro-Dummer to complete an Engineering Review of the proposed grading and drainage for the property located at 4034 Centre Road. The grading and drainage design is illustrated to the Site Plan and was provided to the Township in support of the proposed Site Plan Approval.

The following information was received and reviewed as part of the 3rd Submission Peer Review:

- Comment Response Letter, prepared by M.J. Davenport and Associates, dated October 12, 2022
- Revised Site Plan, prepared by M.J. Davenport and Associates Limited, dated October 4, 2022
- Revised Erosion Control Plan, prepared by M.J. Davenport and Associates Limited, dated May 26, 2022
- Drainage Area Plan, prepared by M.J. Davenport and Associates Limited, dated October 2022

All items were reviewed for the engineer review. A site visit was completed on March 3, 2022 and September 28, 2022.

D.M. Wills Associates Limited
150 Jameson Drive, Peterborough, Ontario, Canada K9J 0B9
P. 705.742.2297 F. 705.742.9744 E. wills@dmwills.com

Comments

Based on the information provided, all previous comments regarding the proposed Site Plan, Grading and Erosion Control design have been addressed. We have no additional comments at this time.

We trust that this information is suitable for your purposes. Please contact our office if you have any questions or require clarification.
Respectfully submitted,

Chris Proctor-Bennett, P.Eng.
Assistant Manager, Water Resources

CPB

The Corporation of the Township of Douro-Dummer

By-law Number 2022-55

Being a By-law to Authorize the Execution of an Agreement with Kathryn Carrington and David Paterson (the Owners) and The Corporation of the Township of Douro-Dummer and to Repeal By-law Number 2014-17

(Roll No. 010-004-08100)
(Level of Municipal Services and Access)

Whereas the Township of Douro-Dummer deems it necessary to comply with Section 7.11.3 of the County of Peterborough Official Plan;

And Whereas Section 23 of the Municipal Act, 2001 authorizes a municipality to enter into agreements respecting private services;

And Whereas Section 2 of the Drainage Act authorizes one or more owners of land to enter into a mutual agreement for the construction and maintenance of drainage works;

And Whereas Section 21,190.2.2 of By-law No. 10-1996, as amended requires that a Level of Municipal Services and Access Agreement be entered into as a condition of removal of the Holding provision attached to the Special District 190 Holding Zone (S.D. 190-H);

Now Therefore the Council of The Corporation of the Township of Douro-Dummer enacts as follows:

1. **That** the Corporation of the Township of Douro-Dummer enter into an Agreement with Kathryn Carrington and David Paterson being the the Owners of property at Roll No. 1522-010-004-08100 and more particularly described as 4034 County Road 32, Part of Lot 10, Concession 9 Douro as in R688890; Douro-Dummer, being all of PIN 28177-0123 (LT), which shall be attached to this By-law as Appendix 'A' and forming part of this By-law; under the terms and conditions contained therein.

2. **That** a certified copy or duplicate of this By-law be registered by the Clerk in the Peterborough Land Registry Office (No. 45).

3. **That** this By-law shall come into full force immediately on the date that it is registered in accordance with Section 2 of this By-law.

4. That By-law 2014-17 be hereby repealed effective on the registration of this By-law by the Clerk in the Peterborough Land Registry Office (No. 45).

5. **That** the Mayor and the Acting Clerk be and are hereby authorized and directed to execute that certain Agreement and affix the Corporate Seal thereto.

Passed in open council this 6th day of December, 2022.

_____
Mayor, Heather Watson

_____
Acting Clerk, Martina Chait-Hartwig

ROAD ALLOWANCE AGREEMENT

THIS AGREEMENT made this _____ day of_____, 2022.

B E T W E E N:

KATHRYN CARRINGTON and DAVID PATERSON

Hereinafter called the "OWNERS"

OF THE FIRST PART

- and -

THE CORPORATION OF THE TOWNSHIP OF DOURO-DUMMER

Hereinafter called the "TOWNSHIP"

OF THE SECOND PART

-and-

WHEREAS the Owners have submitted an application to the Township for Site Plan Approval to construct a new single detached dwelling on the lands described on Schedule "A" attached hereto (the "Subject Lands");

AND WHEREAS the Township previously entered into an Agreement with former owners of the Subject Lands in 2014 (the "2014 Agreement") relating to the use of the unopened road allowance described on Schedule "B" attached hereto for the construction of a driveway to provide vehicular and pedestrian access to the Subject Lands;

AND WHEREAS some additional drainage works in connection with the proposed Site Plan are required to be completed by the Owners on the Township's unopened road allowance;

AND WHEREAS the Owners and Township are desirous to have one Agreement to govern all works benefitting the Subject Lands which are situated on the Township's unopened road allowance.

AND WHEREAS the Owners and the Township have agreed to set out and to be bound by the terms and conditions contained in this Agreement.

NOW THEREFORE BE IT RESOLVED that in consideration of mutual covenants hereinafter set out, the parties hereto agree as follows:

1. The recitals are true in fact and substance.

2. The Owners represent and warrant that they are the registered owners of the lands hereinafter described on Schedule "A" hereto.

3. The Township represents and warrants that it is the registered owner of the unopened road allowance lands hereinafter described on Schedule "B" hereto.

4. The Owners and Township agree that the 2014 Agreement between the Township and Terry and Ruth Hunter is hereby rescinded.

5. The Owners and Township are executing this Agreement in satisfaction of section 2 of the *Drainage Act*, R.S.O. 1990, c. D.17.

6. The Owners agree to take all actions, undertake all works and pay all associated expenses in reference to the construction and/or improvements to the driveway, ditching and check dam (the "road allowance works") required to service the new single detached dwelling on the Subject Lands. The Owners further acknowledge that they will be fully responsible for all continuing maintenance requirements relating to the driveway, ditching and check dam that the Township shall not be responsible for any maintenance or liability for the road allowance works.

7. The Owners shall not undertake any action to construct or open up the Township's unopened road allowance in any manner. At no time shall any cars be parked upon the unopened road allowance.

8. The Owners shall undertake no act to encumber the said unopened road allowance.

9. Nothing in this Agreement precludes the Township from undertaking any action, legal or otherwise, which would open the unopened road allowance, and have same made available for use as a public highway. In the event that the Township decides to open up the said road allowance and incorporate same into the Township road system as a public highway, this Agreement shall be at an end.

10. The Owners shall not be permitted to undertake any road allowance works until a Site Plan Agreement has been executed to the satisfaction of the Township with respect to the Subject Lands (the "Site Plan Agreement").

11. In reference to the completion of the road allowance works, the Owners shall:

    (a) Obtain and satisfy requisite permit requirements from the Otonabee Region Conservation Authority ("ORCA");
    (b) Notify the Clerk of the Township in writing at the commencement of any works on the Township's unopened road allowance in completion of the terms and conditions of this Agreement;
    (c) Prior to commencing construction activities, the Owners' contractor shall provide the Township Clerk with a public liability insurance policy with limits of no less than $2,000,000.00 per occurrence in which the Township is to be a named insured. In addition, the contractor shall provide a current Certificate from the Workers Safety Insurance Board confirming that the contractor is in good standing and a

completed Declaration of Accessibility Compliance Form;

(d) Arrange for their Engineer to keep the Manager of Public Works of the Township aware of aspects in reference to the construction schedule, and periodically review with the Manager of Public Works the nature and progress of the completion of the said works;

(e) Provide notification for a final inspection upon completion of the road allowance works, which notice shall be provided to the Township Clerk and to the Manager of Public Works for the Township and to ORCA;

(f) Upon notification of the final completion of the road allowance works, the Manager of Public Works shall undertake an inspection and advice of any specific concerns with respect to the road allowance works in accordance with the Site Plan for the Subject Lands;

(g) Upon completion of the road allowance works, the Engineer employed by the Owners shall provide certification to the Township that the road allowance works have been completed pursuant to the approved plans attached to the Site Plan Agreement.

12. The Owners acknowledge that the unopened road allowance is not now maintained by the Township.

13. The Owners acknowledge that there is no obligation upon the Township to maintain the unopened road allowance providing access to the Subject Lands subsequent to the construction of buildings or subsequent improvement to existing buildings on the Subject Lands.

14. The Owners specifically covenant and agree to accept the existing level of services as being adequate and acceptable.

15. The Owners and Township agree that the estimated cost of the road allowance works are contemplated and set forth in the Site Plan Agreement and the Owners shall supply the required security to the Township pursuant to that Agreement.

16. The Owners shall reimburse the Township for all of its legal, planning and engineering fees incurred by it with respect to this Agreement and the development contemplated herein. Without limiting the generality of the foregoing, the Owners acknowledge that this agreement shall be registered on title to the Subject Lands by the Township. Fees shall be payable by the Owners on receipt of a billing from the Township.

17. This Agreement shall be binding upon the heirs, successors and assigns of the Owners. It is herein specifically acknowledged and agreed by the Owners that they shall provide actual notice of the subject Agreement to any potential purchaser, and shall also provide actual notice of the same to any real estate broker or agent that they might utilize in reference to the potential sale of the Subject Lands.

18. The parties hereto acknowledge that they have read, understood, and obtained independent legal advice in reference to this Agreement and its terms and conditions.

19. Any notice required to be given pursuant to this Agreement shall be in writing and sent

prepaid registered mail, or personally delivered, to the other party at the following address:

(a) Notice to the Owners shall be addressed to:
Kathryn Carrington and David Paterson
1152 Scollard Road,
Peterborough, ON K9H 0A7

(b) Notice to the Township shall be addressed to:
The Corporation of the Township of Douro-Dummer
894 South Street, P.O. Box 92
Warsaw, ON K0L 3A0

20. Nothing in this Agreement shall relieve the Applicants or Owner from compliance with all applicable municipal by-laws, laws and/or regulations or laws and/or regulations established by any other governmental body which may have jurisdiction over the lands identified on Schedule "A" and Schedule "B".

21. This Agreement shall be construed in accordance with the laws of the Province of Ontario.

22. Should any provision of this Agreement be found to be invalid by a Court of competent jurisdiction that provision shall be severable from the remainder of this Agreement and the remainder of this Agreement shall remain in full force and effect.

IN WITNESS WHEREOF the parties have hereunto set their respective hands and seals.

SIGNED, SEALED & DELIVERED)

_____
Kathryn Carrington

_____
David Paterson

THE CORPORATION OF THE TOWNSHIP OF DOURO-DUMMER

Per:_____
Heather Watson, Mayor

_____
Martina Chait-Hartwig, Acting Clerk
We have the authority to bind the Corporation.

SCHEDULE “A’

Lands owned by Owners

PT LT 10 CON 9 DOURO AS IN R688890; DOURO-DUMMER, being all of PIN 28177-0123 (LT).

SCHEDULE "B"

Lands owned by Township

RDAL BTN LOTS 10 & 11 CON 9 DOURO; DOURO-DUMMER being part of PIN 28182-0091 (LT).

Recommendations:
That the Planning Department-2022-08 report, dated September 6, 2022, regarding Zoning By-law Amendment – File: R-17-21 be received; and
That Council receive all comments related to Zoning By-law Amendment File: R-17-21 (Paterson and Carrington); and
That the By-law to enact the amendment be brought forward to a future Council meeting for consideration.

Overview:
On behalf of the property owners David Paterson and Kathryn Carrington, their Agent, Ron Davidson Land Use Planning Consultant Inc., has applied to remove the Holding symbol and amend the zoning of their property located at 4034 Centre Road/County Road 32, being Roll No. 1522-010-004-08100.

The property is an existing vacant lot of record and is currently zoned the Special District 190 - Holding Zone (S.D. 190-H). The effect of the proposed Zoning By-law Amendment is to remove the Holding symbol and to allow for a new special provision to permit an increase in the maximum lot coverage to allow for the construction of a dwelling and accessory structures.

A copy of the draft By-law is attached to this Report.

A pre-consultation was held on June 15, 2021 and the following documents and studies were identified in support of the rezoning application:

- An Application for Site Plan Approval and a Site Plan Agreement be entered into between the Owners and the Municipality;
- A Municipal Services Agreement be entered into between the Owners and the Municipality;
- An Environmental Impact Statement (EIS);
- A Restricted Land Use Notice under Section 59 of the Clean Water Act;
- An Archaeological Assessment; and
- A Planning Report/Analysis.

The rezoning and site plan approval applications were received in December 2021 and Notice of Complete Application was provided on January 19th, 2022. The 'complete' applications included the following documents:

- A Site Plan prepared by M.J. Davenport & Associates Ltd., Drwg. No. 5883-02B, dated April, 2021;
- A Scoped Environmental Impact Study (sEIS) prepared by Oakridge Environmental Ltd. (ORE), dated October 2021;
- Restricted Land Use Notices issued under Section 59 of the Clean Water Act (attached to this Report);

- A Stage 1 Archaeological Assessment including a First Nation Engagement Component prepared by York North Archaeological Services Inc. (YNAS), dated August 18, 2021; and
- A Planning Report/Analysis prepared by Ron Davidson Land Use Planning Consultant Inc., dated December 13, 2021.

In 2014, the Township entered into a Municipal Services Agreement with the previous owners of the Property, Terry and Ruth Hunter. The Agreement outlined the terms under which the driveway was to be constructed and the responsibility for any maintenance/liability. The Agreement was authorized through By-law No. 2014-17. The Agreement is binding upon the heirs, successors and assigns of the Property Owners (Section 14 of the Agreement) and therefore, it is not necessary for the current owners to enter into a separate Municipal Services Agreement.

A copy of By-law No. 2014-17 and the Agreement are attached to this Report.

Confirmation that the road/driveway, which is located on the Municipal road allowance, was constructed to the satisfaction of the Township and was provided to Ruth Hunter in correspondence dated January 12, 2015 via the refunding of the balance of the original deposit referred to in Section 12 of the Agreement.

Conformity to Provincial Policy Statement (PPS) and A Place to Grow, Growth Plan for the Greater Golden Horseshoe (Growth Plan):
The subject property is within 120 metres of the Otonabee River, a key hydrologic feature within the context of the Growth Plan. In accordance with Policies 2.1, 2.2 and 3.1 of the PPS and Section 4.2.4 of the Growth Plan, an Environmental Impact Study was required.

As noted above, a sEIS was prepared in support of the Application. The sEIS concluded that a building permit could be obtained, provided the recommended mitigation measures be included in the Site Plan and Planting Plan, and that a Mitigation Measures Agreement (or similar) be entered into between the Owners and the Township (S. 10.6).

In correspondence dated February 18, 2022, the Otonabee Region Conservation Authority (ORCA) reviewed the sEIS and indicated that the Application has demonstrated consistency with Policy 3.1 of the PPS relating to natural hazards. Further, the Application has demonstrated consistency with Policies 2.1 and 2.2 of the PPS relating to natural heritage and water and Sections 4.2.3 and 4.2.4 of the Growth Plan relating to key hydrologic features, key hydrologic areas and key natural heritage features and lands adjacent to key hydrologic features and key natural heritage features.

While the rezoning application has demonstrated consistency with the PPS and conformity to the Growth Plan, ORCA Staff outlined a number of comments specific to the Site Plan and Planting Plan. These comments, together with the sEIS recommendation that a Mitigation Measures Agreement (or similar) be entered into between the Owners and the Township will need to be addressed prior to Site Plan Approval.

A copy of ORCA's correspondence is attached to this Report.

The subject property was flagged for having archaeological potential due to the proximity (within 300 metres of a water source). As noted above, a Stage 1 Archaeological Assessment was prepared by YNAS in support of the Application. The Archaeological Assessment concluded that significant intensive disturbance over the entire property had occurred and the potential of finding archaeological resources has been completely removed (S. 4.0). As a result, no further archaeological assessment was required.

The archaeological assessment and recommendations have also been reviewed by Curve Lake First Nation (CLFN), and in correspondence dated August 23, 2021 to YNAS, CLFN agreed with the findings and that no further assessment was required. CLFN indicated they had no further concerns, questions or comments. A copy of the CLFN correspondence is attached to this Report.

Upon the circulation of the Notice of Public Meeting, CLFN did request an opportunity to undertake additional screening of some of the material still on-site in the hope of "salvaging" any cultural heritage materials that may still be in the pile. The CLFN request has been forwarded to the Owners to follow-up with CLFN directly should they wish to allow further screening of the on-site materials.

In correspondence dated October 2, 2021, the findings of the archaeological assessment were accepted by the Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI). A copy of the MHSTCI correspondence is attached to this Report.

In this regard, the Application has also demonstrated consistency with Policy 2.6 of the PPS as it relates to cultural heritage and archaeology.

Conformity to Official Plan:
The subject lands are designated Rural and subject to site specific policies contained in Section 6.2.2.11 (d)(vi) as identified on Schedule 'A4-1' to the Township Official Plan.

The site specific polices were developed through Official Plan Amendment No. 14 in order to permit the development of a permanent single detached dwelling on an undersized lot which fronts onto an unopened/unassumed Municipal road allowance.

Development of the property is subject to a Site Plan and Site Plan Agreement to the satisfaction of the Township (S. 6.2.2.11 (d)(vi)).

A draft Site Plan Agreement has been prepared and is attached to this Report. The Site Plan has been peer reviewed by the Township's peer review consultant, D.M. Wills. from both the Engineering and Planning disciplines. A total of three submissions were presented to D.M. Wills. The final submission included:

- Revised Application to Amend Zoning By-law 10-1996;
- Comment Response Letter, prepared by Ron Davidson, dated June 8, 2022;
- Site Plan prepared by M.J. Davenport & Associates Ltd., Drwg. No. 5883-02B, dated April, 2021 and Revised May 26, 2022;
- Erosion Control Plan, prepared by M.J. Davenport and Associates Ltd., Drwg. No. 5883-EC, dated April, 2021 and Revised May 26, 2022;
- Conceptual Landscape Site Plan, Drwg. No. CL-1, prepared by M.J. Davenport and Associates Ltd. and Michael E. McGuire, Landscape Architect, dated June 18, 2022

Copies of the above are attached to this Report.

In correspondence dated June 30, 2022, D.M. Wills identified that all previous comments relating to the Engineering peer review component have been addressed. A copy of the June 30, 2022 D.M. Wills correspondence is attached to this Report.

In correspondence dated July 4, 2022, D.M. Wills identified that all previous comments regarding the Planning peer review component have been addressed. A copy of the July 4, 2022 D.M. Wills correspondence is attached to this Report.

With the successful registration of the Site Plan Agreement, Application R-17-21 will comply with the Township Official Plan.

Comments:

- Enbridge Gas Inc.: No objections to the application.
- KPRDSB: No concerns or issues related to their mandate.
- Dean Bolton, 4030 County Road 32: Objection to the initial Site Plan. Request for additional information and to be notified of all meetings pertaining to the Applications.

Conclusion:

Concerns with the Application were raised by the Owners of 4030 County Road 32. The issues were identified as early as the public meeting for OPA No. 14 (October 15, 2013). Specifically, issues were identified as they relate to drainage from the subject property onto adjacent properties and the request for the installation of underground hydro from County Road 32 to the subject property.

The Revised Site Plan, prepared by M.J. Davenport and Associates Limited, dated May 26, 2022, indicates that proposed drainage shall not impact adjacent properties and shall be contained on site or controlled to a protected outlet (Notes 1 and 3). The Township peer review consultant, D.M. Wills, has provided acceptance of the Revised Site Plan.

With respect to the request for the installation of underground hydro, the May 26, 2022 Revised Site Plan did not include any information regarding this utility. Township Staff requested that the underground hydro be noted on the Site Plan and a revised Site Plan prepared by M.J. Davenport & Associates Ltd., Drwg. No. 5883-02B, dated April, 2021 and Revised August 30, 2022 noting this requirement was received and is attached to this Report. The Revised Site Plan also identifies the attached garage being Revision No. 2, dated 08/06/22.

At this time, Township Staff are recommending that the By-law to enact the amendment be brought forward to a future Council meeting for consideration. This will provide Staff time to ensure the Site Plan captures comments related to the installation of hydro; to address and incorporate the mitigation measures recommended by the sEIS; and to fulfill the Site Plan Agreement, which is necessary to remove the Holding (H) Symbol from the S.D. 190 Zone.

Financial Impact:
All costs related to the application for a Zoning By-law Amendment are the responsibility of the owner.

Strategic Plan Applicability: N/A

Sustainability Plan Applicability: N/A

Report Approval Details

Document Title:	Staff Report regarding Zoning By-law Amendment R-17-21 - Paterson and Carrington.docx
Attachments:	- R-17-21 - Draft By-law.pdf - PPLD-2019 and PPLD-2220 ORCA (February 18, 2022) -4034 Centre Road.pdf - Curve Lake Sign-off P156-0323-2021 Archaeological Assessment (August 23, 2021).pdf - ENTERED INTO REGISTER Archaeological Report for P156-0323-2021 (003).pdf - R-17-21 - Revised ZBA Application - Redacted.pdf - 1 June 8, 2022 letter.pdf - 3 Erosion Control Plan (R-17-21) (May 26, 2022).pdf - 6 Revised Landscape Plan (CL-1) (June 18, 2022).pdf - 4 Revised Site Plan (May 26, 2022).pdf - DM Wills - 88002 - 4034 Centre Road - 3rd Sub Engineering Review - June 30 2022.pdf - DM Wills -88002 - 4034 Centre Road - Third Planning Review - July 2022.pdf - 7 2021-D023-N2a (Source Water Zoning).pdf - 8 2021-D024-N2a (Source Water Site Plan).pdf - By-law No. 2014-17 (Constructed Roadway Agreement).pdf - Site Plan 5883-02B-August30-2022 (hydro notation).pdf - Carrington-Patterson - Draft Site Plan Agreement.pdf
Final Approval Date:	Aug 30, 2022

This report and all of its attachments were approved and signed as outlined below:

Martina Chait-Hartwig

Elana Arthurs

Township of Douro-Dummer

Report to Council
Re: Public Works-2022-20
From: Jake Condon
Date: December 6, 2022
Re: Supply and Delivery of Winter Sand

Recommendation:
That the Public Works-2022-20 report, dated December 6, 2022, regarding the Supply and Delivery of Winter Sand be received and that RFT be awarded to Drain Bros. Excavating.

Overview:
The Township of Douro-Dummer was part of a coordinated tender T-20-2022 with the County of Peterborough and other local municipalities in order to secure the best price for the supply and delivery of winter sand. Three submissions were received from Drain Bros. Excavating, Kawartha Capital Construction and Lunar Contracting for the Township's winter sand requirements.

The table below outlines the tender costs received.

Company	Price per Tonne
Lunar Contracting	$114.00
Kawartha Capital	$19.15
Drain Bros. Construction	**$14.10**

Conclusion:
Township staff reviewed the RFT document, following which it was issued, and proposals were received by the County, then forwarded to the participating lower-tier municipalities. Of the proposal received, Drain Bros. Excavating is the lowest tender based on the specifications that were requested. The contract is one (1) year with the option to renew for two (2) additional one (1) year terms.

Financial Impact:
Funded through the winter maintenance operational budget.

Strategic Plan Applicability:
To ensure that the public works department operates efficiently and effectively.

Sustainability Plan Applicability:
N/A

Report Approval Details

Document Title:	Supply and Delivery of Winter Sand.docx
Attachments:	
Final Approval Date:	Nov 30, 2022

This report and all of its attachments were approved and signed as outlined below:

Martina Chait-Hartwig

Elana Arthurs

Recommendations:
That the C.A.O.-2022-32 report, dated December 6, 2022 regarding the Township COVID Vaccination Policy be received; and
That Council provide direction to Staff on any changes requested to the existing COVID Vaccination Policy.

Overview:

The mandatory COVID Vaccination Policy was adopted by Council in September 2021 for all Township employees and volunteers in order to provide a safe work environment. The policy reflected public health advice at that time to keep staff and the public protected and to slow the spread of the virus. Township Staff committed, from the outset, that it would continually review this policy, which would be based on science and evidence. Council has been provided with formal staff reports as well as updates via email sent by Peterborough Public Health and Savino Human Resources Partners (SHRP). The most recent report was provided to Council on October 4, 2022 and the following Resolution was adopted;

> COVID Vaccination Policy Review, C.A.O.-2022-31
>
> **Resolution Number 310-2022**
>
> Moved by: Councillor Watt
> Seconded by: Councillor Landsmann
>
> That the report, dated October 4, 2022 regarding COVID Vaccination Policy Review be received for information and brought back by end of December 2022. Carried

Now, with the high percentage of the public, with at least two doses of COVID-19 Vaccine, some science and public health guidance along with medical expert advice throughout the Province, it is being suggested that a policy may no longer be necessary. The Provincial and Federal Governments have lifted the requirement for their employees to be vaccination. The City of Toronto has also removed the vaccine mandate and will be allowing those employees on leave to return to work as of December 1st.

Should Council wish to take a similar approach, township Staff will continue to closely monitor evolving public health information and the COVID-19 situation to protect the health and safety of its employees. As an employer we will also continue to meet our obligations under the Occupational Health and Safety Act to take every precaution reasonable to protect employees from workplace hazards, including COVID-19.

Conclusion:
Council is being requested to review the report and the information included and provide direction to staff on the future of the COVID Vaccination Policy.

Financial Impact:
There is no direct financial impact to this report.

Strategic Plan Applicability:
To ensure and enable an effective and efficient municipal administration.

Report Approval Details

Document Title:	Township COVID Vaccination Policy .docx
Attachments:	
Final Approval Date:	Nov 30, 2022

This report and all of its attachments were approved and signed as outlined below:

Elana Arthurs

Re: DRAFT - Report to Council - Committee Appointments & Portfolios
From: Heather Watson, Mayor
Date: December 6, 2022

Recommendation:
That the report be received and that the following appointments be made:
Mayor Watson - Police Services Board and Arena Facilities Future Ad-Hoc Committee
Deputy Mayor Nelson - Committee of Adjustment/ Planning Committee and Short-Term Rentals
Councillor At Large Watt – Township of Douro-Dummer Public Library Board
Councillor Dummer Ward – Otonabee Region Conservation Authority Board

Overview:
With a new Council in place, we have a number of committees that require the appointment of Councillors. It is the responsibility of the Mayor to make these appointments unless the Terms of Reference state otherwise.

This report sets out to address the committees that we are currently required to appoint members to. As we will be conducting a Strategic Plan in the coming months, it is expected that there will be additional committee appointments to make once Council has established our collective priorities.

As a new addition, I am suggesting that we create portfolios so that Council members can be actively involved in relative committees, issues and events related to their portfolios. Council members will be able to report on their activities at Committee of the Whole meetings.

Council Member	**Portfolios**	**Committees**
Mayor Watson	Infrastructure & Emergency Management Business, Growth & Development	Police Services Board Arena Facilities Future Ad-Hoc Committee
Deputy Mayor Nelson	Housing	Committee of Adjustment Planning Committee Short Term Rentals

Councillor Watt	Heritage, Culture & Diversity	Township of Douro-Dummer Public Library Board
Councillor Johnston	Recreation, Seniors & Health	N/A
Councillor Vervoort	Environment & Sustainability	Otonabee Region Conservation Authority

Conclusion:
There are a number of Boards and Committees that Council members need to be appointed to. These committees will be further reviewed once Council's Strategic Plan is complete and additional appointments will be made at that time.

Furthermore, the creation of portfolios will allow Councillors to be actively involved in issues related to their respective portfolio and will have an opportunity to report on their work at Committee of the Whole. The portfolio process will be further reviewed as part of the Strategic Plan process.

Financial Impact: N/A

Strategic Plan Applicability: N/A

Framework for Council Portfolios

December 6, 2022

New for the 2022-2026 Term of Council will be the introduction of municipal portfolios for each member of Council.

Purpose:

The purpose of the municipal portfolio program is to provide opportunities for members of Council to apply their skills and efforts on specific spheres of municipal business. The portfolio program will also create an efficient and equitable way to share the duties of Council.

Responsibilities:

Members of Council who have been assigned a municipal portfolio shall have the following responsibilities:

- To inform yourself and conduct research on issues related to your portfolio;
- To be an ambassador at related events on behalf of a Council in the Mayor's absence or at the request of the Mayor;
- To provide a report to the Committee of the Whole on activities and initiatives related to your portfolio, reports must be received by the Clerk as per the Procedural By-law;
- To work with other levels of government, area boards and relevant stakeholders to build partnerships through direction of Council;
- To sit on boards and committees related to your portfolio as appointed by either the Mayor or Council;

Note: The portfolio system is a new introduction and via the Strategic Plan and best practices this framework will be updated and presented to Council.

Minutes of the Township of Douro-Dummer Planning Committee Meeting

October 20, 2022, 9:00 AM
Township Douro-Dummer YouTube Channel
https://www.youtube.com/channel/UCPpzm-uRBZRDjB89o2X6R_A

Member Present: **Chair, Deputy Mayor - Karl Moher**
Member - Wendy Dunford
Member - Jim Patterson
Member - Jim Mollohan
Member - Rod Manley

Staff Present: **Acting Clerk - Martina Chait-Hartwig**
Planner - Christina Coulter

1. Call to Order by Chair:

   The Chair called the meeting to order at 9:03 a.m.

2. Disclosure of Pecuniary Interest:

   The Chair reminded members of their obligation to declare any pecuniary interest they might have. None were declared.

3. Approval of Minutes:

   3.1 Planning Committee Minutes - September 23, 2022

   Moved By: Jim Patterson
   Seconded By: Jim Mollohan

   That the Minutes from the Planning Committee Meeting, held on September 23, 2022, be received and approved, as circulated.

   Carried

4. Severance Application:

4.1 B-106-22, Newman, Planning Department -2022-08

Moved By: Rod Manley
Seconded By: Jim Patterson

That it be recommended to Council that Severance Application B-106-22 for Eleanor Newman be supported, and if approved by the Peterborough County Land Division Committee that the following Township conditions be imposed:

- That a Merger Agreement be entered into between the Transferor, Transferee and municipality, pursuant to Section 51(26) and Section 53(12) of the Planning Act R.S.O. 1990, and registered on title to merge the severed parcel with the abutting land identified by property Roll No. 1522-020-003-06400, such that these 2 parcels shall be considered as one lot and shall not be dealt with separately or the solicitor for the applicant is to provide an undertaking, whereby they inform the Land Division Committee, in writing, that the lands are being conveyed to an abutting property.
- That a $250 Merger Agreement Fee be paid to the Township.
- That the frontage of the severed parcel be reduced from 6.5 metres to 4 metres and the rear lot line be increased from 6.5 metres to 7.5 metres in accordance with the comments received from Peterborough County E & D. Carried

6. Adjournment:

Moved By: Rod Manley
Seconded By: Jim Mollohan

That this meeting adjourn at 9:21 a.m.

Carried

_____

Chair, Karl Moher

_____

Secretary, Martina Chait-Hartwig

The Corporation of the Township of Douro-Dummer

By-law Number 2022-55

Being a By-law to Authorize the Execution of an Agreement with Kathryn Carrington and David Paterson (the Owners) and The Corporation of the Township of Douro-Dummer and to Repeal By-law Number 2014-17

(Roll No. 010-004-08100)
(Level of Municipal Services and Access)

Whereas the Township of Douro-Dummer deems it necessary to comply with Section 7.11.3 of the County of Peterborough Official Plan;

And Whereas Section 23 of the Municipal Act, 2001 authorizes a municipality to enter into agreements respecting private services;

And Whereas Section 2 of the Drainage Act authorizes one or more owners of land to enter into a mutual agreement for the construction and maintenance of drainage works;

And Whereas Section 21,190.2.2 of By-law No. 10-1996, as amended requires that a Level of Municipal Services and Access Agreement be entered into as a condition of removal of the Holding provision attached to the Special District 190 Holding Zone (S.D. 190-H);

Now Therefore the Council of The Corporation of the Township of Douro-Dummer enacts as follows:

1. **That** the Corporation of the Township of Douro-Dummer enter into an Agreement with Kathryn Carrington and David Paterson being the the Owners of property at Roll No. 1522-010-004-08100 and more particularly described as 4034 County Road 32, Part of Lot 10, Concession 9 Douro as in R688890; Douro-Dummer, being all of PIN 28177-0123 (LT), which shall be attached to this By-law as Appendix 'A' and forming part of this By-law; under the terms and conditions contained therein.

2. **That** a certified copy or duplicate of this By-law be registered by the Clerk in the Peterborough Land Registry Office (No. 45).

3. **That** this By-law shall come into full force immediately on the date that it is registered in accordance with Section 2 of this By-law.

4. That By-law 2014-17 be hereby repealed effective on the registration of this By-law by the Clerk in the Peterborough Land Registry Office (No. 45).

5. **That** the Mayor and the Acting Clerk be and are hereby authorized and directed to execute that certain Agreement and affix the Corporate Seal thereto.

Passed in open council this 6th day of December, 2022.

_____
Mayor, Heather Watson

_____
Acting Clerk, Martina Chait-Hartwig

ROAD ALLOWANCE AGREEMENT

THIS AGREEMENT made this _____ day of_____, 2022.

B E T W E E N:

KATHRYN CARRINGTON and DAVID PATERSON

Hereinafter called the "OWNERS"

OF THE FIRST PART

- and -

THE CORPORATION OF THE TOWNSHIP OF DOURO-DUMMER

Hereinafter called the "TOWNSHIP"

OF THE SECOND PART

-and-

WHEREAS the Owners have submitted an application to the Township for Site Plan Approval to construct a new single detached dwelling on the lands described on Schedule "A" attached hereto (the "Subject Lands");

AND WHEREAS the Township previously entered into an Agreement with former owners of the Subject Lands in 2014 (the "2014 Agreement") relating to the use of the unopened road allowance described on Schedule "B" attached hereto for the construction of a driveway to provide vehicular and pedestrian access to the Subject Lands;

AND WHEREAS some additional drainage works in connection with the proposed Site Plan are required to be completed by the Owners on the Township's unopened road allowance;

AND WHEREAS the Owners and Township are desirous to have one Agreement to govern all works benefitting the Subject Lands which are situated on the Township's unopened road allowance.

AND WHEREAS the Owners and the Township have agreed to set out and to be bound by the terms and conditions contained in this Agreement.

NOW THEREFORE BE IT RESOLVED that in consideration of mutual covenants hereinafter set out, the parties hereto agree as follows:

1. The recitals are true in fact and substance.

2. The Owners represent and warrant that they are the registered owners of the lands hereinafter described on Schedule "A" hereto.

3. The Township represents and warrants that it is the registered owner of the unopened road allowance lands hereinafter described on Schedule "B" hereto.

4. The Owners and Township agree that the 2014 Agreement between the Township and Terry and Ruth Hunter is hereby rescinded.

5. The Owners and Township are executing this Agreement in satisfaction of section 2 of the *Drainage Act*, R.S.O. 1990, c. D.17.

6. The Owners agree to take all actions, undertake all works and pay all associated expenses in reference to the construction and/or improvements to the driveway, ditching and check dam (the "road allowance works") required to service the new single detached dwelling on the Subject Lands. The Owners further acknowledge that they will be fully responsible for all continuing maintenance requirements relating to the driveway, ditching and check dam that the Township shall not be responsible for any maintenance or liability for the road allowance works.

7. The Owners shall not undertake any action to construct or open up the Township's unopened road allowance in any manner. At no time shall any cars be parked upon the unopened road allowance.

8. The Owners shall undertake no act to encumber the said unopened road allowance.

9. Nothing in this Agreement precludes the Township from undertaking any action, legal or otherwise, which would open the unopened road allowance, and have same made available for use as a public highway. In the event that the Township decides to open up the said road allowance and incorporate same into the Township road system as a public highway, this Agreement shall be at an end.

10. The Owners shall not be permitted to undertake any road allowance works until a Site Plan Agreement has been executed to the satisfaction of the Township with respect to the Subject Lands (the "Site Plan Agreement").

11. In reference to the completion of the road allowance works, the Owners shall:

    (a) Obtain and satisfy requisite permit requirements from the Otonabee Region Conservation Authority ("ORCA");
    (b) Notify the Clerk of the Township in writing at the commencement of any works on the Township's unopened road allowance in completion of the terms and conditions of this Agreement;
    (c) Prior to commencing construction activities, the Owners' contractor shall provide the Township Clerk with a public liability insurance policy with limits of no less than $2,000,000.00 per occurrence in which the Township is to be a named insured. In addition, the contractor shall provide a current Certificate from the Workers Safety Insurance Board confirming that the contractor is in good standing and a

completed Declaration of Accessibility Compliance Form;

(d) Arrange for their Engineer to keep the Manager of Public Works of the Township aware of aspects in reference to the construction schedule, and periodically review with the Manager of Public Works the nature and progress of the completion of the said works;

(e) Provide notification for a final inspection upon completion of the road allowance works, which notice shall be provided to the Township Clerk and to the Manager of Public Works for the Township and to ORCA;

(f) Upon notification of the final completion of the road allowance works, the Manager of Public Works shall undertake an inspection and advice of any specific concerns with respect to the road allowance works in accordance with the Site Plan for the Subject Lands;

(g) Upon completion of the road allowance works, the Engineer employed by the Owners shall provide certification to the Township that the road allowance works have been completed pursuant to the approved plans attached to the Site Plan Agreement.

12. The Owners acknowledge that the unopened road allowance is not now maintained by the Township.

13. The Owners acknowledge that there is no obligation upon the Township to maintain the unopened road allowance providing access to the Subject Lands subsequent to the construction of buildings or subsequent improvement to existing buildings on the Subject Lands.

14. The Owners specifically covenant and agree to accept the existing level of services as being adequate and acceptable.

15. The Owners and Township agree that the estimated cost of the road allowance works are contemplated and set forth in the Site Plan Agreement and the Owners shall supply the required security to the Township pursuant to that Agreement.

16. The Owners shall reimburse the Township for all of its legal, planning and engineering fees incurred by it with respect to this Agreement and the development contemplated herein. Without limiting the generality of the foregoing, the Owners acknowledge that this agreement shall be registered on title to the Subject Lands by the Township. Fees shall be payable by the Owners on receipt of a billing from the Township.

17. This Agreement shall be binding upon the heirs, successors and assigns of the Owners. It is herein specifically acknowledged and agreed by the Owners that they shall provide actual notice of the subject Agreement to any potential purchaser, and shall also provide actual notice of the same to any real estate broker or agent that they might utilize in reference to the potential sale of the Subject Lands.

18. The parties hereto acknowledge that they have read, understood, and obtained independent legal advice in reference to this Agreement and its terms and conditions.

19. Any notice required to be given pursuant to this Agreement shall be in writing and sent

prepaid registered mail, or personally delivered, to the other party at the following address:

(a) Notice to the Owners shall be addressed to:
Kathryn Carrington and David Paterson
1152 Scollard Road,
Peterborough, ON K9H 0A7

(b) Notice to the Township shall be addressed to:
The Corporation of the Township of Douro-Dummer
894 South Street, P.O. Box 92
Warsaw, ON K0L 3A0

20. Nothing in this Agreement shall relieve the Applicants or Owner from compliance with all applicable municipal by-laws, laws and/or regulations or laws and/or regulations established by any other governmental body which may have jurisdiction over the lands identified on Schedule "A" and Schedule "B".

21. This Agreement shall be construed in accordance with the laws of the Province of Ontario.

22. Should any provision of this Agreement be found to be invalid by a Court of competent jurisdiction that provision shall be severable from the remainder of this Agreement and the remainder of this Agreement shall remain in full force and effect.

IN WITNESS WHEREOF the parties have hereunto set their respective hands and seals.

SIGNED, SEALED & DELIVERED)

_____
Kathryn Carrington

_____
David Paterson

THE CORPORATION OF THE TOWNSHIP OF DOURO-DUMMER

Per:_____
Heather Watson, Mayor

_____
Martina Chait-Hartwig, Acting Clerk
We have the authority to bind the Corporation.

SCHEDULE "A'

Lands owned by Owners

PT LT 10 CON 9 DOURO AS IN R688890; DOURO-DUMMER, being all of PIN 28177-0123 (LT).

SCHEDULE "B"

Lands owned by Township

RDAL BTN LOTS 10 & 11 CON 9 DOURO; DOURO-DUMMER being part of PIN 28182-0091 (LT).

The Corporation of the Township of Douro-Dummer

By-law Number 2014-17

Being a By-law to Authorize the execution of an Agreement with Terry and Ruth Hunter (the owners), and the Corporation of the Township of Douro-Dummer pursuant to Section 8.3 (c) of the Official Plan of the Township of Douro-Dummer (Roll No. 010-004-08100) (Constructed Roadway)

Whereas the Township of Douro-Dummer deems it necessary to comply with Section 8.3 (c) of the Official Plan of the Township of Douro-Dummer to enter into an agreement to construct a roadway;

Now Therefore the Council for the Corporation of the Township of Douro-Dummer Enacts as follows:

1. **THAT** the Corporation of the Township of Douro-Dummer enter into an Agreement with Terry and Ruth Hunter, the Owners of property composed of Part of Lot 10, Concession 9, Property Roll No. 010-004-081000 in the former Township of Dummer, which shall be attached to this by-law as Appendix 'A' and forming part of this by-law; under terms and conditions contained therein.

2. **THAT** the Mayor and the Clerk be hereby authorized to execute such Agreement and affix the Corporate Seal thereto.

Passed in Open Council this 1st day of April, 2014

Mayor, J. Murray Jones

Acting Clerk, David Clifford

This Agreement dated the 26th day of March, 2014

BETWEEN

Ruth Hunter and Terry Hunter

("hereinafter referenced as the Property Owners")

-and-

The Corporation of the Township of Douro-Dummer

("hereinafter referenced as the Municipality")

AGREEMENT

WHEREAS Terry Hunter and Ruth Hunter presently own property constituting Part of Lot 10, Concession 9, in the former Township of Douro, ("the Lands") now in the amalgamated Municipality of Douro-Dummer, in the County of Peterborough, as more particularly described in Schedule "A" annexed hereto;

AND WHEREAS various land use approvals have been provided by the Township of Douro-Dummer in reference to the construction of a single unit dwelling in relation to the subject property presently owned by the Property Owners;

AND WHEREAS the Property Owners desire to utilize an unopened road allowance which is situate to the west of County Road 32 in the said Municipality;

AND WHEREAS the unopened road allowance is shown on a Site Plan completed by M. J. Davenport and Associates Ltd. and dated December 2011 with drawing number reference 4689-01 and the same has been stamped by M. J. Davenport and Associates Ltd. under date of January 17, 2013.

AND WHEREAS the parties hereto desire to specify the terms and conditions in relation to the use to be made by the unopened road allowance by Terry and Ruth Hunter for a proposed driveway to service and provide vehicular and pedestrian access to their proposed single family home;

NOW THEREFORE THE PARTIES HERETO AGREE AS FOLLOWS:

1. Terry and Ruth Hunter shall take all actions, undertake all works, and pay all associated expense in reference to the construction of a said proposed driveway to service the said proposed single family home to be constructed on their property situate at Lot 10, Concession 9 in the former Township of Douro. The property owners further acknowledge that they will be fully responsible for the maintenance of the proposed driveway to service the said proposed single family dwelling to be constructed on their property in Lot 10, Concession 9, geographic Township of Douro and further acknowledge and agree that the Municipality shall not be responsible for any maintenance or liability for the proposed driveway.

2. In reference to the construction of the said proposed driveway it shall be undertaken in accordance with the specifications and site features as shown on a Site Plan completed by M. J. Davenport and Associates Ltd. with drawing no. 4689-01 which subject Plan is dated December 2011 and stamped and updated by the said M. J. Davenport and Associates Ltd. under date of January 17, 2013. In particular, the said modification to the original Plan is to increase the driveway width. The Municipality acknowledges and concurs that it has reviewed the site features as shown on the subject Site Plan and concurs with the said project and works as specified and shown on the said Site Plan.

3. The said Property Owners shall not undertake any action to construct or open up the said unopened road allowance in any manner. In no aspect, shall any cars be parked on the unopened road allowance.

4. The Property Owners shall undertake no act to encumber the said unopened road allowance.

5. Nothing in this Agreement precludes the said Municipality from undertaking any action, legal or otherwise, which would open the said road allowance, and have the same made available for use as a Municipal highway. In the event that the Municipality decides to open up the said road allowance and incorporate same into the Township road system as a public highway, this agreement shall be at an end.

6. In reference to the completion of the said works, the said Property Owners shall;
   a) Notify the Clerk of the Municipality in writing as it would relate to the commencement of any works on the subject road allowance in completion of the terms and conditions of this Agreement;

   b) Prior to commencing construction, the Owners' contractor shall provide the Township Clerk with a public liability insurance policy with limits of no less than $2,000,000.00 per occurrence in which the Township is to be a named insured. In addition, the contractor shall provide a current Certificate from the Workers Safety Insurance Board confirming that the contractor is in good standing.

   c) Have their Engineer keep the Manager of Public Works of the said Municipality aware of aspects in reference to the construction schedule, and

periodically review with the Manager of Public Works the nature and progress of the completion of the said works;

d) Provide notification for a final inspection in reference to the completion of the said works, which notice shall be provided to both the Township Clerk and to the Manager of Public Works of the Municipality;

e) Upon notification of the final completion of the works, the Manager of Public Works shall undertake an inspection and advise of any specific concerns in reference to the completion of the said works in accordance with the Site Plan.

f) Upon completion of the work, the Engineer employed by Terry and Ruth Hunter shall provide certification to the Township that the works have been completed pursuant to the plan prepared by M. J. Davenport & Associates Ltd. as drawing number 4689-01, dated December 2011 as stamped and updated by the said M. J. Davenport & Associates Ltd. under date January 17, 2013.

7. The said Site Plan as hereinbefore described is deemed to be a Schedule "1" to this Agreement.

8. The Property Owners acknowledge that the unopened road allowance is not now maintained by the Municipality.

9. The Property Owners acknowledge that there is no obligation upon the Municipality to maintain the unopened road allowance providing access to the Lands of the property owners subsequent to the construction of any new

buildings or subsequent improvement to existing buildings on the Property Owners' Lands.

10. The Property Owners specifically covenant and agree to accept the existing level of services as being adequate and acceptable.

11. The Property Owners specifically covenant and agree not to seek any additional or enhanced services from the Municipality subsequent to receipt of a building permit for the construction of any improvement on their Lands.

12. The Property Owners shall deposit with the Municipal Clerk a certified cheque or bank draft in favour of the Municipality from a Schedule 1 Chartered Canadian Bank for the sum of $10,000.00. The deposit shall be held until the work described in this Agreement has been completed and approved by the Township Manager of Public Works, acting reasonably

13. The Property Owners shall reimburse the Municipality for all of its legal, planning and engineering fees incurred by it with respect to this Agreement and the development contemplated herein. Without limiting the generality of the foregoing, the Property Owners acknowledge that this agreement shall be registered on title to their property. Fees shall be payable by the Property Owners on receipt of a billing from the Municipality.

14. This Agreement shall be binding upon the heirs, successors and assigns of the Property Owners. It is herein specifically acknowledged and agreed by the Property Owners that they shall provide actual notice of the subject Agreement to any potential purchaser, and shall also provide actual notice of the same to any real estate broker or agent that they might utilize in reference to the potential sale of the subject property.

15. The parties hereto acknowledge that they have read, understood, and obtained independent legal advice in reference to this Agreement and its terms and conditions.

This Agreement dated this 30th day of April, 2014

Terry Hunter

Ruth Hunter

This Agreement dated this 1 day of APRIL, 2014

THE CORPORATION OF THE TOWNSHIP OF DOURO-DUMMER
Per:

J. Murray Jones, Mayor

David Clifford, CAO

I/We have authority to bind the Corporation

SCHEDULE 'A'

Pt Lt 10, Con 9, Douro as in R688890; Douro-Dummer, being PIN 28177-0123 (LT)

SCHEDULE '1' – SITE PLAN AGREEMENT

The Site Plan Agreement is on file at the Municipal Office and may be reviewed during normal business hours, upon request.

The Corporation of the Township of Douro-Dummer

By-law Number 2022-56

A By-Law to designate as the road allowance between Lots 20 and 21 and the parcel in front of Lot 20 and Designated Parts 1-4 on Plan 45R-17236 all on Registered Plan No. 11, Dummer Ward of the Township of Douro-Dummer to not be a registered plan of subdivision

Whereas the Council of the Corporation of the Township of Douro-Dummer has the authority under subsection 50(4) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, to designate part of a registered plan of subdivision that has been registered for eight years or more to be deemed not to be a registered plan of subdivision for the purposes of subsection 50(3) of the *Planning Act*; and

Whereas Council has been requested to pass such a deeming by-law with respect to road allowance between Lots 20 and 21 and the parcel in front of Lot 20 and Designated Parts 1-4 on Plan 45R-17236 all on Registered Plan No. 11, Township of Douro-Dummer;

Whereas Registered Plan No.11, Township of Douro-Dummer, was registered more than eight years ago.

Now Therefore, the Council of the Corporation of the Township of Douro-Dummer in session duly assembled enacts as follows:

1. Road allowance between Lots 20 and 21 and the parcel in front of Lot 20 and Designated Parts 1-4 on Plan 45R-17236 all on Registered Plan No. 11, Township of Douro-Dummer, County of Peterborough, is designated not to be part of a registered plan of subdivision for the purposes of subsection 50(3) of the *Planning Act*.

2. A certified copy or duplicate of this By-law shall be lodged with the Clerk in the Township of Douro-Dummer's office.

3. A certified copy or duplicate of this By-law be registered by the Clerk in the Peterborough Land Registry Office (No. 45).

4. This By-law shall come into full force immediately on the date that it is registered in accordance with Section 3 of this By-law.

Passed in open council this 6th day of December, 2022.

_____
Mayor, Heather Watson

_____ _____
Acting Clerk, Martina Chait-Hartwing

METRIC: DISTANCES AND COORDINATES SHOWN HEREON ARE IN METRES
CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

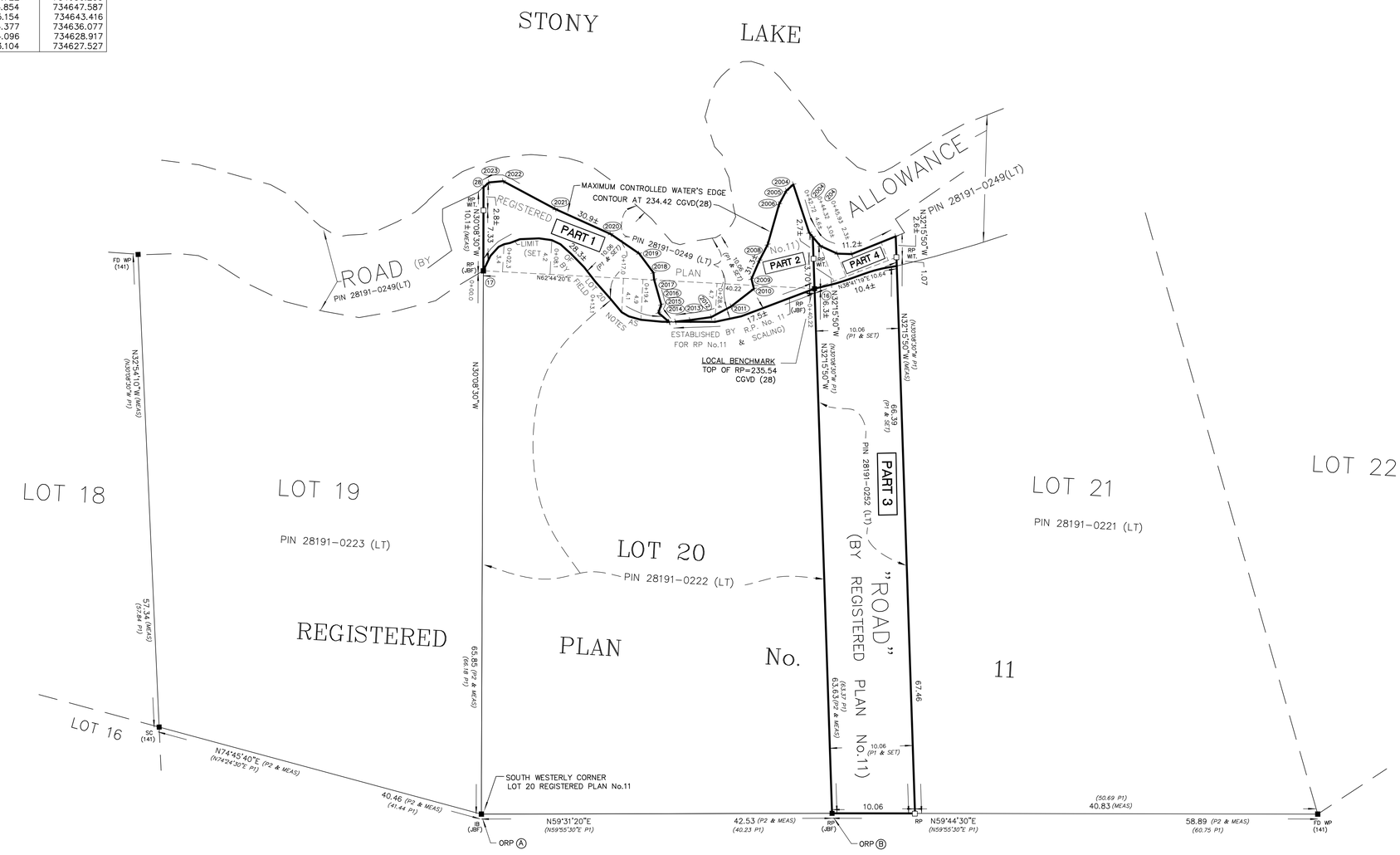
SHORELINE COORDINATE TABLE

POINTNUMBER	NORTHING	EASTING
16	4940101.930	734668.086
17	4940083.505	734632.331
28	4940092.270	734627.241
29	4940089.548	734654.868
30	4940089.964	734655.555
2000	4940107.830	734669.856
2001	4940106.986	734668.323
2002	4940106.752	734666.069
2003	4940107.459	734664.105
2004	4940111.525	734659.480
2005	4940110.430	734659.137
2006	4940108.598	734659.210
2007	4940103.677	734660.480
2008	4940101.493	734660.593
2009	4940099.087	734660.885
2010	4940098.205	734661.747
2011	4940094.941	734660.435
2012	4940092.609	734659.011
2013	4940091.009	734656.977
2014	4940089.530	734654.966
2015	4940089.856	734653.233
2016	4940090.870	734653.013
2017	4940093.062	734650.733
2018	4940093.722	734650.253
2019	4940094.854	734647.587
2020	4940095.154	734643.416
2021	4940094.377	734636.077
2022	4940094.096	734628.917
2023	4940093.104	734627.527

SCHEDULE

PART	LOT	PLAN	PIN	AREA
1	PART OF THE ROAD ALLOWANCE IN FRONT OF OF LOT 20	REGISTERED PLAN 11	PART OF PIN 28191-0249(LT)	137.17 sq. m.
2	PART OF THE ROAD ALLOWANCE IN FRONT OF OF LOT 20	REGISTERED PLAN 11	PART OF PIN 28191-0249 (LT)	79.34 sq. m.
3	ROAD BETWEEN LOTS 20 AND 21	REGISTERED PLAN 11	ALL OF PIN 28191-0252 (LT)	690.16 sq. m.
4	PART OF THE ROAD ALLOWANCE IN FRONT OF ROAD	REGISTERED PLAN 11	PART OF PIN 28191-0249 (LT)	36.12 sq. m.

PARTS 1, 2 & 4 COMPRISES PART OF PIN 28191-0249(LT)
PART 3 COMPRISES ALL OF PIN 28191-0252(LT)



PLAN 45R-17236

Received and deposited

December 13th, 2021

Dragana Jovanovic

Representative for the Land Registrar for the Land Titles Division of Peterborough (No.45)

PLAN OF SURVEY OF

PART OF THE ROAD ALLOWANCE IN FRONT OF LOT 20, REGISTERED PLAN No. 11 AND, ROAD BETWEEN LOTS 20 AND 21, REGISTERED PLAN No. 11
GEOGRAPHIC TOWNSHIP OF DUMMER
TOWNSHIP OF DOURO-DUMMER
COUNTY OF PETERBOROUGH

5 0 10 20 30

SCALE: 1:300

THE INTENDED PLOT SIZE OF THIS PLAN IS 860mm IN WIDTH BY 560mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:300

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

1) THIS SURVEY AND PLAN ARE CORRECT AND ARE IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.

2) THE SURVEY WAS COMPLETED ON 18th AUGUST, 2021

SIGNED AT LAKEFIELD, ONTARIO
THIS 15th DAY OF NOVEMBER, 2021

CHRISTOPHER E. MUSCLOW
ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY IS RELATED TO AOLS PLAN SUBMISSION FORM NUMBER 2165031.

LEGEND

- ■ · · · · · · DENOTES SURVEY MONUMENT, FOUND
- □ · · · · · · DENOTES SURVEY MONUMENT, PLANTED
- WIT · · · · · DENOTES WITNESS
- WP · · · · · DENOTES FOUND SCRIBED WOOD POST IN STONE CAIRN
- 141 · · · · · DENOTES F. W. WILKINS, O.L.S.
- JBF · · · · · DENOTES J.B.F. SURVEYORS, O.L.S.
- P1 · · · · · DENOTES REGISTERED PLAN No. 11
- P2 · · · · · DENOTES PLAN OF SURVEY BY JBF SURVEYORS, O.L.S. DATED 21st JANUARY, 2021.
- SC · · · · · DENOTES STONE CAIRN
- CGVD(28) · · DENOTES CANADIAN GEODETIC VERTICAL DATUM OF 1928

BEARINGS SHOWN HEREON ARE UTM GRID, DERIVED FROM REAL TIME NETWORK (RTN) OBSERVATIONS ON POINTS A AND B LISTED HEREON AND ARE REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 17 (81° WEST LONGITUDE) NAD 83 (CSRS EPOCH 2010.0).

FOR BEARING COMPARISONS, A ROTATION OF 2°08'30" COUNTER CLOCKWISE WAS APPLIED TO BEARINGS SHOWN ON REGISTERED PLAN No. 11

DISTANCES SHOWN HEREON ARE GROUND DISTANCES AND CAN BE USED TO COMPUTE GRID DISTANCES BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 1.00023979

INTEGRATION DATA

COORDINATES ARE DERIVED FROM GPS RTK OBSERVATIONS USING THE SMARTNET CORRECTION DATA AND ARE REFERRED TO UTM ZONE 17 (81°W LONGITUDE) NAD83 (CSRS EPOCH 2010.0).

OBSERVED REFERENCE POINT (ORP) COORDINATE VALUES ARE TO 'REMOTE' ACCURACY SPECIFICATION IN ACCORDANCE WITH SEC. 14(2) OF O.REG. 216/10

POINT	UTM NORTHING	UTM EASTING
ORP Ⓐ	4940026.56	734665.40
ORP Ⓑ	4940048.13	734702.05

CAUTION: COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

WATER NOTE:

THE ELEVATION OF STONY LAKE IS ARTIFICIALLY REGULATED BY THE TRENT SEVERN WATERWAY - PARKS CANADA. ELEVATIONS ARE GEODETIC AND ARE REFERRED TO A TSW BENCHMARK, BEING A BRASS MONUMENT SET IN THE TOP OF THE CONCRETE RETAINING WALL ON THE NORTH END OF THE DAM AT THE OUTLET OF CLEAR LAKE IN THE HAMLET OF YOUNG'S POINT. ELEVATION = 235.96 CGVD(28)
MAXIMUM CONTROLLED WATER'S EDGE - CONTOUR @ ELEV. 234.42 CGVD(28)

JBF SURVEYORS
3177 LAKEFIELD ROAD, BOX 70
LAKEFIELD, ON K0L 2H0
PHONE: 705-652-6198
INFO@JBFSURVEYORS.COM
WWW.JBFSURVEYORS.COM

PROJ. # 8115-RPLAN

November 23rd, 2022

Ministry of Municipal Affairs and Housing
College Park, 17th Floor
777 Bay Street
Toronto, Ontario
M7A 2J3

By E-Mail To: minister.mah@ontario.ca

ATTENTION: Honorable Minister Steve Clark

Dear Minister Clark:

RE: Resolution – Strong Mayors, Building Homes Act

Please be advised that the Council of the Corporation of the Township of Lanark Highlands passed the following resolution at their regular meeting held November 22nd, 2022:

Moved by Reeve McLaren *Seconded by Councillor Closs*

***THAT**, the Council of the Township of Lanark Highlands supports the resolution from the Town of Gravenhurst regarding Strong Mayors;*

***AND THAT**, this resolution be provided to the Minister of Municipal Affairs and Housing and to all Ontario Municipalities.*

Carried

Sincerely,

Amanda Noël

Amanda Noël,
Clerk

Encls.

c.c. All Ontario Municipalities

Sent via Email

September 23, 2022

RE: TOWN OF GRAVENHURST RESOLUTION – STRONG MAYORS

At the Town of Gravenhurst Committee of the Whole meeting held on September 20, 2022, the following resolution was passed:

> **BE IT RESOLVED THAT** the Correspondence from the Town of Wasaga Beach regarding Strong Mayors be received for information.
>
> **AND THAT** a letter be sent to the Minister of Municipal Affairs and Housing outlining these proposed powers are not appropriate and to outline other ways for the province to institute housing and others matters.
>
> **AND FINALLY THAT** this motion be circulated to all Ontario municipalities.

Sincerely,

J. G.

Jacob Galvao
Administrative Clerk II – Legislative Services
Town of Gravenhurst

3-5 Pineridge Gate Gravenhurst, Ontario P1P 1Z3 **Office:** (705) 687-3412 Fax: (705) 687-7016
info@gravenhurst.ca www.gravenhurst.ca

Municipality of Huron Shores
7 Bridge Street, PO Box 460
Iron Bridge, ON P0R 1H0
Tel: (705) 843-2033 Fax: (705) 843-2035

November 2, 2022

Attn: Honourable Doug Ford
Premier of Ontario
Legislative Building, Queen's Park
Toronto, Ontario
M7A 1A1

Dear Premier,

Re: Res. #22-24-16 – Opposition to Bill 3

The Council of the Corporation of the Municipality of Huron Shores passed Resolution #22-24-16 at the Regular Meeting held Wednesday, October 26th, 2022, as follows:

"WHEREAS the Government of Ontario, through the Minister of Municipal Affairs and Housing, has introduced Bill 3 which is described as "An Act to amend various statutes with respect to special powers and duties of heads of council;

AND WHEREAS this Bill, if enacted, will initially apply to the City of Toronto and the City of Ottawa, but will later be expanded to include other municipalities according to a statement made by the Premier at the 2022 AMO annual conference;

AND WHEREAS this Bill, if enacted, will give Mayors additional authority and powers, and correspondingly take away authority and powers from Councils and professional staff, and will include giving the Mayor the authority to propose and adopt the Municipal budget and to veto some decisions of Council;

AND WHEREAS this Bill, if enacted, will give authority over professional staff to the Mayor, including that of the Chief Administrative Officer;

AND WHEREAS these changes will result in a reduction of independence for professional staff including the CAO, who currently provide objective information to the Council and public and will now take direction from the Mayor alone when the Mayor so directs;

AND WHEREAS these surprising and unnecessary changes to the historical balance of power between a Mayor and Council, and which historically gave the final say in all matters to the will of the majority of the elected Council;

NOW THERERFORE BE IT RESOLVED THAT Council of the Corporation of the Municipality of Huron Shores passes this resolution to petition the Government of Ontario:

1. THAT these changes to the *Municipal Act,* 2001, are unnecessary and will negatively affect the Municipality of Huron Shores;

2. THAT if the Ontario Government deems these changes necessary in large single-tier municipalities such as Toronto and Ottawa, that such changes should not be implemented in smaller municipalities;

3. THAT the Ontario Government should enact legislation clarifying the role of Mayor, Council and Chief Administrative Officer, similar to those recommended by the Ontario Municipality Administrator's Association and those recommended by Justice Marrocco in the Collingwood judicial inquiry of 2022; and

4. THAT if the stated goal of this legislation is to construct more housing in Ontario that this can be accomplished through other means including amendment of the *Planning Act* and funding of more affordable housing;

AND BE IT FURTHER RESOLVED THAT a copy of this resolution be provided to the Premier of Ontario, the Minister of Municipal Affairs and Housing, the "Standing Committee on Heritage, Infrastructure and Cultural Policy", MP Carol Hughes, the Association of Municipalities of Ontario and all municipalities in Ontario."

Should you require anything further in order to address the above-noted resolution, please contact the undersigned.

Yours truly,

Natashia Roberts

Chief Administrative Officer (CAO)/Clerk
NR/KN

Ministry of Municipal Affairs and Housing

Office of the Minister

777 Bay Street, 17th Floor
Toronto ON M7A 2J3
Tel.: 416 585-7000

Ministère des Affaires Municipales et du Logement

Bureau du ministre

777, rue Bay, 17e étage
Toronto ON M7A 2J3
Tél. : 416 585-7000

Ontario

November 4, 2022

Dear Clerks, CAOs, and Conservation Authority Administrators:

As you are aware, on October 25, 2022 the government introduced the More Homes Built Faster plan, which takes bold action to advance our plan to address the housing crisis by building 1.5 million homes over the next 10 years. The government is taking further action to support this goal by launching a consultation on proposed changes to the Greenbelt that would support our municipal partners to plan for responsible growth and help build housing faster and in a targeted manner, while leading to an overall expansion of the Greenbelt.

Ontario is expected to grow by more than two million people by 2031, with approximately 1.5 million people living in the Greater Golden Horseshoe Region.

To accommodate that growth and support the building of more homes, MMAH is seeking feedback on proposed amendments to the Greenbelt Plan, the Greenbelt Area boundary regulation (O. Reg. 59/05) and the Oak Ridges Moraine Conservation Plan in order to:

- Remove/redesignate lands from the Greenbelt Plan and Oak Ridges Moraine Conservation Plan that would be suitable for residential development; and
- Add a portion of the **Paris Galt Moraine area,** designated as Protected Countryside with a Natural Heritage System.

The proposed strategic removal of lands from the Greenbelt Area was considered in the context of the objectives and policies of the Greenbelt Plan and the requirement in the Greenbelt Act, 2005 that the total amount of land within the Greenbelt Area shall not be reduced. The area of the Paris Galt Moraine lands that are proposed to be added would be in addition to the proposed 13 Urban River Valley areas that were consulted upon previously in March 2022 (see ERO Posting 019-4485). The total lands proposed to be added would be greater than the area of the lands proposed for removal from the Greenbelt Plan under this proposal.

For more information on this proposal and the consultation, please visit the following links where you will find information including a description of the proposed amendments to the Greenbelt Plan, Greenbelt boundary regulation, Oak Ridges Moraine Conservation Plan, and the associated maps.

- ERO 019-6216 Proposed amendments to the Greenbelt Plan
- ERO 019-6217: Proposed amendments to the Greenbelt Area boundary regulation O. Reg. 59/05
- ERO 019-6218: Proposed redesignation of land under the Oak Ridges Moraine Conservation Plan O. Reg. 140/02

The comment period on the Environmental Registry of Ontario will close on December 5, 2022.

The government is building a strong foundation for action that will continue to ensure Ontario is a prosperous and growing province – and the best place in the world to call home. The Province looks forward to continued collaboration with municipal partners to get more homes built faster.

Sincerely,

Steve Clark

Minister

c. Kate Manson-Smith, Deputy Minister, Municipal Affairs and Housing
Sean Fraser, Assistant Deputy Minister, Municipal Affairs and Housing

**Ministry of
Municipal Affairs
and Housing**

Office of the Minister

777 Bay Street, 17th Floor
Toronto ON M7A 2J3
Tel.: 416 585-7000

**Ministère des
Affaires municipales
et du Logement**

Bureau du ministre

777, rue Bay, 17e étage
Toronto (Ontario) M7A 2J3
Tél. : 416 585-7000

Ontario

234-2022-5420

November 30, 2022

Colin Best
President
Association of Municipalities of Ontario
amopresident@amo.on.ca

Dear Colin Best:

I am writing to you today in the spirit of the long-standing partnership between Ontario and the Association of Municipalities of Ontario.

Since the day our government took office, we have been steadfast in our support and empowerment of our municipal partners. Working together, Ontario has provided tens of billions of dollars in new funding to support municipal services and build critical infrastructure, spurring job creation and creating the conditions for long-term economic growth.

During the COVID-19 pandemic, governments rightly put politics aside to work together as a unified team. That is why our government, in partnership with the federal government, was proud to provide over $4 billion to Ontario's municipalities through the Safe Restart Agreement to address pandemic-related pressures, including for public transit, shelters and other operating costs. In fact, this funding provided one of the largest investments the province has ever made in the housing and homelessness sector.

I am writing today to address municipal feedback regarding Bill 23, the *More Homes Built Faster Act*. In particular, I would like to address the suggested impact the legislation could have on the ability of municipalities to fund infrastructure and services that enable housing.

The central intention of Bill 23 is to build more homes that are attainable for our growing population by discounting and exempting municipal fees and taxes for affordable, non-profit and purpose-built rental housing, and new homebuyers who otherwise face these significant costs. For example, municipal fees and taxes currently add an average of $116,900 to the cost of a single-family home in the Greater Toronto Area before a single shovel is in the ground. That's the size of a down payment for many families, and puts the dream of homeownership out of reach for thousands of Ontarians.

I know that you and your membership share our goal of building communities that are welcoming to all residents, including new Canadians – towns and cities where everyone can have a place to call home and the dream of home ownership is kept alive. That is why our decision to rein in unsustainable and out-of-control municipal fees on new homebuyers is the right thing to do, and that is why our position on Bill 23 will not waver.

At the same time, it is critical that municipalities are able to fund and contract road, water, sewer, and other housing enabling infrastructure and services that our growing communities need. There should be no funding shortfall for housing enabling infrastructure as a result of Bill 23, provided municipalities achieve and exceed their housing pledge levels and growth targets. That's why we are taking immediate action to launch a third-party audit of select municipalities to get a factual understanding of their finances, including their reserve funds and development charge administration. Together, we can use this process to get the facts, make improvements, and better serve taxpayers by exploring alternative tools for growth to appropriately pay for growth rather than continuing to raise development fees on new homebuyers.

As we undertake this work together, we are committing to ensuring municipalities are kept whole for any impact to their ability to fund housing enabling infrastructure because of Bill 23.

Furthermore, as good partners and in recognition of most municipalities making best efforts to accelerate the issuance of housing permits and approvals to meet and exceed their pledge targets, the government will introduce legislation that, if passed, would delay the implementation of development application refund requirements set out in Bill 109 by six months, from January 1, 2023 to July 1, 2023.

The federal government shares our objective of building 1.5 million homes in Ontario over the next 10 years, particularly at a time when it has set ambitious new targets for immigration. The majority of these newcomers will be welcomed to Ontario in search of jobs and opportunity. To this end, the province looks forward to working with our municipal partners to ensure we receive a proportional share of the federal government's new $4 billion national Housing Accelerator Fund. We also expect that all municipalities will make an application to the federal Housing Accelerator Fund for funding that will support housing enabling infrastructure and relieve municipal charges levied on new homebuyers.

Together, we will ensure we can achieve our shared goal of building desperately needed homes. A strong partnership between the Province of Ontario and municipalities is critical if we are to solve our housing supply crisis – and we look forward to continuing our work together.

Sincerely,

Steve Clark
Minister

c. The Honourable Doug Ford, Premier of Ontario
The Honourable Chrystia Freeland
Deputy Prime Minister and Minister of Finance
The Honourable Peter Bethlenfalvy, Minister of Finance
The Honourable Caroline Mulroney, Minister of Transportation
The Honourable Kinga Surma, Minister of Infrastructure
The Honourable Prabmeet Sarkaria, President of the Treasury Board
Brian Rosborough, Executive Director, AMO

City of Mississauga
Corporate Report

MISSISSAUGA

Date: November 17, 2022 To: Mayor and Members of Council From: Andrew Whittemore, M.U.R.P., Commissioner of Planning & Building	Originator's files: LA.07.BIL Meeting date: November 23, 2022

Subject

Bill 23 "More Homes Built Faster Act" and Implications for City of Mississauga

Recommendation

1. That Council endorse positions and recommendations contained and appended to the report titled *"Bill 23 'More Homes Built Faster' and Implications for City of Mississauga,"* and authorize staff to prepare additional detailed comments on Bill 23 and any associated regulations, as needed. In particular, the City be made whole for any revenue losses from changes to the imposition of development changes and parkland dedication.

2. That the Mayor or designate be authorized to make submissions to the Standing Committee with respect to issues raised in this report, or to otherwise provide written or verbal comments as part of the Ministry's public consultation process.

3. That the City Clerk forward this report to the Ministry of Municipal Affairs and Housing; Mississauga's Members' of Provincial Parliament, the Association for Municipalities Ontario, and the Region of Peel.

Executive Summary

- Recent amendments have been proposed to several pieces of legislation that form Bill 23 *"More Homes Built Faster Act, 2022"* (the Bill) that impact the imposition of development charges (DCs), parkland dedication, planning and appeals processes and the environment.

- Staff support the need to improve the diversity and affordability of housing. However, staff's assessment is that Bill 23 is overly focused on blanket fee reductions that would apply for market rate developments with no guarantee that savings will be passed on to renters and homebuyers.

- It is estimated that the Bill could cost the City up to $815 to $885M over the next ten years.[1] Without corresponding provincial grants, Mississauga would need to recover that revenue through the tax base or by reducing service levels.

- A key part of this shortfall is generated by DC reductions, changes to what is DC eligible and DC exemptions. Staff estimate that the shortfall could be up to $325M over a ten-year period[1].
    - The Province has proposed arbitrary retroactive phase-ins to all of the City's DCs (including non-residential DCs). The way the Province has structured these reductions are punitive, apply to each municipality differently and will be challenging to administer.
    - What is eligible for DC collection would also change with the removal of "affordable housing" and "studies," and the potential to limit the service for which land acquisitions can be recovered through development charges.
    - City staff support some of the proposed DC exemptions (e.g. non-profits and second units), but the other contemplated exemptions could incent small, private condominium units, at the expense of more affordable units.

- The financial impacts are even more staggering when examining the proposed changes to parkland dedication. Staff estimate the City could lose $490 to $560M in ten years, making up more than 70% of this revenue stream.
    - For a standard development in the City (e.g. 500 unit tower on an acre), the City could go from collecting $10M to $1.7M in cash-in-lieu. It's noted land prices in Mississauga are close to $20M per acre in many of its growth areas.
    - Moreover, the Bill would allow developers to choose where parkland is located on a site (e.g. they prefer to offer slivers of undevelopable land) and they would receive full parkland credits for Privately Owned Publicly Accessible Space (POPS). It is in condominium developers' financial interest to provide a privately owned park since it can allow for higher densities on the site (e.g. parking under the park). Condominium residents will be forced to maintain the asset indefinitely while the quality, access, and programing is typically inferior to a city-owned park.

- Some of the proposed changes could speed up the approvals process (e.g. gentle intensification and pre-zoning major transit station areas), and staff are supportive of these changes. However, others could undermine important planning considerations (e.g. not allowing architectural and landscape details to be considered at site plan could undermine quality of place. Furthermore, removing the City's ability to implement Green Development Standards could impact the creation of units that are more efficient and affordable to heat and operate).

[1] This assumes that the DC By-law would need to be updated upon its expiry in 2027 and that land is removed as a DC eligible cost for each City service, as part of that exercise.

- Given the provincial importance of creating more affordable housing, it is difficult to understand the policy rationale for reducing municipal tools to create new units.
    - According to the Region of Peel the proposed elimination of Housing from Regional DCs puts at risk over 930 affordable housing units in various stages of planning and development in Mississauga for low and moderate income households e.g. East Avenue, Brightwater – with a possible shortfall of $200M.
    - Proposed revisions to inclusionary zoning (IZ) affordability thresholds will result in virtually no inclusionary zoning ownership units being affordable for low and middle income households.
    - It is estimated that the 5% of development IZ cap will result in a minimum of 40% less affordable units than was anticipated with current IZ provisions.
    - Moreover, the Province is consulting on potentially removing or scaling back rental protection-laws.

- The potential impacts on the environment are also significant, with proposed changes to the Conservation Authorities and the boundaries of the Greenbelt. These natural features are needed to help us adapt to a changing climate. The possibility of building on flood and hazard lands is concerning given increased storm events and potential liabilities.

- Given the broad potential impacts on the natural environment, community infrastructure, parks, transit, affordable housing and the quality of our urban environments; it is suggested the Province take the time to consult with a broader range of stakeholders to help refine this Bill and achieve a more balanced and strategic plan to create more housing.

- A summary of City staff's top requests to the Province are listed below:
    1. **It is estimated that the Bill could cost the City up to $815 to $885M over the next ten years.[2] It is requested that the Province make the City whole (e.g. provide offsetting grants) to cover any loss in revenue resulting from the legislative changes to DCs and CIL.**
    2. Remove non-residential DC discounts and restore City's ability to set its own DC rates.
    3. Not remove or limit eligibility of "costs to acquire land" for DC collection.
    4. Restore "affordable housing" and ability to fund "studies" as eligible for DC collection.
    5. Remove "attainable" housing from the proposed exemptions to DCs, CBCs and Parkland.

[2] This assumes that the DC By-law would need to be updated upon its expiry in 2027 and that land is removed as a DC eligible cost for each City service, as part of that exercise.

6. Develop mechanisms to ensure any publically funded discounts go directly to homebuyer.
7. Maintain the income-based definition of affordable housing as per the Provincial Policy Statement (PPS). If not, it is requested that the Province adapt the CMHC average existing market rent by bedroom for rental units and a 70% rate of average new unit price with separate values for unit size/bedrooms for ownership units.
8. Restore parkland rates, or at least remove the land value caps placed on rates.
9. Roll back ability for developers to determine park locations, or at least ensure parkland dedications are contiguous, link into the existing parkland network and have public street frontage and visibility.
10. Remove 100% credit for POPS, or at least roll it back to some lesser amount to disincentivize developers providing a POPS over a public park.
11. Increase Inclusionary Zoning set-aside rate cap to 10%.
12. Extend the affordability for “ownership” units to 99 years; this will have no impact on developers but will allow for more sustainable affordable housing supply.
13. Consider some type of incentive program to help capitalize infill projects in established neighbourhoods (e.g. a loan program that could help homeowners fund renovations to their homes to add second or third units).
14. Update Ontario Building Code to ensure singles and towns are built in a way that would support retrofitting for second units.
15. Restore urban design and landscape details at site plan stage.
16. Restore ability to consider sustainable design (e.g. use of Green Development Standards) at the site plan stage.
    Maintain existing Ontario Land Tribunal (OLT) process where costs are rarely awarded.
17. Maintain the City’s ability to protect rental housing stock through its Rental Protection By-law.
18. Province could reconsider the benefits of the proposed heritage review process, as most likely it will slow down development.
19. Reconsider the benefits of limiting Conservation Authorities (CA) powers to comment on natural heritage, as the City will need to establish expertise and development process could be slowed down.
20. Maintain existing wetland protections, the benefits of developing on wetlands do not outweigh the potential environmental outcomes.
21. Not adopt a Provincial ecological off-setting policy. Technical ecological advice on offsetting should be provided in local context by the Conservation Authorities and the City, as appropriate.

Background

Bill 23 works to implement some actions contained in *Ontario's Housing Supply Action Plan,* with the goal of increasing housing supply in Ontario by building 1.5 million new homes by 2032.

On October 25, 2022, the Honourable Steve Clark, Minister of Municipal Affairs and Housing (the Minister) introduced the Bill to the legislature with sweeping changes to 10 Acts (including the *Planning Act, Municipal Act, Development Charges (DCs) Act, Ontario Heritage Act, Conservation Authorities Act, Ontario Land Tribunal (OLT) Act)* and the Ontario Building Code.

The Province has also proposed further consultation on a range of provincial plans, policies and regulations. This includes revoking the Parkway Belt West Plan, merging the Growth Plan for the Greater Golden Horseshoe (the Growth Plan) with the PPS and changing the boundaries of the Greenbelt Plan. The Province has also committed to create working groups with municipalities to limit land speculation and examine rental protection by-laws.

Comment periods on the proposed changes (via 19 Environmental Registry of Ontario postings and 7 Ontario Regulatory Registry postings) close between November 24 and December 30, with the majority closing on November 24, 2022. City staff will continue to update and advise Council on the impacts of Bill 23 as it advances and when implementation details become available.

The purpose of this report is to: highlight to Council the major changes proposed in Bill 23; the potential impacts on the City; identify areas of support and areas that should be reconsidered by the Province and have Council endorse all comments contained and appended to this report. In anticipation of the Bill advancing, staff also seek authority to submit comments to the Province as needed, where timelines do not permit reporting to Council in advance (e.g. over the Christmas/New Year break).

Comments

The Province is setting a goal of Ontario building 1.5 million new homes by 2032. Of this total, Mississauga must *pledge* to build 120,000 homes in the next ten years (in other words 12,000 units a year). Staff question whether the development industry even has the capacity to construct that amount of units given persistent labour and material challenges.

In 2021, Mississauga issued building permits for 5,500 new units. So far, 2022 is a record year, but the City has still only issued building permits for 6,100 new units. In other words, if Mississauga is to meet this Provincial target it must double its current levels of development. Fortunately, the City has been planning for growth well beyond its Regional allocation of 100,000 units so no City planning policy changes are needed to reach the provincial pledge.[3]

[3] *Technical Memo: Mississauga's City Structure and Residential Growth Accommodation.* File: CD.02-MIS can be accessed here (see April 19, 2022, PDC Agenda, Item 5.2)

However, the Bill has the potential to significantly reduce the amount of money available to the City to provide the infrastructure required to create complete communities in these planned growth areas. Many of the measures appear designed to create short-term benefits for developers of market units while saddling municipalities and future unit owners with costs and reduced amenities for decades to come. While the Bill does have some positive provisions that are specifically intended to help build more affordable and purpose built rental housing, other provisions of the Bill would have the opposite effect by reducing the amount of this badly needed housing.

Staff have summarized key changes proposed into 7 themes:

- Mandatory and retroactive phase-in of DCs would lead to significant funding shortfalls;
- Delivery of the City's infrastructure program could be jeopardized by what is classified as "DC eligible" and fee exemptions;
- City's parkland revenue could be reduced by 70% and the quality of parkland could be diminished;
- Support proposals to streamline neighbourhood infill and intensification around transit station areas;
- Range of impacts stemming from major changes to planning and appeals processes, including planning powers removed from Region of Peel and uploaded to the Province;
- Elimination and reduction of municipal tools could further threaten affordable housing;
- Significant impacts on Ontario's heritage and natural environment and its ability to mitigate and adapt to a climate changing.

Please note that not all changes proposed are captured in the body of this Corporate Report. **Please see Appendix 1 for a detailed list of changes**, potential implications for the City and comments to be shared with the Province.

1) MANDATORY AND RETROACTIVE PHASE-IN OF DCs WOULD LEAD TO SIGNIFICANT FUNDING SHORTFALLS

City Council passed its current DC By-law on June 22, 2022. The proposed changes to the *DC Act* direct that for any DC By-law passed after June 1, 2022, a 20% reduction must be applied to the DC rates in Year 1 of the By-law, with the reduction decreasing by 5% in subsequent years.

General estimates of the potential DC revenue lost, focusing solely on this proposal alone, are included below:

- Year 1: By applying a 20% discount, City will collect $22.2 M less in DC revenues
- Total 4-Year DC revenue loss, estimated at $56.1 M.

As part of the 2022 DC By-law review, the City's DC rates increased by 12%. Therefore if this proposal is implemented and a 20% discount is applied, the City would be collecting less revenue than prior to its 2022 DC by-law passage.
The mandatory discounts are punitive, arbitrary and the logic is unclear, given they affect each municipality so differently. For example, there are several municipalities that updated their DC rates prior to June 1, 2022 that are not having to apply the discounts, and those municipalities that didn't update their by-law recently are also not having to apply the discounts. The mandatory discounts undermine Council's discretion to impose a discount or phase-in of the DC rates; many of such policies are developed with consultation with the development industry.

City staff request that the Province continue to allow municipal Council the sole discretion to set their own policies and DC rates and remove the mandatory retroactive phase-in. If not, staff recommend that the phase-in only apply to by-laws passed after Royal Assent of the Bill and/or only apply where the proposed DC rate increase is greater than 20%.

These discounts also apply to non-residential development. City staff question how housing affordability and stock is improved by collecting less DC revenue from commercial and industrial developers. It is suggested to the Province that discounts be limited to the residential sector.

- ***Request that Province remove non-residential DC discounts and restore City's ability to set its own DC rates. Otherwise, a municipality should be made whole for these DC discounts***

2) DELIVERY OF THE CITY'S INFRASTRUCTURE PROGRAM COULD BE JEOPARDIZED BY DC ELIGIBILITY AND FEE EXEMPTIONS

DC Eligibility

The proposed changes impact what is eligible for DC collection. It is proposed that studies and affordable housing can no longer be funded by DCs, and the ability to fund land acquisition for prescribed services will be limited by a future Regulation.

City staff's biggest concern is that a future regulation could limit land acquisition being an eligible cost recoverable through DCs for prescribed services. Land plays an integral part in the delivery of City services to its residents – whether it be the land for a library, community centre or arena, fire station, transit facility or land for the road network. Without land, or the funding to purchase land, the project itself would become unviable or unfunded. Without information about the scope of a future regulation, the financial impact is difficult to assess. However, if land were removed as an eligible cost for all services, the potential revenue loss would be approximately $34 Million on an annual basis, upon the passage of the next DC by-law. City staff would ask the Province not to remove or limit land as an eligible DC cost.

Another concerning change is the removal of a municipality's' ability to fund affordable housing through DCs. In the past this funding has supported Regional capital projects as well as partnerships with the private sector to increase affordable housing supply.

Likewise, staff have concerns about not allowing for DC funded studies. These studies include, but are not limited to, the City's Future Directions Plans, Transit Infrastructure Plans and Growth Management Plans. It is suggested that the services be reinstated as collectively these measures help to build affordable and complete communities.

- ***As a priority, request that Province not remove or limit eligibility of "costs to acquire land" for DC collection. Also request that Province restore "affordable housing" and ability to fund "studies" as eligible for DC collection***

DC, Parkland and CBC Exemptions

Affordable and Attainable Housing

The proposed changes exempt DCs, parkland dedication and Community Benefit Charge (CBCs) for "affordable" and "attainable" housing, Inclusionary Zoning (IZ) units, non-profit housing and second and third units.

The City already uses DCs as a tool to incentivize "missing middle" housing and exempts charges for second units, Accessory Dwelling Units and has approved DC grant based exemptions for non-profit affordable rental housing.

However, staff are concerned that broadly exempting all units that are 80% of market value could incentivize the creation of very small units (e.g. most bachelors and many one bedroom units in the city would likely meet this proposed definition) and not help achieve the types of "missing middle" housing that Ontarian households so desperately need.

At minimum, the "average" market price should be delineated for each unit size or bedroom count. Additionally, the Province should consider lowering the threshold to 70% to ensure exemptions are targeted to units affordable to low- and moderate- income households. For rental units, City staff suggest that a CMHC definition 100% AMR for rental units be adopted which is a common definition used for new rental unit incentives.

It is noted that City staff will be challenged to administer exemptions based on an 80% of the resale purchase price for ownership and 80% average market for rental for affordable units. DCs are often levied ahead of all units being sold and the price of units is in constant flux. It will be hard to determine which units may be eligible. It is also unclear how the 80% of average market rate will be determined and there could be opportunities for abuse.

The impact of exempting “attainable housing” from these growth charges is unknown. However, if the Province’s definition is so broad that it applies to any unit that is not owned by an investor it could be financially catastrophic for the City. It is suggested the Province remove “attainable” housing from exemptions as the Bill already has polices exempting non-profit and gentle infill units from DCs and other charges.

As mentioned above, it is considered that the Province should make municipalities whole for any discounts offered. It is suggested that the Province could use Federal Housing Accelerator funding to address some of this municipal shortfall and staff would welcome that approach.

Rental Housing

The proposed changes also result in the DC payable for a purpose built rental housing development being discounted based on the number of bedrooms in each units, the proposal as follows:

- Bachelor and 1 bedroom units – 15% reduction in DCs
- Two bedroom units – 20% reduction in DCs
- Three+ bedroom units – 25% reduction in DCs

The potential revenue loss stemming from this change alone would be roughly $8.5 Million over a ten-year period. Despite this shortfall staff are supportive of these changes as it could provide an incentive to build purpose built rental units, particularly larger units. Albeit the effectiveness of this measure is muted by DC discounts and exemptions being so widely applied across the board. Staff suggest senior grants such as the Federal Housing Accelerator be used to offset the lost revenue.

Passing on Discounts to Buyers

It is suggested that the Province carefully examine safeguards to ensure any publically funded discounts are passed onto new homeowners. As noted in the recent report[4] prepared by N. Barry Lyon Consultants, developers will price housing at the maximum level the market will support and increases/decreases in fees do not affect the sale price of units. Lost revenue leads to increased property taxes that reduce affordability overall.

City staff support requirement to enter into an agreement registered on title, to secure the exemptions, but would prefer to see an arrangement where the DCs are paid in full by the developer, then refunded to the purchaser, much like existing programs for first-time homebuyer tax rebates. This approach would help ensure that the cost savings are passed on to the homebuyer and would also expedite DC administration.

[4] *2019 Development Costs Review – The Effect of Development-Related Costs on Housing Affordability* can be accessed here (see May 1, 2019, General Committee Agenda, Item 8.2,)

- ***Request that Province:***
  - ***Remove "attainable" housing from the proposed exemptions***
  - ***Develop mechanisms to ensure that those people looking to buy a home to live in benefit from these municipally funded discounts. DCs could be paid in full by the developer and then refunded to eligible purchasers***
  - **Maintain the income-based definition of affordable housing as per the PPS. If not, it is requested that the Province adopt the 100% CMHC average market rent by bedroom type for rental units and a 70% rate of average resale price with separate values for unit size/bedrooms for ownership units**

3) CITY'S PARKLAND REVENUE COULD BE REDUCED BY 70% AND THE QUALITY OF PARKLAND COULD BE DIMINISHED

Reduced Parkland Rates

The proposed changes include significant reduction to the current parkland dedication and Cash-in-Lieu (CIL) rates.

Specifically, maximum alternative dedication rates are lowered to 1 hectare per 600 units, from 1 hectare per 300 units for land. And 1 hectare for 1000 units for CIL, down from 1 hectare per 500 units. For high-density development, it is proposed that parkland is capped at 10% of land for smaller sites (up to 5 hectares) and 15% of land for large sites (over 5 hectares). These rates will be kept lower by being frozen at the date a zoning by-law or site plan is filed.

Mississauga has built out almost all of its greenfields and its development is changing to be more intensive. As a result, the City collects much of its CIL from medium and high density developments and uses these funds to acquire parkland (e.g. rather than through conveyance, which is more common in a greenfield context). The City is at a point in its development where significant future parkland will need to be acquired. However, the CIL rates proposed by the Bill are so low they will not allow the City to remain competitive buyers of land.

The full costs associated with this change are difficult to quantify. However on a site by site basis it is significant. For a routine application in Mississauga e.g. a tower of approximately 500 units on a site that is 1 acre, it is expected that subject to Bill 23 the City would collect $1.74M in CIL. This compares to $10.7M in CIL under the City's existing By-law (adopted June 2022).

This proposed Bill 23 rate is also well below the City's former by-law, that is 15 years old and was already unable to keep pace with rising land costs in Mississauga. Under the City's former By-law, it could have collected $5.0M in CIL payments.

Case Study: Typical Development in Mississauga and CIL Rates

Development	Under Past by-law	Under New By-law	Under Proposed Bill 23
18 storey mixed use building containing 427 residential units (no parkland dedication)	427*$11,710/unit = **$5,000,200**	@ 25,112 Full August 2023 CIL Capped Rate 427*$25,112 = **$10,722,800**	**$1,734,300** CIL capped at 10% of land value.

A high-level estimate citywide suggested that under the recently approved by-law CIL revenues were anticipated to be in the order of $1.398B between 2022 and 2041, which was the amount of revenue needed to address parkland needs. With Bill 23, that is expected to be reduced to an approximate range of $284M - $419M falling significantly short of projected needs.

Overall, these impacts are substantial and it is requested that the Province restore former parkland rates. However, if the Province wishes to maintain these lower rates it is requested that the 10% cap on parkland be removed as an urgent priority.

- ***Request that Province restore parkland rates, or at least remove the land value caps placed on rates***

Land Owners to Determine Park Locations

A major concern for City staff is that the proposed changes allow developers to choose where to locate parkland. This will likely result in small sections of undevelopable land being dedicated. City staff strongly urge the Province to roll back this change, but at the very least add requirements that ensure parkland dedications are contiguous, link into the existing parkland network (where applicable) and have public street frontage and visibility.

The proposed change does allow the City to appeal a developer's parkland proposal to the OLT. However, if a developer is already going to the OLT over other issues related to their application, then any leverage the City may have had is lost. Under the proposed Bill, a municipality can also be required to take on parkland it does not want. Currently, the OLT rarely order a municipality take on parkland. It is suggested that this practice be maintained and a municipality should not be forced to manage undesirable lands.

- ***Request that Province roll back ability for land owners to determine park locations, or at least ensure dedications are contiguous, link into the existing parkland network and have public street frontage and visibility***

Privately Owned Publicly Accessible Spaces (POPS)

The proposed changes would allow POPS and encumbered parkland to receive the same credits as a publicly owned unencumbered park. This will make it difficult for the City to secure unencumbered parkland, particularly in its growth areas.

A POPS does not provide the same level of service as a public park. Hours of operation and maintenance of POPS are subject to an easement agreement with the owner, which may be limiting. POPS have limited programming ability and would rarely, if ever, include playground equipment and other needed park amenities. Also, because POPS are encumbered (e.g. have infrastructure underground) they will not support mature trees and are more routinely closed for maintenance.

Moreover, the creation of a POPS places a significant burden on new unit owners/condominium boards. Many new unit owners may not realize the full extent of the financial commitment they are making to manage a POPS. For large developments often more than one condominium board is responsible for managing a POPS, creating frictions and administrative challenges.

Overall, POPS arrangements generate one off value for developers. Both the City and the future residents will be forced to deal with challenges stemming from this arrangement indefinitely. City staff strongly urge the Province to remove this clause, or at least roll it back to some lesser amount to disincentivize a POPS arrangement over a public park.

- ***Request that Province remove 100% credit for POPS, or at least roll it back to a lesser amount to disincentivize developers providing a POPS over a public park***

4) SUPPORT PROPOSALS TO STREAMLINE NEIGHBOURHOOD INFILL AND INTENSIFICATION AROUND STATION AREAS

Neighbourhood Infill

The Province has proposed that three units be allowed on a lot as-of-right and parking rates are set at a maximum of one per dwellings. City staff are already working on permitting increased infill opportunities (e.g. up to 3 units) through the City's *"Increasing Housing Choices in Neighbourhoods"* study and parking rates for infill developments were reduced in line with these recommendations earlier this year. Moreover, Mississauga had already waived development charges for up to three units in its latest DC By-law.

City staff would suggest that the Province carefully consider the many barriers to residential infill in existing neighbourhoods. Specifically, construction costs for even modest residential infill units are expensive and mortgages are difficult to secure. From the City's work, it is estimated that a one bedroom/ one storey garden suite is $250K, a two storey / two bedroom suite is $425K and a garage conversion to a one bedroom unit is in the order of $92K. A loan program, or way of making capital available to homeowners, could go a long way to more of these opportunities being realized.

The Province could also consider updating the Ontario Building Code (OBC) to require that all single and semi-detached units be constructed in a way that would allow for easy conversion into second suites.

- ***Province could consider some type of incentive program to help capitalize infill projects (e.g. grants or loans) in established neighbourhoods***
- ***Province could update OBC to ensure singles and towns are built in a way that would support retrofitting for second units***

Intensification around Stations

The Province has proposed "as-of-right" zoning in all MTSAs and is requiring zoning by-laws be updated within a year (reduced from three years). City staff will work to ensure these provincial deadlines are met, although would suggest to the Province that 18 months is a more realistic timeline. While updated zoning is important, staff do not expect that updating our zoning by-law will lead to a major increase in development. For twenty years, the City has pre-zoned its Downtown Core for unlimited heights and densities and while development remains steady, it is moderated by constraints around labour, materials, development phasing and other financial considerations.

Site Plan Exemptions and No Architectural and Landscape Details

The Province has proposed that residential development of up to 10 units be exempt from site plan control, except for land lease communities. Staff can work with the exemption however, this change could shift more of the review effort to the building permit stage. Staff are seeking clarification from the Province on whether or not city standards (e.g. storm water management, road requirements and design etc.) can be applied where a new development may be exempt.

Staff are extremely concerned by the removal of architectural and landscape details at site plan. Elimination of this takes away the City's ability to shape the public realm and would undermine the quality of places in our city. It is also proposed to remove consideration of sustainable designs. This will limit the ability for the City to implement the Green Development Standards that contribute to more efficient homes being built in Mississauga that will reduce utility bills and GHG emissions.

- ***Request that Province restore urban design, sustainable design and landscape details at site plan stage***

5) RANGE OF IMPACTS STEMMING FROM MAJOR CHANGES TO PLANNING AND APPEALS PROCESSES, INCLUDING MANY PLANNING POWERS BEING UPLOADED TO PROVINCE

Regional Planning Powers

The Province has proposed to take on many new planning powers, with regional municipalities proposed to be completely removed from the planning process. A key outcome of these changes and this centralization of powers is that the Province could soon be the City's approval authority. Meaning it would be the Province that would sign off on the City's Official Plan and associated amendments rather than the Region of Peel and that the Province could redline and change the plans as they saw fit without consultation.

It is hard to gauge the impact this will have on the process. However, if it does aim to speed things up, the Province will need to build up significant expertise in municipal land use planning otherwise it is likely a bottleneck will occur.

Given the Bill downloads many responsibilities onto the City of Mississauga from the Region of Peel (and later in the report the Conservation Authorities), there could be significant staffing impacts and the need for the City to establish new areas of expertise.

Limiting Third Party Appeals

The Province has proposed to limit third party appeals. City staff consider that limiting third party appeals for developers will significantly speed up the planning processes. Currently, the City's entire Official Plan (OP) can be appealed. In the past these broad OP appeals have taken near a decade to resolve. A similar appeals process can then unfold around site specific appeals. The collective outcome of this is a lack of certainty around the City's planning framework and increased speculation on land. However, this limit on appeals also extends to the community, who may wish to have the opportunity to participate more fully in the planning process.

Awarding Costs

Staff are however, concerned about the proposal for the OLT to more routinely award costs against a loosing party. When coupled Bill 109 that requires a municipality to provide a decision in a very short space of time (or otherwise have to refund fees), a municipality could get caught in a position where it has to refuse an application because some major issue has not been resolved on the site and could later be punished by having costs awarded against them. City staff consider that the OLT's current process where costs are only awarded where there is a genuine attempt to obstruct a matter should continue, and costs should be rarely awarded.

- ***Request that Province maintain existing OLT process where costs are rarely awarded***

Changes to Provincial Plans

The merging of the PPS and Growth Plan has also been proposed, yet limited details have been provided. The Growth Plan sets out the Greater Golden Horseshoe's urban structure (e.g. Urban Growth Centres served by transit etc.), and its growth forecasts are fundamental to good infrastructure planning. While no details are released, it is suggested that at the very least these aspects be maintained. Any changes to this document should occur in consultation with municipalities.

City staff are supportive of adding urban river valleys to the Greenbelt and already protect these lands. It is submitted that only lands be added to the Greenbelt and not subtracted.

- ***Request that Province:***
  - ***Consult municipalities as provincial plans are updated***
  - ***GGH urban structure of Urban Growth Centres and Major Transit Station Areas is maintained***
  - ***Growth forecasts are maintained for infrastructure planning***
  - ***Not change Greenbelt boundaries, aside from adding lands***

6) ELIMINATION AND REDUCTION OF MUNICIPAL TOOLS THAT FURTHER THREATEN AFFORDABLE HOUSING

Inclusionary Zoning (IZ)

Definition, Set-aside Rate Cap, and Affordability Term Cap

Currently housing affordability is defined in terms of annual income spent on housing costs e.g. no more than 30%. The Province is proposing a shift to a market-based definition of affordability that can be set at no lower than 80% of resale prices for IZ ownership units and no more than 80% of average market rent for IZ rental units. While it is unclear which data sources the Province will use to set these "average" rates, it appears that the only segment of the population that could afford an IZ ownership unit are those at the top end of the moderate-income band – that is, households earning $95,000 per year or more[5] - pricing out the vast majority of Mississauga's essential workforce.

The Province has also proposed an IZ set-aside rate cap of 5% of units / residential gross floor area. Mississauga's adopted IZ provisions require a rate ranging from 5% to 10% after an initial phase-in period. The rates are consistent with the results of the provincially mandated market

[5] Based on Toronto Region Real Estate Board (TRREB) data from Q3, 2022.

feasibility analysis. City staff do not support the 5% maximum as it will result in a minimum of 40% less affordable units than anticipated by the City's current IZ provisions. City staff request that the 5% cap be revised to 10% to help increase the supply of affordable units. In addition, with the DC, parkland, and CBC exemptions proposed for all IZ units, the feasibility of development is increased and therefore developments can absorb higher set-aside rates.

The Province is proposing a maximum affordability period of 25 years for IZ units. The City's current IZ provisions require that in condominium projects and IZ rental units are to remain affordable for a minimum of 25 years (plus a 5-year phase out) and IZ ownership units are to remain affordable for a minimum of 99 years. The City is exempting purpose-built rental projects from IZ. The rental affordability term was intentionally set shorter than the ownership affordability term to encourage / incentivize delivery of IZ rental units in condominium projects. Since the developer does not retain ownership of affordable ownership units, development feasibility is not impacted by the affordability term for IZ ownership units. Staff do not support the proposed maximum affordability period because it will cause ownership units to be lost from the IZ inventory sooner than necessary, and the proposed maximum term will have no impact on development feasibility / housing supply.

Overall, the collective impact of these proposed changes undermine the ability of this policy tool to work as intended and deliver affordable housing. The changes also reduce the efficiency of administering the IZ program. Staff urge the Province to reconsider the proposed changes to the IZ regulations, to ensure that IZ can have a meaningful impact in communities.

- ***Request that Province increase IZ set-aside rate cap to 10%***
- ***Request that Province extend the affordability for "ownership" units to 99 years; this will have no impact on developers but will allow for more sustainable affordable housing supply***
- ***Request Province maintain the income-based definition of affordable housing as per the Provincial Policy Statement***

Rental Protection By-law

Rental protection by-laws help to ensure that affordable rental supply continues to remain in areas designated for intensification and to mitigate unintended consequences of growth. Retaining affordable rental housing is critical to supporting our workforce needs and businesses. It is suggested to the Province that the power for municipalities to develop rental protection by-laws be maintained. Additional considerations could be made to tailor rental protection to local markets.

The City of Mississauga has taken a flexible approach to implementing this tool recognizing the need to enable property owners to upgrade and make more efficient use of existing rental properties. For example, the by-law requires that affordable rental units be replaced by same unit types by bedroom, rather than floor areas, at similar, not the same rents. A recent proposal

was approved in Mississauga wherein the property owner was able to increase the number of rental units from 8 to 15 units. The approval process is short and typically delegated to staff.

- ***Request that Province maintain the City's ability to protect rental housing stock***

7) SIGNIFICANT IMPACTS ON ONTARIO'S HERITAGE, NATURAL ENVIRONMENT AND ABILITY TO MITIGATE AND ADAPT TO A CHANGING CLIMATE

Heritage

The proposed changes to the *Heritage Act* create a two-year limit to review all properties on the heritage register and designate properties. Only properties currently on heritage registers can be designated. All designated properties and heritage conservation districts are to meet two out of three criteria for designation and there is a new process for repealing designations. Some of these proposed processes are to be established in forthcoming regulations.

These proposed changes to the *Heritage Act* will create a large amount of work for the City's heritage community, including the Heritage Advisory Committee and Heritage Planning staff, with potentially little reward. Rather than the City carefully considering heritage attributes through a development application processes as they arise, the City will be required to go through a process of reviewing and potentially designating 1,000 listed properties (not designated properties) on the City's register.

These efforts will take time, have staffing implications, and potentially create a substantial number of appeals at the OLT. Staff are concerned they could hold up development rather than allow it to move forward more quickly.

- ***Province could reconsider the benefits of heritage review process, as most likely it will slow down development***

Conservation Authorities

Proposed changes to the *Conservation Authority Act* aim to streamline approvals by only permitting the Conservation Authorities (CAs) to focus on natural hazards impacts on people and their property, as opposed to protecting the Natural Heritage System as a whole.
This could allow new developments to be built on lands that should be or were once protected.

Additionally, it is proposed that municipalities would exercise sole approval when a development application is filed, which may include decision making over hazard lands. The City relies heavily on the CAs for their technical review and analysis for both natural hazards as well as natural heritage. The City has excellent working relationships with Credit Valley Conservation (CVC), Toronto Region Conservation Authority and Conservation Halton. All have an excellent track record of delivering their expert technical advice in a timely manner.

Presently, the City does not have the expertise to take on these expanded responsibilities. The City will need to hire new staff in order to fill the current role of CAs and build up this knowledge base. Again, this will take time and will more likely slow down the process than speed it up.

Request that Province reconsider the benefits of limiting CA's powers to comment on natural heritage, as the City will be solely responsible to review such matters, and in the short term processes will be slowed down as new staff are hired and expertise is established

Natural Heritage System

The proposed changes to the *Conservation Authority Act* move Ontario from a holistic approach to protection of the environmental and social ecological values of a watershed to one focused on the protection of people and property against natural hazards. By framing the issue this way, Ontario could stand to loose the natural functions provided by its natural heritage system (e.g.: filtering air and water, mitigating flooding and erosion, storing carbon, providing habitat for fish and wildlife, and providing a wide range of recreation and tourism opportunities) in exchange for conventional infrastructure.

This change in approach creates a one-off financial benefit for developers. All of whom would have probably purchased newly approved land cheaply, because it would have likely been considered a flood plain with high erosion potential. Yet if this land is developed, these natural hazard burdens will be transferred to unit owners and municipalities.

Negative outcomes could be more pronounced if other measures proposed in this Bill result in the City's natural heritage system being reduced in size and as society at large works to adapt to a changing climate.

Wetlands

Proposed changes to the Ontario Wetland Evaluation System (OWES) alter the way that wetlands are identified and evaluated. The proposed changes would remove the concept of wetland complexes, which will make it more difficult for small wetlands (<2ha in size) to be included and evaluated under the system. Given that wetlands comprise only about 0.9% of the city's land base and many are small and exist in a mosaic of smaller habitats, the identification

and protection of small wetlands is essential to maintaining biodiversity and ecosystem function at a local and landscape scale.

The proposed changes to the OWES will also allow for wetland boundaries to be re-defined *after* they have been evaluated and accepted; which could lead to a situation where unauthorized/unpermitted changes to wetlands have led to a reduction in their size or loss over time to facilitate more growth in areas that would have been otherwise protected.

Ecological Offsetting Policy

Furthermore, the Province is consulting on a newly proposed "Ecological Offsetting" policy. Staff are concerned such a policy could result in Mississauga's natural heritage features and functions, that would otherwise be protected in-situ, being proposed for removal and replaced elsewhere, including outside of the city, region and/or watershed.

Staff are concerned that this proposal could lead to a steady reduction in the amount of natural space covered by the City's Natural Heritage System, weakening the entire system, with no mechanism to require that suitable compensation be provided within the city and/or assurances that an equal asset is provided elsewhere.

- ***Request that Province maintain existing wetland protections, the benefits of developing on wetlands do not outweigh the potential environmental outcomes.***
- ***Not adopt a Provincial ecological off-setting policy. Technical ecological advice on offsetting should be provided in local context by the Conservation Authorities and the City, as appropriate.***

Financial Impact

The changes identified in the proposed Bill 23 will have significant financial impact for the City. The full cost and administrative burden cannot be determined without additional details that will be found in the regulations, when these are released. The following analysis is based on currently available details.

Impact on Development Charges

It is estimated that the Bill could cost the City up to $325M over a ten-year period. The potential ten-year DC revenue loss is shown as follows.

	2023 - 2032
Forecasted DC Revenue[1]	$1,135,000,000
Less: Lost DC Revenue[2]	**($325,000,000)**
Net Forecasted DC Revenue	$810,000,000

1. *Forecasted DC Revenue is based on the development forecast contained in the 2022 Development Charges Background Study.*
2. *Lost DC Revenue based on: Mandatory retroactive phase-in, removing land and studies as DC eligible cost, 15-year service level calculation, estimated DC discount on for-profit rental units, and the requirement to update the DC by-law upon its expiry in 2027.*

It should be noted that there will be future financial losses stemming from Bill 23 that cannot be quantified at the time of writing of this report. The City requires full details, including Regulations and Bulletins, to be released by the Province to completely understand the financial impact. Of particular concern is the DC exemption for "Attainable Housing" which is currently only defined as not affordable nor rental units.

Impact on Cash-in-Lieu of Parkland

Based on the proposals that are currently defined by the Province through Bill 23, the potential CIL Parkland revenue loss is shown as follows.

	2023 - 2032
Forecasted CIL Parkland Revenue[1]	$700,000,000
Less: Lost CIL Parkland Revenue[2]	**$490,000,000 to $560,000,000**
Net Forecasted CIL Parkland Revenue	$140,000,000 to $210,000,000

1. *Forecasted CIL Parkland Revenue is based on the 2022 Parkland Conveyance By-law Update Report.*
2. *Lost CIL Parkland Revenue is based on preliminary estimates prepared by Hemson Consulting Ltd. based on available data.*

Some changes to parkland dedication cannot be quantified in dollar values. For example, developers would be able to choose the location of their parkland dedication. This is of particular concern as the City may end up with remnant parcels of land or "slivers" of land that would be unsuitable for park amenities. As well, the City must accept encumbered and privately owned public space (POPS) as parkland dedication.

All of these proposed changes will create significant budget pressures. These discounts will either need to be made up by reducing service levels or increasing property taxes and charges. Transferring the burden from developers to new unit owners and taxpayers, all of which will undermine affordability in Mississauga on the whole.

Conclusion

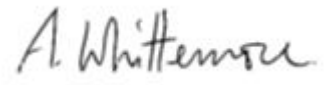
Mississauga has demonstrated a strong commitment to support provincial aims to create more housing, a greater mix of housing and efforts to make home ownership and renting more affordable. The City further supports the government's commitment to reduce red tape and make it easier to live and do business in Ontario. However, staff's assessment is that Bill 23 is overly focused on blanket fee reductions that would apply for market rate developments with no guarantee that savings will be passed on to renters and homebuyers.

A fundamental concern that staff have with the proposed Bill is that it fails to recognize the complexity of getting a development off the ground. Staff are supportive of provincial efforts to streamline processes and ensure zoning is up to date etc., but these measures address one part of the process. Developers are dealing with all manner of costs and constraints – including labour, construction costs, rising interest rates, financing, development phasing and so on. Without addressing these matters, it is unlikely that the Bill will result in the increased level of development that is being anticipated.

With so much on the line – the potential impacts on the natural environment, community infrastructure, parks, transit, affordable housing and the quality of our urban environments – the Province should slow down and reflect on the collective impact of these changes. Taking the time to consult with a broader range of stakeholders in meaningful ways could help achieve a more balanced and strategic plan for housing that meets the needs of Ontarians.

Attachments

Appendix 1: Detailed Comments to Province
Appendix 2: List of All ERO and Related Postings



Andrew Whittemore, M.U.R.P., Commissioner of Planning & Building

Prepared by: Katherine Morton, Manager, City Planning Strategies, Planning Strategies and Data

Table 1 – Changes to City of Toronto Act, 2006 and Municipal Act, 2001 - Rental Protection

Provincial Comments Period closes on November 24, 2022 (ORR: 22-MMAH017)

Proposed Changes	Potential City Impacts	Comments to the Province
Rental Replacement Minister given the authority to make regulations imposing limits and conditions on the powers of a local municipality to prohibit and regulate the demolition and conversion of residential rental properties.	• Could diminish ability to protect rental housing. The possible outcomes could be anything from reducing the conditions Mississauga can make on the Sec. 99 permit to eliminating Mississauga's ability to regulate rental demolition or conversions at all. • Mississauga currently uses a flexible approach to protect rental supply while still encourage reinvestment in existing rental stock. It does not impact the tenant provisions of the Residential Tenancies Act (RTA).	• Staff are seeking clarification on the extent of Minister's authority. • Staff would support approaches to rental protection that allow landowners to reinvest in the stock while protecting the existing (more affordable) supply. One example of flexibility is how Mississauga regulates the number of bedrooms but not unit sizes (GFAs). Financial offsets, provincial/federal tax credits and other innovative solutions should be explored. • Staff would welcome participation in any working groups before regulations are enacted.

Table 2 – Changes to Conservation Authorities Act, 1990

Provincial Comment Period closes on November 24, 2022 (ERO: 019-6141) and December 30, 2022 (ERO: 019-2927)

Proposed Changes	Potential City Impacts	Comments to the Province
Cannot Comment on Applications Conservation Authorities cannot provide services related to reviewing and commenting on proposals and planning and	• Conservation Authorities act as technical advisors to the municipality on matters of natural heritage protection. Without their expertise, the municipality will have to grow this capacity on its team to address these matters. • Furthermore, an individual municipality lacks the expertise to inform development decisions that may have cross-jurisdictional concerns (e.g. risk of	• Staff suggest the Province reconsider the proposed changes to enable Conservation Authorities to continue providing their essential review services to municipalities. Municipalities currently lack expertise and it would take time to grow these services, potentially leading to approval delays.

Proposed Changes	Potential City Impacts	Comments to the Province
development related applications. Minister can direct Conservation Authorities not to change the fees it charges for a program or service for a specified period of time.	flooding and water quality decisions upstream impact other municipalities downstream). Conservation Authorities can address these concerns through a watershed-based approach, which is important for Mississauga's downstream and lake-fronting location.	• A holistic approach of protecting our natural heritage systems and the public from natural hazards is important for residents, businesses and municipalities to be able to withstand and adapt to more extreme weather events because of climate change.
Removing the Consideration of Control of Pollution and Conservation of Land Removing factors of pollution and conservation of land, and adding a new factor, namely, the control of unstable soil or bedrock when Conservation Authorities are making decisions.	• The removal of *pollution* and *conservation of land* from the oversight of the Conservation Authority would create a large gap in how matters are addressed through the planning process. It could lead to development that may pollute the natural heritage system (including aquatic habitat, watercourses and Lake Ontario), and allow for development inside natural features that would otherwise be protected from incompatible uses. These features form the backbone of Mississauga's natural heritage system (e.g. valleylands) and provide critical ecosystem functions.	• Staff recommend that the Province reconsider further scoping the oversight of the Conservation Authority to exclude pollution and conservation of land in order to retain the robust environmental protections that are required to ensure a healthy and resilient natural heritage system. • A holistic approach of protecting the natural heritage systems and the public from Natural Hazards is critical for residents, businesses and municipalities to be able to withstand and adapt to more extreme weather events due to climate change. • If existing controls are removed flood prone areas are subject to greater levels of development, then the Province could consider an environmental justice and equity lens. For example, homeowners may struggle to obtain appropriate home insurance for flooding or won't be able to afford the costs. Impacts could also be significant for renters.

Proposed Changes	Potential City Impacts	Comments to the Province
Obligations Regarding Land Disposition The disposition of certain land requires the Conservation Authority to provide a notice of the proposed disposition to the Minister (rather than obtaining the Minister's approval). Conservation Authorities to conduct public consultation before disposing of certain lands and the notice of public consultation must include description of the type of land, proposed date of disposition and proposed future use of the lands, if known. The Minister would be allowed to impose terms and conditions on an approval given with respect to a project that involved money granted by the Minister under section 39.	• It is unclear what criteria would be established in order to determine land disposition. Given the reduction in scope of the Conservation Authorities to matters other than flooding and erosion, other areas that are currently owned for conservation purposes that play important ecological roles (i.e. wetlands, significant natural areas, habitat of endangered and threatened species etc.) may be proposed for future housing.	• Conservation Authority lands that are critical to securing ecosystem services should be maintained for conservation. Staff recommend that the Province remove this proposed amendment and prioritize the long term impacts on the environment. • Should the amendment proceed, clear criteria should be developed that exclude lands that support conservation purposes from the disposition process.
Development for Which a Minister's Order is Issued Conservation Authorities required to issue a permission	• The oversight provided by the Conservation Authority permit process provides an important level of protection for critical ecosystem features such as wetlands and watercourses. Depending on the intent of the MZO or Planning Act approval, if	• Staff recommend that the Province reconsider the approach to development in this case to enable greater oversight in natural heritage protection.

Proposed Changes	Potential City Impacts	Comments to the Province
or permit where an order has been made under section 47 of the Planning Act (MZO) also apply to orders made under section 34.1 of the Planning Act (Minister's order at request of municipality).	environmental protection is not at the forefront it could result in the loss of portions of Mississauga's Natural Heritage and associated ecological functions.	

Table 3 – Changes to Development Charges Act, 1997

Provincial Comment Period closes on November 24, 2022 (ERO: 019-6172)

Proposed Changes	Potential City Impacts	Comments to the Province
Mandatory and Retroactive Phase-in of DC Rates for any DC By-law Passed on or After June 1, 2022 Reduction in the maximum DC that could otherwise be charged for the first four years a DC by-law is in force. Any DC imposed during the first, second, third and fourth years that the DC by-law is in force could be no more than 80, 85, 90 and 95 per cent, respectively, of the maximum DC that could have otherwise been charged.	• This would have an immediate detrimental financial impact to the City. Focusing solely on this proposal alone, the revenue loss to the City would be over $56 million over a four-year period. • The lost DC revenue would impact the City in various ways; if the capital project were to go forward in the time frame as planned, there would be property tax increase implications. Should property tax rate increases not be viable, the timing of the delivery of service could be delayed. As a worst case scenario, the lack of DC funding could make a project completely unviable and the City may experience declines in its service levels. • This proposal impacts the City unfairly, given that the City's DC by-law was passed only 21 days after the retroactive date the Province has chosen. It is	• Generally speaking, City staff are supportive of proposals contained in Bill 23 that would affect meaningful change to the overall affordability and supply of housing. City staff are of the view that the retroactive and mandatory phase-in does not achieve the Province's stated goal. • City staff are unclear why the blanket reduction also applies to the non-residential sector. It is unclear how this would help support affordable housing. • **Request to the Province:** • Remove the application of the mandatory retroactive phase-in of DC rates to the non-residential DCs.

Proposed Changes	Potential City Impacts	Comments to the Province
Reductions are applicable to new DC by-laws imposed on or after June 1, 2022.	noted that municipalities that passed their DC by-law one day before the June 1, 2022 date are not impacted by this proposal. As such, the date seems fairly arbitrary.	• Continue to allow municipalities to set their own policies on phasing-in rate increases and not include any mandatory discounts in the DCA. • **Alternative Suggestions:** • Any mandatory phase-in provisions included in the DCA should only apply to DC by-laws passed after Royal Asset of the Bill. • A mandatory phase-in only applies if the proposed DC rate increase is greater than 20%. • The phase-in period be reduced from 4 years to 2 years.
Changes to Eligible DC Costs New regulation authority to prescribe services where land costs will not be an eligible capital costs. Studies would no longer be an eligible capital cost. Removal of Housing from the list of eligible DC services.	• The potential revenue loss stemming from removing land as an eligible cost would be approximately $34 million on an annual basis. • Without land, or the funding to purchase land, the project itself would become unviable or unfunded. • This is an area of significant concern for City staff. • The potential revenue loss stemming from removing studies as an eligible capital cost would be $800,000 on an annual basis. • The Region is the Housing Service Manager and therefore would be impacted if Housing was removed from the list of eligible DC services. The Region's 2020 DC study projected $200M over the next ten years for critical affordable housing initiatives such as the housing master plan. The change to the DC Act puts projects in Mississauga such as East Avenue, Brightwater, and others at risk.	• Land plays an integral part in the delivery of City services to its residents – whether it be the land for a library, community centre or arena, fire station, transit facility or land for the road network. • Again, City staff are concerned that the removal of land as an eligible capital cost is punitive and serves only to reduce the City's revenues. • **Request to the Province:** • Not remove or limit eligibility of "costs to acquire land" for DC collection. • Studies play an integral part on how the City plans for future infrastructure and service delivery to its future residents. Restore studies as an eligible capital cost • Restore Housing as eligible DC service
Discounts for Purpose Built Rental Units	• The potential revenue loss stemming from this change alone would be roughly $850,000 on an annual basis.	• Staff are supportive of these changes as it could provide an incentive to build purpose built rental units, particularly larger units.

Proposed Changes	Potential City Impacts	Comments to the Province
Discounts are as follows: -25% for 3+ bedrooms -20% for 2 bedrooms -15% for bachelor & 1 bedroom	• This proposed discount would be in addition to the statutory deferral of the DCs over a six-year period, stemming from the change to the DC Act that came into effect on January 1, 2020.	• It is suggested the province consider using grants such as the Housing Accelerator Fund to offset lost revenue.
Change to the Historic Service Level Calculation Historical service level for DC eligible capital costs (except transit) extended from 10 to 15 years.	• This particular proposal, again, seems arbitrary and affects each municipality differently • The preliminary high level sensitivity analysis performed by City staff shows an overall neutral effect on the DC rates, with the exception of Fire Services where the City has utilized non-DC funding sources to increase its service levels and this proposal would see a decrease to the Fire DC rates.	• Because this proposal seems fairly arbitrary and seemingly has the desired effect to lower DC rates and overall revenues to municipalities, it is an undesirable change. • However, given the gamut of proposed changes of Bill 23, City staff have an overall neutral position to this particular change.
Cap on the Interest Charged by Municipalities The proposed amendment would cap the interest to prime rate plus 1 percent on rental and prescribed institutional developments. This also applies to the rates frozen at the time of application.	• The City and Region currently have a Council approved policy which levies an interest rate of 5.5%. • Subsequently, Council approved a policy that set the interest rate at 0% for rental housing developments. • By prescribing the maximum interest rate to the prime lending rate would more closely align with borrowing rates should the City need to debt finance growth-related capital projects.	• City staff have a neutral position towards this particular change in the legislation.
Requirement to Spend or Allocate 60% of DC reserve funds Beginning in 2023, municipalities will be required to spend or allocate at least	• The City has plans to utilize the Roads DC reserve fund balance through the City's long-term financial planning and annual budgeting exercises. • Depending on how stringent the Province is on their definition of "allocate", this requirement may make it difficult to plan for larger capital projects,	• City staff have an overall neutral position towards this particular change in the legislation.

Proposed Changes	Potential City Impacts	Comments to the Province
60% of the monies in a reserve fund for priority services (water, waste waster, distribution and treatment of services, and roads).	and the ability to change the capital forecast annually.	
Expiration of DC By-law Changing the DC by-law expiration from 5 to 10 years. DCs can still be updated anytime before the 10 year period.	• This proposal seems fairly arbitrary and seemingly has the desired effect to stagnate the DC rates for a period of ten years.	• Given that it is not a mandated ten year shelf life of the DC by-law, City staff have an overall neutral position towards this particular change in the legislation.
Exemptions from DCs for: • > 1 unit or 1% of existing units in an existing purpose-built rental building • Residential intensification (additional dwelling unit and ancillary units)	• The potential financial impacts would be nominal, given the changes made to the Regulations in 2020 which exempt additional dwelling units that are within or ancillary to a primary unit.	• City staff are general supportive of financial relief to units supporting gentle densification.
Exemptions from DCs for: • Non-profit housing	• Many municipalities provide a grant-in-lieu of fees and charges to true non-profit housing providers. • The potential financial impact would be nominal.	• Staff support fee exemptions (DCs, CBC, Parkland Dedication) for non-profit housing developments.

Proposed Changes	Potential City Impacts	Comments to the Province

Full Exemptions from DCs, CBCs and Parkland Dedication
 	
Full exemptions from DC charges for affordable units; attainable units; and inclusionary zoning units. Affordable housing generally defined as being priced at no greater than 80% of the average resale price or average rent in the year a unit is sold or rented.
 	
Future regulations will give definition for "attainable housing units"
	• The City has already passed a by-law with respect to DC grants for Affordable Rental Housing, but it differs from the proposal in a few ways:
	  ○ The grant would only be available to non-profit rental housing units
	  ○ Only the City's portion of DCs would be eligible for a grant
	  ○ The value of the grant would be determined based on the proposed rents relative to AMR where rents up to 100% AMR would be eligible for up to a 100% grant and rents up to 125% AMR would be eligible for up to a 50% grant
	• The proposed changes are likely to support the creation of more housing units and increase supply, but is unlikely to have a true impact on creating (and preserving) **affordable** housing units.
		• More information is requested to understand how "average resale price" and "average market rent" be set. Will the Province be setting these rates on an annual basis? Will this be done on a municipality-by-municipality basis and by unit type?
		• Additional details regarding the information that will be included in the MMAH bulletin supporting determination of eligibility for exemptions is required to understand implementation and impacts.
		• Further clarification is required for the definition(s) of "attainable housing units" and/or "development designated through regulation" to understand the magnitude and scope of DC fee exemptions.
		• Staff support the requirement to enter into an agreement registered on title, to secure the exemptions. However, it's preferable to see an arrangement where the DCs are paid in full by the developer, then refunded to the purchaser, much like existing programs for first-time homebuyer tax rebates – this would help ensure that the cost savings are in fact passed on to the homebuyer.

Table 4 – Changes to Ontario Heritage Act

Provincial Comment Period closes on November 24, 2022 (ERO: 019-6196)

Proposed Changes	Potential City Impacts	Comments to the Province
Listing of Properties on Municipal Heritage Register New requirements aimed to focus the use of the heritage register listing process with new threshold test (to meet certain prescribed criteria for cultural heritage value or interest) for listing a property.	• Increasing the threshold for designated properties from one to two criteria will have an impact on how Mississauga recognizes the heritage on equity-seeking groups. Many of the structures which play a foundational role in the community lack architectural value and are plain but have a significant importance and story behind them.	• Changing the threshold of designating properties from one to two criteria will limit the City's ability to recognize the heritage of equity seeking groups. • Many equity seeking communities solidified themselves in buildings and locations which hold significant associative value to the community, but little architectural or design value. As such, the heritage of these communities would be undervalued against the heritage of more established and better documented communities. • The Province could consider options and expanding the criteria to directly engage with equity-seeking communities and ensure that heritage is approached in an equitable manner.
Time Limits and De-listing of Properties Requirement to review the heritage register and make decisions whether listed properties will be designated, and if not, the properties will be removed from the register. If a municipality fails to take action in two yeas from the date the property is listed to initiate the designation	• Significant impact to the City's heritage resources by limiting the time a property can be listed on the register. Listing a property on the register gives Mississauga time to consider its heritage value and allow for other means of conserving and interpreting its heritage and history aside from protection through designation.	• This change will limit the City's ability to explore options of interpretation and commemoration outside of the standard designation process, making the heritage process less flexible and potentially cause more challenges to development.

Proposed Changes	Potential City Impacts	Comments to the Province
process, then it will be required to remove the property. If a property is removed from the register as a result of a municipality's non-action, they would be prohibited from listing that property again for a period of five years.		
Freeze on Designation Process The designation process would "freeze" once a prescribed event occurs (e.g. likely to include submission of some or most development applications) Municipalities would not be permitted to issue a notice of intention to designate a property unless the property is already on the register when the current 90 day requirement for applications is triggered.	• The City would not be able to add properties to the heritage register when 'prescribed event' occurs. This places the onus on the City to be pro-active in maintaining the heritage register and anticipating when a property may come up for development.	
Heritage Conservation Districts New proposed process to allow for heritage conservation district plans to be amended or repealed.	• Minimal impact to the City as this is already the process used when establishing and amending Heritage Conservation Districts.	

Proposed Changes	Potential City Impacts	Comments to the Province
Requirement for municipalities to first undertake a study of the area to ascertain the heritage it seeks to protect, establish the district via by-law, adopt a heritage conservation district plan, and the plan would have to explain how the cultural heritage value or interest of the district meets new prescribed criteria.		

Table 5 – Changes to the Ontario Land Tribunal (OLT) Act, 2021

Provincial Comment Period closes on November 25, 2022 (ORR: 22-MAG011)

Proposed Changes	Potential City Impacts	Comments to the Province
Dismissal of Appeals Proposed changes to expand OLT's authority to dismiss proceedings without a hearing on the basis of undue delay or the OLT is of the opinion that a party has failed to comply with an OLT order.	• Generally, improvements to the OLT are welcomed however, the proposed changes will impact public participation and reduce municipalities' ability to serve the public interest.	

Proposed Changes	Potential City Impacts	Comments to the Province
Cost Awards Proposed changes to increase powers for the OLT to order an unsuccessful party to pay a successful party's costs.	• There may be instances where the unsuccessful party is a municipality and will have to pay the awarded costs. This greatly burdens municipalities and existing taxpayers, as well as, widens the gap for financial implications and budgetary shortfalls.	• Staff recommend the OLT maintain an approach where cost awards are rare, and recommend the Province exempt municipalities from having to pay costs if they are the unsuccessful party.
Prioritizing Resolution of certain proceedings Proposed new powers for the Lieutenant Governor to make regulations setting standards with respect to timing of scheduling hearings and making decisions. The Minister can prescribe timelines that would apply specified steps taken by the OLT in specified classes of proceedings.	• Generally, improvements to the OLT are welcomed, however the proposed changes centralize powers that reduce public participation, transparency and accountability.	• Staff recommend having written criteria for prioritizing hearings and making decisions.

Table 6 – Changes to the Planning Act, 1990

Provincial Comment Period closes on November 24, 2022 (ERO: 019-6163, ERO: 019-6172)

Proposed Changes	Potential City Impacts	Comments to the Province
Ministerial Amendment of Official Plan New powers for the Minister to make amendments to an official plan and the power to make amendments based on Minister's opinion that the plan is likely to adversely affect a matter of provincial interest.	• Minister will be the approval authority for Mississauga's OP but it is unclear how it will use this power e.g. (ad hoc in between MCR processes). • Staff are concerned with the uncertainty around timelines and approval of each individual third party initiated Official Plan Amendment (OPA) • This also erodes the public process and reduces opportunities for public input into the Official Plan when these amendments occur.	• Seeking clarification on how new powers will be used and whether the Province will be approval authority for all amendments (e.g. even in instances where there are no conformity issues with provincial legislation)
Third-Party Appeals Proposed changes will limit third party appeals and require that the prospective appellant be a specified person to quality for appeal rights (e.g. limited to public bodies). The proposed limit on third-party appeal rights will be applied retroactively to appeals that have not had a hearing scheduled before October 25, 2022. changes would apply to all Planning Act decisions.	• Limits the rights of general public and participation in the appeals process. • This means that city-initiated OPAs, would be approved by the province and cannot be appealed by the public, including landowners. See S. 17(24). • Based on the transition policies, the OLT appeals received for existing projects could be dismissed unless there are new regulations specifying classes of appeals that may be exempt.	• Staff consider that removing the ability for developers to appeal will significantly speed up and create greater certainty in the planning process. Developers still have an opportunity to apply for an Official Plan Amendment/ rezoning through site-specific development application. • This limit on appeals extends to the community, who may wish to have the opportunity to participate in the appeals process.

Proposed Changes	Potential City Impacts	Comments to the Province
Cap on Community Benefit Charges Contribution Introduction of a new cap on the total amount of a community benefit charge based on only the value of the land proposed for new development. Affordable housing units will be exempt and implemented by discounting the max CBC of 4% of land value by the floor area of the affordable units as a proportion of total building floor area.	• Impacts to revenue and in turn, reduced benefits. • Impacts to community infrastructure and long term planning and implementation of new community services/facilities	• The original 4% proposal by the Province did not provide for a meaningful revenue source to municipalities in the first place. This proposal continues to erode this funding source.
Site Plan Control Exemption Developments of up to 10 residential units will be exempt from site plan control and there are no transition provisions.	Cumulative impacts of site plan exemption to the City include removing the ability to: • Acquire land dedications (e.g. road widenings, sight triangles, greenbelt/hazard lands) and easements (e.g. stormwater/servicing easements • Control access (e.g. access to main corridors), site circulation/design for vehicles and people, • Local improvements (e.g. sidewalks, multi-use trails) and lack of ability to collect cash-in-lieu of sidewalks or have developer build missing portion of sidewalk • Evaluate site servicing/capacity • Stormwater management controls, and potential loss of the proposed measures all together	• Staff are seeking clarification on whether applicants still have to use/comply with City Standards. This is very important for a number of issues, but particularly for municipal servicing, stormwater management requirements/control measures, private road design/naming, etc.

Proposed Changes	Potential City Impacts	Comments to the Province
	• Utility coordination and streetlighting improvement/relocation • SP Agreement to deal with design of required municipal works and/or to include other required conditions or clauses • Identify existing and proposed encroachments on City owned lands/ROWs, and identify need for encroachment, license, consent to enter agreements, etc. • Not being able to identify existing easements or other site restrictions/constraints (these can impact setback distances to proposed buildings, proposed building footprint location can be impacted) • Fencing and acoustic requirements • Limiting the application of green development standards is likely to result in inefficient homes being built – leading to increases in greenhouse gas emissions and high utility costs for residents. • This exemption will impact the City's ability to manage smaller, sensitive infill redevelopment projects. It will result in the elimination of the Replacement Housing (Infill) Site Plan process in Wards 1, 2, 5 and 7. • This exemption would leave the City's Natural Heritage System vulnerable to removal and non-mitigated impacts. Loss of ability to provide technical advice on appropriate mitigation, restoration and compensation related to the Natural Heritage System (NHS).	• This exemption could reduce the size and quality of the City's natural heritage features which provide essential ecosystem services.

Proposed Changes	Potential City Impacts	Comments to the Province
New Exclusions from Site Plan Control Matters of exterior design, landscape architecture, streetscape and sustainable design will be removed from site plan control (however, exterior access to building with affordable housing will still be reviewed).	Exterior Design • Removes ability to ensure durable materials and sustainable features are used, which leads to lower quality built form and long term maintenance issues. Landscape Architecture / Sustainable Design • Removes ability to ensure compatibility with surrounding properties • Removes ability to ensure linkages to surrounding infrastructure such as pedestrian access to transit • Removes ability to incorporate sustainable design features such as low impact design, stormwater management, planting and appropriate green features and Green Development Standards • Removes ability to incorporate resolving stormwater impact adapting to climate change Streetscape • Removes municipal ability to obtain sidewalks, street trees and appropriate urban infrastructure required to create and sustain walkable, transit-oriented communities • Removes an opportunity to coordinate utilities with city engineering requirements which will have financial impacts on cities: capital projects may be required to address to complete the public realm resulting from increased development activity	• Staff recommend that that these matters should be retained in site plan control in order to achieve walkable, liveable and desirable communities. • Seeking clarification on whether these matters are removed from site plan control for commercial, industrial and institutional uses. • Limiting the application of Green Development Standards could result in inefficient homes being built – leading to increases in greenhouse gas emissions and higher utility costs for residents.
Removal of Upper Tier Responsibilities and Approval Proposed changes will remove all upper tier municipalities	• The Region's Official Plan will no longer exist. This will be a loss of regional planning expertise on cross-jurisdictional matters, such as, health of natural systems that Mississauga is part of.	• Seeking clarification on the extent of the Province's decision making (e.g. whether the Province will approve every individual amendment).

Proposed Changes	Potential City Impacts	Comments to the Province
from the review and approval process for lower tier official plans, amendments and plans of subdivision. The Minister will become the new approval authority for all lower tier official plans and amendments. The Minister's decisions cannot be appealed.	• Relevant parts of The Region's Official Plan will be deemed to be part of Mississauga's Official Plan. Staff and Council will have to make decisions regarding what parts of the Region's recently approved OP must be integrated directly into Mississauga's OP, what needs to be revised, how to eliminate redundancies and any conflicts and what parts to rescind. This will require significant time and resources. It is out of scope of the current Official Plan Review (OPR) process. • As approval authority for the City's new Official Plan, the Province will be able to directly modify Council-approved Official Plan policies. Additionally, the Minister will now be able to modify any Official Plan policy at any time when the Minister considers it to be likely to adversely affect a matter of provincial interest. This appears to be similar to MZOs, but for Official Plan policy instead of zoning by-laws. • Employment Conversion authority will be brought back to the City. • The Region's OP has extensive environmental policy and mapping which will become the City's responsibility to administer and update as it pertains to Mississauga. Consequently, additional staff expertise and resources may be required. • Some of Region's map schedules will have to be integrated into the City's new OP. • City will now be responsible to make decisions on Smart Centre requested Employment Land conversions and the Heartland land use study.	• Seeking clarification on the transition, process and timeline to integrate and repeal Regional OP policies into Mississauga's OP. • Clarification on conformity requirements, as there will not be an upper tier official plan (e.g. lower tier has one year to conform with upper tier plan). • Seeking clarification on matters pertaining to conflicts between the Region's OP and Mississauga's OP amidst the local OP and OPAs getting approved e.g. which policies will prevail. • If lower tier municipalities will be responsible for employment and population forecasting, while the Region will be the infrastructure provider, what will be the roles and relationship between the upper and lower tier municipalities?

Proposed Changes	Potential City Impacts	Comments to the Province
	• City will need to determine how much of the Official Plan Review (OPR) should progress in light of Bill 23 (including elimination of Regional planning authority), which could still change and has an undetermined in-force date. It is likely prudent to delay the OPR Policy Bundle 3 release to address the Bill 23 changes and pending changes to the Provincial Policy Statement and Growth Plan that the Province has indicated is coming. It appears that the 1 year time requirement for the City to update its Official Plan to conform to the Region's Official Plan no longer applies, as the Region's Official Plan will no longer exist but will be deemed to form part of Mississauga's Official Plan, where applicable.	
Increased Gentle Intensification Proposed as of right permissions will allow up to three residential units permitted on the lot of a detached house, semi-detached house and rowhouses, with no minimum unit size. New units will be exempt from DC, Community Benefit Charge and parkland requirements.	• The City's Official Plan (as well as Official Plan Review draft policies) and Zoning by-laws will have to be revised to address this. • This proposed change is in alignment with preliminary direction in Mississauga's *Increasing Housing Choices in Neighbouroods* Study (IHCN) and the Official Plan Review (OPR). • Currently, the City's Zoning By-law requires 1.25 spaces per unit in a duplex or triplex. This will need to be revised. As per design work from the consultants on the IHCN project, staff are considering a maximum of 0.66 spaces/unit in a triplex (this would permit a two-car driveway and triplex building that fits within the existing footprint of a single-detached house and driveway).	• Staff are seeking clarification on implementation, including the application of zoning standards (e.g. can zoning provisions have the effect of limiting the zones/sites where 3 units on a lot are feasible?) and parking requirements. • Seeking clarification on time requirements for implementation.

Proposed Changes	Potential City Impacts	Comments to the Province
	• As part of Mississauga's recently approved Parking Regulations Study, an extra parking space is not required for a second unit. • Consistent with this proposed change, the recently approved Parkland Conveyance By-law includes an exemption for up to two additional residential units (ARUs). The City's By-law provides a clear definition for ARUs. • There is no language on timing requirements. This would mean the current 3 year zoning conformity requirement would apply once the OP is revised to conform to these new requirements, but it is unclear.	
Appeals of Zoning By-laws for Protected MTSAs and Reduced Timeframe for Conformity Municipalities with official plan policies for Protected MTSAs have no more than one year to amend all the zoning-by laws to conform with provincial policies and plans. Zoning within Protected MTSAs can be appealed and amended if the updated zoning is passed more than one year after the official plan policies come into effect.	• Significant timing impact to Zoning Services work program, given requirement to amend zoning for PMTSAs within 1 year of OP policies being in place, instead of 3 years prior to Bill 23. • The proposed wording makes it unclear as to when the 1 year requirement begins (i.e. the in-effect date of the Region's new OP or the in-effect date of Bill 23). • Scope of required zoning changes is unclear, including how to incorporate minimum densities (i.e. whether use of minimum building floor space index will satisfy legislative requirements). • It appears that a member of the public cannot appeal the initial bylaw itself (only public bodies and utilities have this right), but an applicant (e.g. a developer) would have the ability to submit a zoning bylaw amendment application to amend the MTSA zoning bylaw once it is in place if the 1	• Seeking clarification on when the 1 year requirement begins. • It is likely that the City will have to update its ZBL and then re-update it after the new OP is approved. This diverts planning resources and creates inefficiencies in the process. • Pending significant changes to the Provincial Policy Statement and the Growth Plan that have been announced by the Province will add to process inefficiencies, as some of this zoning conformity work may have to be redone after release of these revised documents. • Consequently, it is recommended that a minimum of 18 months is given for zoning implementation.

Proposed Changes	Potential City Impacts	Comments to the Province
	year timeline is not achieved. The benefits of having Protected MTSAs, including having maximum building height certainty in most of our Strategic Growth Areas will be lost if the City is not able to achieve the 1 year timeline for zoning conformity. • The new Regional OP was approved by the Province on Nov 4, 2022 and includes MTSA policies. It is unclear how any conflicts between the two official plan documents will be dealt with.	
Changes to Parkland Dedication Requirements Proposed changes reduce the amount of parkland for a development where the maximum amount of land that can be conveyed or paid in lieu is capped at 10% of the land for sites under 5 ha and at 15% for sites greater than 5 ha. The maximum alternative dedicate rate will be reduced to 1 ha/600 units for parkland and 1 ha/1000 units for cash in lieu. Parkland rates will be frozen as of the date that a zoning-by law or site plan application is	• The proposed reductions in the amount of parkland/ CIL that can be required of new development significantly impacts the City's ability to achieve parkland goals set out in the Parks Plan. Parkland requirements included in the recently approved Parkland Conveyance By-law accounted for the amount of parkland needed to 2041 to support new growth and ensure the provision of complete communities. • The proposed new legislation would have the effect of reducing CIL revenues by approximately 70% - 80% thereby significantly impacting the City's ability to provide the amount of parkland needed in Mississauga neighbourhoods. The result would be less new parkland where it is needed and increased pressure on the existing parkland supply.	• The proposed changes could result in lower standards for parkland provision and less access to parkland. The proposed caps in Bill 23 would undermine the principle that growth pays for growth. Funding shortfalls will be transferred onto the tax base reducing overall affordability in the city. • The City is requesting that the Province restore the former rates, or that it remove the funding cap.

Proposed Changes	Potential City Impacts	Comments to the Province
filed. The freeze is effective for two years after approval. If two years have passed since the contribution amount was calculated, then the value will be calculated based on the rate on the day of the first building permit.		
Parkland Dedication Exceptions Proposed changes will exempt two additional residential units on a lot and non-profit housing from parkland dedication requirements.	• The recently approved Parkland Conveyance By-law includes an exemption for up to two additional residential units (ARUs). • The recently approved Parkland Conveyance By-law includes an exemption for any development or redevelopment undertaken by the Region of Peel, which could include some non-profit housing. The proposed new legislation proposes exemptions for affordable housing, IZ units, non-profit housing and attainable housing, which is beyond the by-law exemptions. The impact to the City is a decreased ability to provide parkland, as part of a complete community, to support these types of developments.	• Staff support fee exemptions (DCs, CBC, Parkland Dedication) for additional residential units as it encourages additional density in existing residential neighbourhoods to make better use of existing infrastructure and services.
Requirement for a Parks Plan The proposed change will require a municipality to prepare and make available a parks plan before passing of a parkland dedication by-law.	• The 2022 Parks Plan was approved by Council earlier this year. It is unclear if the proposed new legislation will require a new Parks Plan every time a Parkland Conveyance By-law is passed or an update to the existing Parks Plan.	• Seek clarification on the need for a new Parks Plan.

Proposed Changes	Potential City Impacts	Comments to the Province
Landowners can Select Portion of Lands for Parkland Developers can identify the land they intend to convey to the municipality for parkland. If agreement can't be reached the municipality or the land owner can appeal it to the OLT. If OLT determines the land meets certain criteria, the municipality may be required to credit it towards the parkland contribution. Furthermore, the new changes allow landowners to dedicate encumbered parkland (strata parks) and privately owned publicly accessible spaces (POPS) for eligible parkland credits.	• This proposed change that allows developers to identify the lands they intend to convey could result in dedication of small sections of undevelopable lands or parcels that are unsuitable for functional parkland. • The proposed change that requires full parkland credit for encumbered parkland (strata and POPS for example), will result in less unencumbered parkland in growth areas. Encumbered parkland does not provide the same level of park service as a publicly owned and operated park. POPS have limited park programming ability, are subject to maintenance and operational restrictions and will not support mature trees. The financial burden for maintenance and capital investments for POPS would be that of the private landowner. Credits for POPS are financially beneficial to the developer but could cause financial hardship for the future private landowner/s, particularly in the case of residential buildings that would be responsible for maintaining these spaces.	• Request that Province roll back ability for landowners to determine park locations, or at least ensure dedications are contiguous, link into the existing parkland network and have public street frontage and visibility. • Request that Province remove 100% credit for encumbered lands or POPS, or at least roll it back to some lesser amount to disincentivize developers providing encumbered parkland or POPS over a public park.
Requirement for Minimum Spending of Parkland Monies New requirement for municipalities to spend or allocate at least 60% of the monies in their parkland reserve account at the beginning of each year.	• The City already allocates CIL funds through the CIL Continuity 10 Year Plan forecast.	• Seeking more information from the Province regarding the meaning of "allocation" to determine if there are any impacts.

Proposed Changes	Potential City Impacts	Comments to the Province
Public Meeting for Subdivision Applications The proposed change will completely remove the public meeting from subdivision applications.	• This reduces the public's ability to participate in the subdivision process • Additionally, minor variances and consents are no longer appealable by residents, which is a significant change.	

Table 7 – Review of A Place to Grow (Growth Plan) and Provincial Policy Statement (PPS)

Provincial Comment Period closes on December 30, 2022 (ERO: 019-6177)

Proposed Changes	Potential City Impacts	Comments to the Province
Merging the Growth Plan and PPS Consultation process on merging the Growth Plan and the PPS.	• Few details have been provided to date on how the Growth Plan and PPS would change.	• Staff are requesting that the Province consult with municipalities on changes to these documents. • Staff suggest that Regional Urban Structure (e.g. UGCs and MTSAs) and growth forecasts to help plan for regional infrastructure be maintained.

Table 8 – Municipal Housing Targets to 2031

Proposed Changes	Potential City Impacts	Comments to the Province
New Housing Targets for Municipalities The Province has assigned Mississauga a new housing target of 120,000 units by 2031. Targets are based on current population and growth trends.	• In 2021, Mississauga issued building permits for 5,500 new units. So far, 2022 is a record year, but the City has still only issued building permits for 6,100 new units. • If Mississauga is to meet the Provincial housing target, it must double its current levels of development. The City has been planning for growth well beyond its Regional allocation of 100,000 units so no city planning policy changes are needed to reach the provincial pledge.	• Staff suggest these targets may be hard to reach given constrains on the development industry (e.g. market conditions, high interest rates and labour and construction costs that influence viability and timing of development projects).

Table 9 – Changes to Ontario Regulation 232/18 – Inclusionary Zoning

Provincial Comment Period closes on December 9, 2022 (ERO: 019-6173)

Proposed Changes	Potential City Impacts	Comments to the Province
New definition of "Affordable" for Inclusionary Zoning (IZ) Units Province is proposing that the lowest price/rent that a municipality can require a developer to sell / rent IZ units at is 80% of the average resale purchase price of ownership units or 80% of the average	• This change would require amendments to Mississauga's policies/IZ By-law and would raise questions about the fundamental utility of the IZ tool to increase housing supply that is affordable for Mississauga's moderate income households. The proposed definition for ownership IZ units would mean that IZ units are effectively unaffordable to the vast majority of Mississauga's moderate income households.	• Suggest the use PPS definition for housing affordability, which is based on annual income spent on housing costs. If it is decided to move to a market-based approach, affordable ownership units should be priced at 70% or less of resale price. • Requesting that the Province maintain the income-based definition of "affordable housing" for IZ units.

Proposed Changes	Potential City Impacts	Comments to the Province
market rent (AMR) for rental units.		• Requesting clarification on methodology (e.g. will it be a rate by unit type or one rate regardless of type? What is the source of the resale data?)
Caps on IZ Set-Aside Rate Proposed change will set an upper limit to the set-aside rate, which would be 5% of total number of units or 5% of total residential gross floor area.	• Impacts to the City's Official Plan and Zoning-bylaw set-aside rate provisions. • Mississauga's IZ policies require a rate ranging from 5% to 10% residential area, after an initial phase-in. • Recent Provincial legislation changes already limited the geographic scope of IZ to protected MTSAs, directly impacting IZ unit yield. • Raises question of administrative efficiency of IZ for both the City and Region, given the small IZ unit yield that may result.	• City staff do not support the 5% maximum as it will result in approximately 40% less affordable units than anticipated by the City's current IZ provisions. The proposed changes reduce the efficiency of administering the IZ program. • One-size-fits-all approach does not recognize that certain sub-markets in Ontario can absorb a higher rate, especially given significant public investment to transit and infrastructure. • The 5% maximum calls into question the necessity of current requirements to perform periodic IZ market analyses / policy updates. • Request that Province increase the set aside rate cap to 10% to help increase the supply of affordable units. • Request that Province consider cash-in-lieu for scenarios where the IZ unit yield is small in smaller projects, to reduce administrative burden to developers and municipalities.

Proposed Changes	Potential City Impacts	Comments to the Province
Cap on Affordability Term Proposed maximum affordability period of 25 years for IZ units.	• Impacts City's Official Plan and zoning provisions for IZ. • Raises question of merit of IZ program given short affordability term. • Mississauga's adopted policy and zoning provisions establish a 99-year affordability term for ownership units and a 25-year affordability term (plus 5-year phase-out) for rental units. The rental affordability term was intentionally set shorter than the ownership term to encourage delivery of rental units in condominium developments. The City exempts purpose-built rental projects from IZ.	• Staff do not support the proposed maximum affordability period because it will cause ownership units to be lost from the IZ inventory sooner than necessary, and the proposed maximum term will have no impact on development feasibility / housing supply. • Request that Province extend the affordability for "ownership" units to 99 years; this will have no impact on developers but will allow for more sustainable affordable housing supply.

Table 10 – Proposed Amendments to the Greenbelt Plan and Greenbelt Area Boundary Regulation

Provincial Comment Period closes on December 4, 2022 (ERO: 019-6216 and ERO: 019-6217)

Proposed Changes	Potential City Impacts	Comments to the Province
Changes to the Greenbelt Plan and Area Boundary	• Removing land from the Greenbelt could have environmental consequences both inside and outside of Mississauga. • Environment impacts could be compounded by a reduced role of Conservation Authorities.	• There are no guarantees that removing some lands from the Greenbelt while adding others will have equal environmental value and ecological function. • City staff are supportive of adding urban river valleys to the Greenbelt and already protect these lands. • It is submitted that only lands be added to the Greenbelt and staff are not supportive of removing lands.

Table 11 – Proposed Updates to the Ontario Wetlands Evolution System

Provincial Comment Period closes on November 24, 2022 (ERO: 019-6160)

Proposed Changes	Potential City Impacts	Comments to the Province
Removing the Concept of Wetland Complexes The proposed changes would remove the concept of wetland complexes and weaken the evaluation process. The changes will allow for wetland boundaries to be re-defined after they have been evaluated and accepted.	• It will be more difficult for smaller wetlands (<2 ha in size) to be included and evaluated under the system. • Given that wetlands comprise only about 0.9% of the city's land base and many are small and exist in a mosaic of smaller habitats, the identification and protection of small wetlands will be impacted - they are essential to maintaining biodiversity and ecosystem function at a local and landscape scale. • Given that boundary changes will be allowed after a wetland has been accepted, this could lead to a situation where unauthorized and unpermitted changes to wetlands lead to a reduction in their size or loss over time to facilitate growth in areas that would have been otherwise protected.	• The Province should maintain existing wetland protections. The benefits of developing on wetlands do not outweigh the potential environmental outcomes.

Appendix 2: List of All ERO and Related Postings

Postings to the Environmental Registry of Ontario (ERO)

	Name of Posting	Link and ERO #	Comment Deadline
Information Bulletins			
1	Consultations on More Homes Built Faster: Ontario's Housing Supply Action Plan 2022-2023	019-6162	*n/a*
2	2031 Municipal Housing Targets	019-6171	*n/a*
Legislation (Act)			
3	Proposed Planning Act and City of Toronto Act Changes (Schedules 9 and 1 of Bill 23 – the proposed More Homes Built Faster Act, 2022)	019-6163	November 24, 2022
4	Proposed Planning Act and Development Charges Act Changes: Providing Greater Cost Certainty for Municipal Development-related Charges	019-6172	November 24, 2022
5	Supporting Growth and Housing in York and Durham Regions Act, 2022	019-6192	November 24, 2022
6	Proposed Changes to the Ontario Heritage Act and its regulations: Bill 23 (Schedule 6) - the Proposed More Homes Built Faster Act, 2022	019-6196	November 24, 2022
Regulation			
7	Proposed updates to the regulation of development for the protection of people and property from natural hazards in Ontario	019-2927	December 30, 2022
8	Legislative and regulatory proposals affecting conservation authorities to support the Housing Supply Action Plan 3.0	019-6141	November 24, 2022
9	Proposed Amendment to O. Reg. 232/18: Inclusionary Zoning	019-6173	December 9, 2022
10	Proposed Changes to Ontario Regulation 299/19: Additional Residential Units	019-6197	December 9, 2022
11	Proposed Changes to Sewage Systems and Energy Efficiency for the Next Edition of Ontario's Building Code	019-6211	December 9, 2022
12	Proposed Amendments to the Greenbelt Area Boundary Regulation O. Reg. 59/05	019-6217	December 4, 2022
13	Proposed redesignation of land under the Oak Ridges Moraine Conservation Plan O. Reg. 140/02	019-6218	December 4, 2022
Policy			

14	Proposed Updates to the Ontario Wetland Evaluation System	019-6160	November 24, 2022
15	Conserving Ontario's Natural Heritage	019-6161	December 30, 2022
16	Proposed Revocation of the Parkway Belt West Plan	019-6167	December 30, 2022
17	Proposed Revocation of the Central Pickering Development Plan	019-6174	November 24, 2022
18	Review of A Place to Grow and Provincial Policy Statement	019-6177	December 30, 2022
19	Proposed Amendments to the Greenbelt Plan	019-6216	December 4, 2022

Postings to Ontario's Regulatory Registry (ORR)

	Name of Posting	Link and Proposal #	Comment Deadline
	Proposal		
1	Seeking Input on Rent-to-Own Arrangements	22-MMAH018	December 9, 2022
	Act		
2	Seeking Feedback on Municipal Rental Replacement By-Laws	22-MMAH017	November 24, 2022
3	Proposed Amendments to the Ontario Land Tribunal Act, 2021	22-MAG011	November 25, 2022
4	Amendments to the New Home Construction Licensing Act, 2017 to Protect Purchasers of New Homes	22-MGCS021	November 24, 2022
5	Proposed legislative amendments to the Ontario Underground Infrastructure Notification System Act, 2012 under the More Homes Built Faster Act, 2022	22-MGCS022	November 25, 2022
	Regulation - Minister		
6	Proposed Building Code Changes to Support More Homes Built Faster: Ontario's Housing Supply Action Plan: 2022-2023 (Phase 3 - Fall 2022 Consultation for the Next Edition of Ontario's Building Code)	22-MMAH016	December 9, 2022
7	General Proposed Changes for the Next Edition of Ontario's Building Code (Phase 2 – Fall 2022 Consultation)	22-MMAH019	December 9, 2022

Background and Other Provincial Updates

	Description	Link
1	Community Infrastructure and Housing Accelerator – Final Guideline	Guideline
2	More Homes Built Faster Act, 2022 - Backgrounder	Backgrounder
3	More Homes Built Faster Action Plan	Action Plan
4	Bill 23, More Homes Built Faster Act, 2022	Bill 23

MISSISSAUGA

RESOLUTION 0231-2022
adopted by the Council of
The Corporation of the City of Mississauga
at its meeting on November 23, 2022

0231-2022 Moved by: D. Damerla Seconded by: C. Fonseca

1. That Council endorse positions and recommendations contained and appended to the report titled *"Bill 23 'More Homes Built Faster' and Implications for City of Mississauga,"* and authorize staff to prepare additional detailed comments on Bill 23 and any associated regulations, as needed. In particular, the City be made whole for any revenue losses from changes to the imposition of development changes and parkland dedication.

2. That the Mayor or designate be authorized to make submissions to the Standing Committee with respect to issues raised in this report, or to otherwise provide written or verbal comments as part of the Ministry's public consultation process.

3. That the City Clerk forward this report to the Ministry of Municipal Affairs and Housing; Mississauga's Members' of Provincial Parliament, the Association for Municipalities Ontario, and the Region of Peel.

Recorded Vote	YES	NO	ABSENT	ABSTAIN
Mayor B. Crombie			X	
Councillor S. Dasko	X			
Councillor A. Tedjo	X			
Councillor C. Fonseca	X			
Councillor J. Kovac	X			
Councillor C. Parrish	X			
Councillor J. Horneck	X			
Councillor D. Damerla	X			
Councillor M. Mahoney	X			
Councillor M. Reid	X			
Councillor S. McFadden	X			
Councillor B. Butt	X			

Carried (11, 0, 1 Absent)

From the Office of the Clerk
The Corporation of the County of Prince Edward
T: 613.476.2148 x 1021 | F: 613.476.5727
clerks@pecounty.on.ca | www.thecounty.ca

November 15, 2022

Please be advised that during the regular Council meeting of November 8, 2022 the following motion regarding a response to the *More Homes Built Faster Act* (Bill 23) was carried:

RESOLUTION NO. **2022-448**

DATE: **November 8, 2022**

MOVED BY: **Councillor Hirsch**

SECONDED BY: **Councillor MacNaughton**

WHEREAS; there has been an exceptionally small timeframe to comment on the *More Homes Built Faster Act* (Bill 23);

WHEREAS; the bulk of the changes contemplated in Bill 23 will be enacted by regulation;

WHEREAS; those regulations have been published on the government of Ontario website for comment by November 24, 2022;

AND WHEREAS; the following elements of Bill 23 and its proposed regulations are not in the best interest of The County:

- provision regarding inclusionary zoning for affordable housing has a proposed limit of only 5% of units in a subdivision of 10 or more units which should be increased to 15% to be effective.
- provisions regarding the *Heritage Act* which would have the effect of forcing municipalities to quickly make designation decisions on all properties currently on the heritage register.
- provisions relating to the *Conservation Authorities Act* which would have the effect of removing the Conservation Authority from providing effective and necessary comments on planning applications.
- provisions relating to the Conservation Authorities Act which would allow development in certain wetlands on an offset basis.
- proposed changes to municipal development charged, parkland, dedication levies, and community benefits charges that may contradict the goal of building more housing in the long-term.

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THEREFORE, **BE IT RESOLVED THAT**; the Council of the Corporation of the County of Prince Edward advise the Provincial government that it does not support certain aspects of the More Homes Built Faster Act (Bill 23);

THAT; the Council of the Corporation of the County of Prince Edward direct the Mayor to submit objections with respect to the provisions listed above through the formal comment process within the timeframes for comment;

THAT; the Council of the Corporation of the County of Prince Edward advise the provincial government that it supports the submission made by Conservation Authorities in Ontario; and,

THAT; this resolution be shared with all 444 municipalities, FCM, AMCTO, AMO and Quinte Conservation.

CARRIED

Yours truly,

Catalina Blumenberg, **CLERK**

760 Peterborough County Road 36, Trent Lakes, ON K0M 1A0 Tel 705-738-3800 Fax 705-738-3801

November 24, 2022

Via email only

To: The Honourable Steve Clark, Minister of Municipal Affairs and Housing – minister.mah@ontario.ca
The Honourable Dave Smith, MPP Peterborough-Kawartha – dave.smithco@pc.ola.org
The Association of Municipalities Ontario – amo@amo.on.ca
Township of Asphodel-Norwood – cwhite@antownship.ca
Township of Cavan Monaghan – cpage@cavanmonaghan.net
Township of Douro-Dummer – martinac@dourodummer.on.ca
Township of Havelock-Belmont-Methuen – bangione@hbmtwp.ca
Township of North Kawartha – c.parent@northkawartha.ca
Township of Otonabee-South Monaghan – hscott@osmtownship.ca
Township of Selwyn – achittick@selwyntownship.ca

Re: Assessments of Bill 23 (More Homes Built Faster Act)

At their November 22, 2022 Regular meeting, the Council of the Municipality of Trent Lakes supported the enclosed correspondence from Watson & Associates Economists Ltd. regarding assessments of Bill 23 (More Homes Built Faster Act).

Sincerely,

Mayor and Council of the Municipality of Trent Lakes

Encl.

November 14, 2022

To Our Conservation Authority and Municipal Clients:

Re: Assessment of Bill 23 (*More Homes Built Faster Act*) – *Conservation Authorities Act*

On behalf of our many conservation authority and municipal clients, we are continuing to provide the most up-to-date information on the proposed changes to the *Conservation Authorities Act* (C.A. Act) as proposed by Bill 23 (*More Homes Built Faster Act*). As identified in our October 31, 2022 letter to you, our firm is providing an evaluation of the proposed changes to the C.A. Act along with potential impacts arising from these changes. The following comments will be included in our formal response to the Province.

1. Overview Commentary

The Province has introduced Bill 23 with the following objective: *"This plan is part of a long-term strategy to increase housing supply and provide attainable housing options for hardworking Ontarians and their families."* The Province's plan is to address the housing crisis by targeting the creation of 1.5 million homes over the next 10 years. To implement this plan, Bill 23 introduces a number of changes to the C.A. Act., along with nine other Acts including the *Development Charges Act* and the *Planning Act*, which seek to increase the supply of housing.

One of the proposed amendments to the C.A. Act is that the Minister of Natural Resources and Forestry would have the authority to prevent a conservation authority from increasing their fees and charges. Providing the Minister with this power is proposed to limit the financial burden of any fee increases on developers and landowners in an attempt to accelerate housing in Ontario and make housing more affordable. The proposed limitation would result in a cross-subsidization of the costs of plan review and permitting for development to existing taxpayers. This is a result of these costs having to be offset by the municipal levy charged by conservation authorities.

If these costs cannot be recovered from the municipal levy, then conservation authorities would be under pressure to provide the intended level of service for development approvals with less funding. When considered in combination with the other changes proposed that would limit the scope of conservation authority involvement in the development approvals process, this may impact the quality and efficiency of the approvals process, and potentially impair the Province's goal of accelerating an increase in housing development.

Over the past 33 years, there have been other changes to legislation, such as the *Development Charges Act,* that have reduced the costs payable by development. These historical reductions have not resulted in a decrease in housing prices; hence, it is difficult to relate how further limiting funding for municipal and conservation authority services will increase the supply of affordable housing. Moreover, conservation authority fees for plan review and permitting in the Greater Toronto Area and outer rim typically comprise less than 0.1% of the cost of a new home. This further illustrates the limited impact this proposal would have on making housing more affordable. The potential increase on the municipal levy, however, would add to the burden of housing affordability for the existing taxpayer, particularly when coupled with the other legislative changes proposed by Bill 23.

2. Changes to the C.A. Act

2.1 Changes to conservation authority involvement in the development approvals process

- Programs and services that are prohibited within municipal and other programs and services**:**
    - Authorities would no longer be permitted to review and comment on a proposal, application, or other matter made under a prescribed Act (if not related to their mandatory programs and services under O. Reg. 686/21). The Province proposes that a new regulation would prescribe the following Acts in this regard:
        - The *Aggregate Resources Act*
        - The *Condominium Act*
        - The *Drainage Act*
        - The *Endangered Species Act*
        - The *Environmental Assessment Act*
        - The *Environmental Protection Act*
        - The *Niagara Escarpment Planning and Development Act*
        - The *Ontario Heritage Act*
        - The *Ontario Water Resources Act*
        - The *Planning Act.*
- Exemptions to requiting a permit under section 28 of the *Conservation Authorities Act*
    - Where development has been authorized under the *Planning Act* it will be exempt from required permits to authorize the development under section 28 of the *Conservation Authorities Act*. Exemptions to permits would also be granted where prescribed conditions are met.
    - Regulation making authority would be provided to govern the exceptions to section 28 permits, including prescribing municipalities to which the exception applies, and any other conditions or restrictions that must be satisfied.

- Shortened timeframe for decisions
    - Applicants may appeal the failure of the authority to issue a permit to the Ontario Land Tribunal within 90 days (shortened from 120 days currently).

Analysis/Commentary

- These changes would focus an authority's role in plan review and commenting on applications made under the above Acts (including the *Planning Act*) to the risks of natural hazards only, limit the developments in which permits under section 28 of the C.A Act would be required, and shorten timeframes for issuing permits. Authorities would no longer be able to review applications with respect to the natural heritage impacts.
- With respect to natural heritage review requirements, the Province is proposing to integrate the Provincial Policy Statement, 2020 (P.P.S.) and A Place To Grow: Growth Plan for the Greater Golden Horseshoe into a new Province-wide planning policy instrument. It is proposed that this new instrument could include changes to natural heritage policy direction.
- Recent amendments to the C.A. Act have already been implemented to limit a conservation authority to programs and services within their core mandate unless they have entered into an agreement with a municipal partner. Conservation authorities are able to efficiently provide services, such as natural heritage review required under the P.P.S., to municipalities across their watershed. Removing this ability from conservation authorities may result in municipalities having to find other external sources with the expertise to undertake this review, adding to the cost and timeframes for development approvals and negatively impacting the Province's goal of creating more housing.

2.2 Minister's ability to freeze fees

- The Minister would have the ability to direct an authority to not change the amount of any fee it charges (including for mandatory programs and services) for a specified period of time.

Analysis/Commentary

- Limiting the ability of conservation authorities to recover the costs of plan review and permitting from benefiting developers and landowners will place additional financial burdens on conservation authorities and municipalities to fund these activities.
- As the goal of the Province is to create more housing, it is suggested that any limitations to conservation authority fees that are implemented should only apply to plan review and permitting fees related to the construction of new homes.

We will continue to monitor the legislative changes and advise as the Bill proceeds.

Yours very truly,

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November 11, 2022

To Our Development Charge Clients:

Re: Assessment of Bill 23 (*More Homes Built Faster Act*) – Development Charges

On behalf of our many municipal clients, we are continuing to provide the most up-to-date information on the proposed changes to the *Development Charges Act* (D.C.A.) as proposed by Bill 23 (*More Homes Built Faster Act*). As identified in our October 31, 2022 letter to you, our firm is providing an evaluation of the proposed changes to the D.C.A. along with potential impacts arising from these changes. The following comments will be included in our formal response to the Province, which we anticipate presenting to the Standing Committee on Heritage, Infrastructure and Cultural Policy next week.

1. Overview Commentary

The Province has introduced Bill 23 with the following objective: *"This plan is part of a long-term strategy to increase housing supply and provide attainable housing options for hardworking Ontarians and their families."* The Province's plan is to address the housing crisis by targeting the creation of 1.5 million homes over the next 10 years. To implement this plan, Bill 23 introduces a number of changes to the D.C.A., along with nine other Acts including the *Planning Act*, which seek to increase the supply of housing.

As discussed later in this letter, there are proposed changes to the D.C.A. which we would anticipate may limit the future supply of housing units. For urban growth to occur, water and wastewater services must be in place before building permits can be issued for housing. Most municipalities assume the risk of constructing this infrastructure and wait for development to occur. Currently, 26% of municipalities providing water/ wastewater services are carrying negative development charge (D.C.) reserve fund balances for these services[1] and many others are carrying significant growth-related debt. In addition to the current burdens, Bill 23 proposes to:

- Phase in any new by-laws over five years which, on average, would reduce D.C. revenues by approximately 10%;
- Introduce new exemptions which would provide a potential loss of 10-15% of the D.C. funding;

[1] Based on 2020 Financial Information Return data.

- Remove funding of water/wastewater master plans and environmental assessments which provide for specific planning and approval of infrastructure; and
- Make changes to the *Planning Act* that would minimize upper-tier planning in two-tier systems where the upper-tier municipality provides water/wastewater servicing. This disjointing between planning approvals and timing/location of infrastructure construction may result in inefficient servicing, further limiting the supply of serviced land.

The loss in funding noted above must then be passed on to existing rate payers. This comes at a time when municipalities must implement asset management plans under the *Infrastructure for Jobs and Prosperity Act* to maintain existing infrastructure. Significant annual rate increases may then limit funding to the capital budget and hence delay construction of growth-related infrastructure needed to expand the supply of serviced land.

The above-noted D.C.A. changes will also impact other services in a similar manner.

The removal of municipal housing as an eligible service will reduce municipalities' participation in creating assisted/affordable housing units. Based on present D.C. by-laws in place, over $2.2 billion in net growth-related expenditures providing for over 47,000 units (or 3.1% of the Province's 1.5 million housing target) would be impacted by this change.

The proposed changes to the D.C.A. result in a subsidization of growth by the existing rate/taxpayer by reducing the D.C.s payable. Over the past 33 years, there have been changes made to the D.C.A. which have similarly reduced the D.C.s payable by development. These historical reductions have not resulted in a decrease in housing prices; hence, it is difficult to relate the loss of needed infrastructure funding to affordable housing. The increases in water/wastewater rates and property taxes would directly impact housing affordability for the existing rate/taxpayer.

While the merits of affordable housing initiatives are not in question, they may be best achieved by participation at local, provincial, and federal levels. Should the reduction in D.C.s be determined to be a positive contributor to increasing the amount of affordable housing, then grants and subsidies should be provided to municipalities to fund the growth-related infrastructure and thereby reduce the D.C. In this way, the required funding is in place to create the land supply. Alternatively, other funding options could be made available to municipalities as an offset (e.g., the Association of Municipalities of Ontario (AMO) has suggested municipalities have access to 1% of HST, consideration of a special Land Transfer Tax, etc.).

A summary of the proposed D.C.A. changes, along with our firm's commentary, is provided below.

2. Changes to the D.C.A.

2.1 Additional Residential Unit Exemption: The rules for these exemptions are now provided in the D.C.A., rather than the regulations and are summarized as follows:

- Exemption for residential units in existing rental residential buildings – For rental residential buildings with four or more residential units, the greater of one unit or 1% of the existing residential units will be exempt from D.C.
- Exemption for additional residential units in existing and new residential buildings – The following developments will be exempt from a D.C.:
    - A second unit in a detached, semi-detached, or rowhouse if all buildings and ancillary structures cumulatively contain no more than one residential unit;
    - A third unit in a detached, semi-detached, or rowhouse if no buildings or ancillary structures contain any residential units; and
    - One residential unit in a building or structure ancillary to a detached, semi-detached, or rowhouse on a parcel of urban land, if the detached, semi-detached, or rowhouse contains no more than two residential units and no other buildings or ancillary structures contain any residential units.

Analysis/Commentary

- For existing single-family homes, this change will not have an impact. For other existing low/medium-density units and for all new units, however, this allowance of a third additional unit that will be exempt from D.C.s adds a further revenue loss burden to municipalities to finance infrastructure. This is of greatest concern for water and wastewater services where each additional unit will require additional capacity in water and wastewater treatment plants. This additional exemption will cause a reduction in D.C.s and hence will require funding by water and wastewater rates.
- Other services, such as transit and active transportation, will also be impacted as increased density will create a greater need for these services, and without an offsetting revenue to fund the capital needs, service levels provided may be reduced in the future.

2.2 Removal of Housing as an Eligible D.C. Service: Housing services would be removed as an eligible service. Municipalities with by-laws that include a charge for housing services can no longer collect for this service once subsection 2 (2) of Schedule 3 of the Bill comes into force.

Analysis/Commentary

- The removal of housing services will reduce municipalities' participation in creating assisted/affordable housing units and/or put further burden on municipal

taxpayers. This service seeks to construct municipal affordable housing for growing communities. The removal of this service could reduce the number of affordable units being constructed over the next ten years, if the municipalities can no longer afford the construction. Based on present D.C. by-laws in place, over $2.2 billion in net growth-related expenditures providing for over 47,000 additional units (or 3.1% of the Province's 1.5 million housing target) would be impacted by this change.

2.3 New Statutory Exemptions: Affordable units, attainable units, inclusionary zoning units and non-profit housing developments will be exempt from the payment of D.C.s, as follows:

- Affordable Rental Units: Where rent is no more than 80% of the average market rent as defined by a new bulletin published by the Ministry of Municipal Affairs and Housing.
- Affordable Owned Units: Where the price of the unit is no more than 80% of the average purchase price as defined by a new bulletin published by the Ministry of Municipal Affairs and Housing.
- Attainable Units: Excludes affordable units and rental units; will be defined as prescribed development or class of development and sold to a person who is at "arm's length" from the seller.
    - Note: for affordable and attainable units, the municipality shall enter into an agreement that ensures the unit remains affordable or attainable for 25 years.
- Inclusionary Zoning Units: Affordable housing units required under inclusionary zoning by-laws will be exempt from a D.C.
- Non-Profit Housing: Non-profit housing units are exempt from D.C. instalment payments due after this section comes into force.

Analysis/Commentary

- While this is an admirable goal to create additional affordable housing units, further D.C. exemptions will continue to provide additional financial burdens on municipalities to fund these exemptions without the financial participation of senior levels of government.
- The definition of "attainable" is unclear, as this has not yet been defined in the regulations.
- Municipalities will have to enter into agreements to ensure these units remain affordable and attainable over a period of time which will increase the administrative burden (and costs) on municipalities. These administrative burdens will be cumbersome and will need to be monitored by both the upper-tier and lower-tier municipalities.
- It is unclear whether the bulletin provided by the Province will be specific to each municipality, each County/Region, or Province-wide. Due to the disparity in

incomes across Ontario, affordability will vary significantly across these jurisdictions. Even within an individual municipality, there can be disparity in the average market rents and average market purchase prices.

2.4 Historical Level of Service: Currently, the increase in need for service is limited by the average historical level of service calculated over the ten year period preceding the preparation of the D.C. background study. This average will be extended to the historical 15-year period.

Analysis/Commentary

- For municipalities experiencing significant growth in recent years, this may reduce the level of service cap, and the correspondingly D.C. recovery. For many other municipalities seeking to save for new facilities, this may reduce their overall recoveries and potentially delay construction.
- This further limits municipalities in their ability to finance growth-related capital expenditures where debt funding was recently issued. Given that municipalities are also legislated to address asset management requirements, their ability to incur further debt may be constrained.

2.5 Capital Costs: The definition of capital costs may be revised to prescribe services for which land or an interest in land will be restricted. Additionally, costs of studies, including the preparation of the D.C. background study, will no longer be an eligible capital cost for D.C. funding.

Analysis/Commentary

- Land
    - Land costs are proposed to be removed from the list of eligible costs for certain services (to be prescribed later). Land represents a significant cost for some municipalities in the purchase of property to provide services to new residents. This is a cost required due to growth and should be funded by new development, if not dedicated by development directly.
- Studies
    - Studies, such as Official Plans and Secondary Plans, are required to establish when, where, and how a municipality will grow. These growth-related studies should remain funded by growth.
    - Master Plans and environmental assessments are required to understand the servicing needs development will place on hard infrastructure such as water, wastewater, stormwater, and roads. These studies are necessary to inform the servicing required to establish the supply of lands for development; without these servicing studies, additional development cannot proceed. This would restrict the supply of serviced land and would be counter to the Province's intent to create additional housing units.

2.6 Mandatory Phase-in of a D.C.: For all D.C. by-laws passed after June 1, 2022, the charge must be phased-in annually over the first five years the by-law is in force, as follows:

- Year 1 – 80% of the maximum charge;
- Year 2 – 85% of the maximum charge;
- Year 3 – 90% of the maximum charge;
- Year 4 – 95% of the maximum charge; and
- Year 5 to expiry – 100% of the maximum charge.

Note: for a D.C. by-law passed on or after June 1, 2022, the phase-in provisions would only apply to D.C.s payable on or after the day subsection 5 (7) of Schedule 3 of the Bill comes into force (i.e., no refunds are required for a D.C. payable between June 1, 2022 and the day the Bill receives Royal Assent). The phased-in charges also apply with respect to the determination of the charges under section 26.2 of the Act (i.e., eligible site plan and zoning by-law amendment applications).

Analysis/Commentary

- Water, wastewater, stormwater, and roads are essential services for creating land supply for new homes. These expenditures are significant and must be made in advance of growth. As a result, the municipality assumes the investment in the infrastructure and then assumes risk that the economy will remain buoyant enough to allow for the recovery of these costs in a timely manner. Otherwise, these growth-related costs will directly impact the existing rate payer.
- The mandatory phase-in will result in municipalities losing approximately 10% to 15% of revenues over the five-year phase-in period. For services such as water, wastewater, stormwater, and to some extent roads, this will result in the municipality having to fund this shortfall from other sources (i.e., taxes and rates). This may result in: 1) the delay of construction of infrastructure that is required to service new homes; and 2) a negative impact on the tax/rate payer who will have to fund these D.C. revenue losses.
- Growth has increased in communities outside the Greater Toronto Area (G.T.A.) (e.g. municipalities in the outer rim), requiring significant investments in water and wastewater treatment services. Currently, there are several municipalities in the process of negotiating with developing landowners to provide these treatment services. For example, there are two municipalities within the outer rim (one is 10 km from the G.T.A. while the other is 50 km from the G.T.A.) imminently about to enter into developer agreements and award tenders for the servicing of the equivalent of 8,000 single detached units (or up to 20,000 high-density units). This proposed change to the D.C.A. alone will stop the creation of those units due to debt capacity issues and the significant financial impact placed on

ratepayers due to the D.C. funding loss. Given our work throughout the Province, it is expected that there will be many municipalities in similar situations.

- Based on 2020 Financial Information Return (F.I.R.) data, there are 214 municipalities with D.C. reserve funds. Of those, 130 provide water and wastewater services and of those, 34 municipalities (or 26%) are carrying negative water and wastewater reserve fund balances. As a result, it appears many municipalities are already carrying significant burdens in investing in water/ wastewater infrastructure to create additional development lands. This proposed change will worsen the problem and, in many cases, significantly delay or inhibit the creation of serviced lands in the future.
- Note that it is unclear how the phase-in provisions will affect amendments to existing D.C. by-laws.

2.7 D.C. By-law Expiry: A D.C. by-law would expire ten years after the day it comes into force. This extends the by-law's life from five years, currently. D.C. by-laws that expire prior to subsection 6 (1) of the Bill coming into force would not be allowed to extend the life of the by-law.

Analysis/Commentary

- The extension of the life of the D.C. by-law would appear to not have an immediate financial impact on municipalities. Due to the recent increases in actual construction costs experienced by municipalities, however, the index used to adjust the D.C. for inflation is not keeping adequate pace (e.g., the most recent D.C. index has increased at 15% over the past year; however, municipalities are experiencing 40%-60% increases in tender prices). As a result, amending the present by-laws to update cost estimates for planned infrastructure would place municipalities in a better financial position.
- As a result of the above, delaying the updating of current D.C. by-laws for five more years would reduce actual D.C. recoveries and place the municipalities at risk of underfunding growth-related expenditures.

2.8 Instalment Payments: Non-profit housing development has been removed from the instalment payment section of the Act (section 26.1), as these units are now exempt from the payment of a D.C.

Analysis/Commentary

- This change is more administrative in nature due to the additional exemption for non-profit housing units.

2.9 Rental Housing Discount: The D.C. payable for rental housing development will be reduced based on the number of bedrooms in each unit as follows:

- Three or more bedrooms – 25% reduction;

- Two bedrooms – 20% reduction; and
- All other bedroom quantities – 15% reduction.

Analysis/Commentary

- Further discounts to D.C.s will place an additional financial burden on municipalities to fund these reductions.
- The discount for rental housing does not appear to have the same requirements as the affordable and attainable exemptions to enter into an agreement for a specified length of time. This means a developer may build a rental development and convert the development (say to a condominium) in the future hence avoiding the full D.C. payment for its increase in need for service.

2.10 Maximum Interest Rate for Instalments and Determination of Charge for Eligible Site Plan and Zoning By-law Amendment Applications: No maximum interest rate was previously prescribed. Under the proposed changes, the maximum interest rate would be set at the average prime rate plus 1%. How the average prime rate is determined is further defined under section 9 of Schedule 3 of the Bill. This maximum interest rate provision would apply to all instalment payments and eligible site plan and zoning by-law amendment applications occurring after section 9 of Schedule 3 of the Bill comes into force.

Analysis/Commentary

- Setting the maximum interest rate at 1%+ the average prime rate appears consistent with the current approach for some municipalities but is a potential reduction for others.
- It appears a municipality can select the adjustment date for which the average prime rate would be calculated.
- The proposed change will require municipalities to change their interest rate policies, or amend their by-laws, as well as increase the administrative burden on municipalities.

2.11 Requirement to Allocate Funds Received: Similar to the requirements for community benefits charges, annually, beginning in 2023, municipalities will be required to spend or allocate at least 60% of the monies in a reserve fund at the beginning of the year for water, wastewater, and services related to a highway. Other services may be prescribed by the regulation.

Analysis/Commentary

- This proposed change appears largely administrative and would not have a financial impact on municipalities. This can be achieved as a schedule as part of the annual capital budget process or can be included as one of the schedules

with the annual D.C. Treasurer Statement. This, however, will increase the administrative burden on municipalities.

2.12 Amendments to Section 44 (Front-ending): This section has been updated to include the new mandatory exemptions for affordable, attainable, and non-profit housing, along with required affordable residential units under inclusionary zoning by-laws.

Analysis/Commentary

- This change is administrative to align with the additional statutory exemptions.

2.13 Amendments to Section 60: Various amendments to this section were required to align the earlier described changes.

Analysis/Commentary

- These changes are administrative in nature.

We will continue to monitor the legislative changes and advise as the Bill proceeds.

Yours very truly,

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November 14, 2022

Dear Clients:

Re: Assessment of Bill 23 (*More Homes Built Faster Act*) – Planning Matters

On behalf of our many municipal clients, we are continuing to provide the most up to date information on the proposed changes to housing and planning related legislation as proposed by Bill 23 (*More Homes Built Faster Act*). As identified in our October 31, 2022 letter to you, our firm is providing an evaluation of the proposed changes along with potential impacts arising from these changes. The following comments will be included in our formal response to the Province which we anticipate presenting to the Standing Committee on Heritage, Infrastructure and Cultural Policy this week.

Overview Commentary

The Province has introduced Bill 23 with the following objective: "This plan is part of a long-term strategy to increase housing supply and provide attainable housing options for hardworking Ontarians and their families." The Province's plan is to address the housing crisis by targeting the creation of 1.5 million homes over the next 10 years. To implement this, Bill 23 introduces a number of changes which seek to increase the supply of housing. The following summary of proposed key housing and planning related changes, along with our firm's commentary, is provided below. It is noted that this letter specifically focuses on the impacts of Bill 23 regarding long-range planning and growth management initiatives at the municipal level.

Streamlining Municipal Planning Responsibilities

Schedule 9 of the Bill proposes a number of amendments to the *Planning Act*. Subsection 1 (1) of the Act is proposed to be amended to provide for two different classes of upper-tier municipalities; those that have planning responsibilities and those that do not. Changes are proposed to remove the planning policy and approval responsibilities from the following upper-tier municipalities: Regions of Durham, Halton, Niagara, Peel, Waterloo, and York, as well as the County of Simcoe. In addition, the proposed changes could potentially be applied to additional upper-tier municipalities in the future via regulation.

The proposed amendments under Schedule 9 of the Bill introduce numerous questions related to the approach to ensuring effective leadership, management and integration of regional and local land use planning across the affected jurisdictions. In addition to providing a broad vision and planning direction with respect to the long-term management of urban, rural and natural systems, upper-tier municipal planning authorities also play a critical role regarding the coordination, phasing, and delivery of

water, wastewater and transportation infrastructure as well as other municipal services. The Provincial Policy Statement, 2020 (P.P.S.), sets out specific responsibilities for upper-tier municipalities, in consultation with lower-tier municipalities, related to planning coordination, housing, economic development, natural environment and municipal infrastructure. Furthermore, the P.P.S. directs upper-tier municipal planning authorities to provide policy direction to lower-tier municipalities on matters that cross municipal boundaries.

While the proposed amendment to the Bill aims to streamline the land use planning process across the affected municipalities, it risks increasing complexity and miscommunication while adding to the technical and administrative efforts of both lower-tier and upper-tier municipalities, as well as the Province.

Furthermore, it would remove critical planning resources and knowledge at the upper-tier level which are required when addressing matters that cross technical disciplines and municipal jurisdictions. This would potentially result in disjointed efforts and outcomes with respect to local planning approvals and regional municipal service delivery.

Review of the Potential Integration of A Place to Grow and the Provincial Policy Statement (P.P.S.)

The Ministry of Municipal Affairs and Housing is undertaking a housing-focused policy review of A Place to Grow: the Growth Plan for the Greater Golden Horseshoe (G.G.H.), 2019, as amended, hereinafter referred to as the Growth Plan, and the P.P.S. The Province is reviewing the potential integration of the P.P.S. and the Growth Plan into a new Province-wide planning policy framework that is intended to:

- Leverage housing-supportive policies of both policy documents, while removing or streamlining policies that result in duplication, delays or burden the development of housing;
- Ensure key growth management and planning tools are available to increase housing supply and support a range and mix of housing options;
- Continue to protect the environment, cultural heritage, and public health and safety; and
- Ensure that growth is supported with the appropriate amount and type of community infrastructure.

Since the release of the Growth Plan in 2006 under the *Places to Grow Act, 2005*, G.G.H. municipalities have been in a continuous cycle of developing and defending growth management processes and Official Plan updates. Over the past several years, all G.G.H. upper-tier, single-tier, and most lower-tier municipalities have initiated the process of updating their respective Official Plans to bring these documents into conformity with the Growth Plan. Within the G.G.H., this process is referred to as a Municipal Comprehensive Review (M.C.R.). Many of these municipalities have

completed their draft M.C.R. analyses and draft Official Plan updates for provincial approval, while several others are approaching completion.

The required technical analysis associated with the growth analysis and urban land needs assessment component of the M.C.R. process is set out in the Provincial Land Needs Assessment (L.N.A.) methodology, which is specific to G.G.H. municipalities.[1] The M.C.R. process has required tremendous time and effort on behalf of municipalities, consulting agencies, stakeholder groups and involved residents. The results of these efforts represent a key planning milestone for all G.G.H. municipalities and provide a solid foundation to build on as it relates to future growth management implementation, monitoring and benchmarking.

Ontario municipalities located outside the G.G.H. are also now in the process of updating their respective Official Plans in accordance with the P.P.S. For municipalities in these jurisdictions, this process is referred to as a Comprehensive Review (C.R.). While there are potential benefits regarding the consolidation of the P.P.S. and the Growth Plan, as it relates to the M.C.R. and C.R. process, there are a number of issues that should be considered regarding this effort, particularly as they relate to long-term growth management and urban land needs, discussed below.

Long-Term Population and Employment Forecasts

Schedule 3 of the Growth Plan establishes minimum long-term population and employment forecasts for upper-tier and single-tier municipalities in the G.G.H. to the year 2051. The Ministry of Finance (M.O.F.) also establishes long-term population forecasts for all Ontario Census Divisions (C.D.s), which typically represent upper-tier municipalities, separated municipalities, and single-tier municipalities. The M.O.F. forecasts are not recognized as official forecasts for planning purposes in Ontario; however, they are updated annually and can be used to inform population forecasts in Official Plans. Under a consolidated Growth Plan and P.P.S., consideration would need to be given to the role and source of growth forecasts established by the Province for all Ontario municipalities.

Provincial Land Needs Assessment Methodology Guidelines

As previously noted, the L.N.A. methodology for G.G.H. municipalities was updated by the Province in 2020. In accordance with the Growth Plan, the L.N.A. methodology provides a step-by-step approach to conducting growth forecasts and urban land need assessments for upper-tier and single-tier municipalities for both Community Areas (i.e., living areas) and Employment Areas. All other Ontario municipalities rely on the 1995 Provincial Projection Methodology Guidelines (P.P.M.G.) for guidance regarding the technical approach to growth forecasts and urban land need assessments. It is noted

[1] A Place to Grow: Growth Plan for the Greater Golden Horseshoe, Land Needs Assessment Methodology for the Greater Golden Horseshoe. August 2020.

that the 1995 P.P.M.G. suggests that a simplified methodology can be used for smaller or low-growth municipalities. It is further noted that the P.P.M.G. is meant to be used as "best practices" and the guidelines are not mandatory. Under a consolidated Growth Plan and P.P.S., consideration is required regarding the application of a standardized L.N.A. methodology for all Ontario municipalities.

Addressing Urban Land Needs for Urban Settlement Areas

An important term used in the P.P.S. in the context of both urban land needs and housing affordability is the *Regional Market Area (R.M.A.)*. The R.M.A. is defined in the P.P.S. and Growth Plan (with modifications) as follows:

> "an area that has a high degree of social and economic interaction. The upper- or single-tier municipality, or planning area, will normally serve as the regional market area. However, where a regional market area extends significantly beyond these boundaries, then the regional market area may be based on the larger market area. Where regional market areas are very large and sparsely populated, a smaller area, if defined in an official plan, may be utilized."

With respect to urban residential land needs assessments, the broad objective of this policy is to ensure the efficient and wise use of all designated urban lands, both occupied and vacant, within the R.M.A. before expanding Urban Settlement Area boundaries. Across southern Ontario municipalities, a key challenge with the application of this policy is the mismatch of urban residential land needs at the urban settlement area level within the defined R.M.A. geography.

If the R.M.A. definition is interpreted too rigidly, it can constrain urban residential development within Urban Settlement Areas, and more broadly across entire municipalities, where identified urban land surpluses have been determined elsewhere within the R.M.A. Neither the P.P.S. nor the Growth Plan provide adequate direction for addressing residential urban land supply and demand mismatches within the R.M.A. Subsection 2.2.1.6 of the Growth Plan provides policy direction regarding *Excess Lands,* which applies exclusively to Outer Ring G.G.H. municipalities. Under a consolidated Growth Plan and P.P.S., a review of the R.M.A. and Excess Lands policies would be required to determine an appropriate and standardized approach to addressing localized urban residential land needs for Urban Settlement Areas and local municipalities.

Residential Intensification Targets and Minimum Density Requirements

Subsection 2.2.7.2 of the Growth Plan provides direction with respect to minimum greenfield density targets for G.G.H. upper-tier and single-tier municipalities. These densities range between 40 and 50 people and jobs per gross hectare (ha). Minimum density requirements are also prescribed in the Growth Plan for Strategic Growth Areas,

such as Urban Growth Centres and Major Transit Station Areas (M.T.S.A.s). The P.P.S. does not prescribe minimum density targets for Ontario municipalities but does require municipalities to establish density targets for areas adjacent, or in proximity, to M.T.S.A.s and corridors.

Subsection 2.2.2.1 of the Growth Plan requires upper-tier and single-tier G.G.H. municipalities to establish minimum intensification targets within delineated built-up areas (B.U.A.s). These were established under the Growth Plan, 2006. The delineated B.U.A.s within G.G.H. municipalities have remained unchanged since the Growth Plan was established in 2006. The P.P.S. also requires municipalities to establish residential intensification targets but does not prescribe minimum density targets for Ontario municipalities. Furthermore, the P.P.S. does not require municipalities to delineate built area boundaries in Official Plans; however, some Ontario municipalities outside the G.G.H. have delineated built area boundaries for planning purposes. It is noted that the delineation of built area boundaries may be subject to change or update for municipalities outside the G.G.H., while B.U.A.s within the G.G.H. will remain fixed as of 2006. Under a consolidated Growth Plan and P.P.S., a standardized approach to minimum density requirements and residential intensification targets would be required for all Ontario municipalities.

Rural Housing

An identified area of the Growth Plan and P.P.S. review is to provide policy direction to enable more residential development in Rural Areas. Rural Settlement Areas include existing hamlets or similar existing small settlement areas that are established in Official Plans. These communities are typically serviced by individual, private, on-site water and/or private wastewater systems. Rural Settlement Areas provide clusters of business operations that are essential to future economic growth. Infilling and minor rounding out of existing residential and non-residential development within Rural Settlement Areas is important to ensure that these areas remain vibrant, sustainable and complete communities. Under a consolidated Growth Plan and P.P.S., enabling more residential development in Rural Settlement Areas, and Rural Areas more broadly, would need to be considered within the context of the existing provincial and local policy frameworks, the land use hierarchy identified in Official Plans, the provision of servicing, as well as the protection of natural heritage and agricultural lands.

Employment Area Conversion

An identified area of the Growth Plan and P.P.S. review is to provide policy direction to streamline and simplify the conversion of Employment Areas to new residential and mixed-use development, where appropriate**.** Employment Areas form a vital component of a municipality's land use structure and represent an integral part of the local economic development potential and competitiveness of municipalities. If not carefully evaluated, the conversion of Employment Areas to non-employment uses can potentially lead to negative impacts on the local economy in several ways. First,

Employment Area conversions can reduce employment opportunities, particularly in export-based sectors, creating local imbalances between population and employment. Second, Employment Area conversions can potentially erode employment land supply and lead to further conversion pressure as a result of encroachment of non-employment uses within, or adjacent to, Employment Areas. Finally, Employment Area conversions can potentially fragment existing Employment Areas, undermining their functionality and competitive position. Under a consolidated Growth Plan and P.P.S., policy direction regarding the conversion of Employment Areas should emphasize principles and criteria that examine both the quantity and quality of Employment Areas within the context of the local and regional market attributes, as well as the planned urban function of the subject conversion sites.

2031 Municipal Housing Targets

The Province has identified that an additional 1.5 million new housing units are required to be built over the next decade to meet Ontario's current and forecast housing needs. Furthermore, the Province has assigned municipal housing targets, identifying the number of new housing units needed by 2031, impacting 29 of Ontario's largest and many of the fastest growing single/lower tier municipalities. Key observations on the Province's plan are as follows:

- The municipal housing targets for 2031 collectively account for 1,229,000 units, representing about 82% of Ontario's overall 1.5 million new homes target.
- Of the 29 municipalities with housing targets identified, 25 are within the G.G.H. and four are located in other areas of southwestern and southeastern Ontario.
- Within the G.G.H. municipalities, the municipal housing targets are generally higher than approved housing forecasts. In non-G.G.H. municipalities, there is generally less discrepancy between the approved housing forecasts and the Province's targets. Having said that, the Municipal Housing Pledges are not intended to replace current municipal Official Plans.
- The municipal housing targets are based on current and future housing needs. A share of the overall housing need is attributed to a structural deficit in existing housing inventories, while a portion of the housing need is linked to anticipated population growth over the next decade.
- The housing targets are adapted from the housing needs assessment provided in the "Ontario's Need for 1.5 Million More Homes" report, prepared by Smart Prosperity Institute, dated August 2022.
- The impacted municipalities are being asked to prepare Municipal Housing Pledges to meet these housing targets. These pledges must include details on how the municipality will enable/support housing development through a range of planning, development approvals and infrastructure related initiatives.
- These housing pledges are not intended to replace current municipal Official Plans and are not expected to impact adopted municipal population or employment projections.

- While the municipal housing targets do not specify housing form, density, or geographic location (e.g., greenfield, intensification), it is anticipated that any needs beyond adopted housing forecasts will largely comprise rental and affordable housing units primarily located within B.U.A.s, and to a lesser extent, designated greenfield areas (D.G.A.s).
- To develop effective local policies and programs to support the achievement of the housing targets, it is recommended that municipalities assess their existing and future housing needs through a local lens, building on the high-level assessment provided by the Province.
- Local housing needs should be considered within a broader growth management framework, reflecting population, labour and employment/economic growth potential, and addressed through a planning, economic, fiscal and housing affordability lens.

Potential Changes to Inclusionary Zoning

Inclusionary zoning is a tool that can be used by municipalities to ensure the provision of affordable housing. Ontario Regulation (O. Reg.) 232/18 implements inclusionary zoning in Ontario. The proposed amendments to O. Reg 232/18 would:

- Establish 5% as the upper limit on the number of affordable housing units; the 5% limit would be based on either the number of units or percentage share of gross floor area of the total residential units; and
- Establish a maximum period of twenty-five (25) years over which the affordable housing units would be required to remain affordable.

While the proposed changes provide certainty with respect to affordable housing to be provided under inclusionary zoning, they greatly limit a municipality's ability to tailor the provision for affordable housing to the local market and for development feasibility considerations identified through the required Inclusionary Zoning Assessment Report.

We will continue to monitor the legislative changes and advise as the Bill proceeds.

Yours very truly,

WATSON & ASSOCIATES ECONOMISTS LTD.

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November 22, 2022 by email: schicp@ola.org

Standing Committee on Heritage, Infrastructure and Cultural Policy

To Whom It May Concern

Re: Proposed Legislation
Bill 23 – More Homes Built Faster Act, 2022

Thank-you for the opportunity to comment on the above-noted proposed legislation.

Please be advised that the Council of the Municipality of Lambton Shores passed Resolution 22-1108-11 at its November 8, 2022 regular Council meeting:

> *THAT staff draft a letter to the province outlining Lambton Shores' concerns with Bill 23 and circulate to AMO and all Ontario municipalities.*

Lambton Shores is a thriving, growing community on the shores of Lake Huron. It includes several communities experiencing appreciable growth in residential and commercial developments. Lambton Shores' beaches, lakeshore communities, places like Grand Bend and Pinery Provincial Park, and its provincially and internationally significant natural heritage areas make Lambton Shores a well-known tourist destination and desirable place to live and work. Like much of rural Ontario and perhaps more so, it has experienced housing shortages, increased development activity, and a sharp rise is housing costs in the last several years.

In general, Bill 23 seems to be intended to address approval process problems that exist in larger centers more so than portions of rural Ontario like Lambton Shores. Lambton Shores, on the whole, works well with the development community and issues timely planning and other development approvals. In Lambton Shores' case, Bill 23 will "fix" many things that are not really broken and will have the unintended effect of substituting relatively efficient processes with additional processes, time, and costs to development.

The Province conducted a very narrow, developer and real estate-focused, consultation in developing its strategy to address the housing crisis. It is misleading to lay so much blame on the easy target of municipalities. Delays are often due to a development proponent's reluctance to provide information, meet requirements, and follow processes that are overseen by municipalities, but provincially-established. If the Province wishes to speed up Municipal approvals, it should look at its own approval processes, legislation, and responsiveness with respect to matters related to the *Endangered Species Act*, Records of Site Conditions, archaeological assessments, Environmental Compliance Approvals, and the like.

The limiting factor in addressing the housing crisis is labour and material shortages, caused by government policy and the demographics of aging baby-boomers. The Province would better address the housing crisis by finding ways to increase the capacity of the building industry and direct that capacity towards forms of housing that produce more units (e.g. medium and high rather than low density), rather than placing expectations on municipalities that increase staffing needs and put more pressure to draw labour away from construction and manufacturing.

Conservation Authorities

With respect to Conservation Authorities, the Municipality of Lambton Shores has an excellent working relationship with our two Conservation Authorities (Ausable Bayfield and St Clair Region). They are responsive given the level of resources they have and provide valuable expertise, resources, and services to the Municipality. These would not be practical for a Municipality of our size to provide internally. The Municipality wishes to retain the ability to obtain these services through memorandums of understanding.

- If the CAs are prohibited from commenting on natural heritage matters, the Municipality will need to instead refer development proposals to third party consultants, which will add time and cost to development proponents, contrary to the intent of Bill 23.
- Municipalities will be reluctant to grant planning approvals that would exempt development from Conservation Authority approvals. The Municipality lacks the expertise to assess natural hazards and does not wish for assume the liability. Just as planning approval processes were not designed to address Ontario Building Code matters, planning approval processes and Municipalities lack the unique tools and mechanisms of CAs and the *Conservation Authorities Act* to ensure development can proceed while appropriately addressing hazards.
- Repeal of the Regulations specific to each CA, in favour of a province-wide Regulation, will eliminate the local flavor of each CA and its ability to provide for the needs of its constituent municipalities, which are different in rural Ontario than in larger centers.

Additional Dwelling Units

With respect to allowing three units as-of-right on residentially zoned lands:

- This permission potentially creates additional dwelling units in areas where existing municipal services are at full capacity.
- For a second or third unit to be permitted in a particular form of dwelling, it should be clarified that the applicable zone must permit that form of housing in the first place. The current wording of the legislation would seem to permit, for example, a single detached dwelling with a basement apartment on lands zoned and intended for medium and high density, contrary to the intent to Bill 23 to create more units.
- How will the province ensure that these additional dwelling units are used as primary residences, as intended by Bill 23? In significant tourist areas like the Municipality of Lambton Shores, these provisions will promote additional

conversions of existing primary residences into two or three short term rental accommodations, contrary to the intent of Bill 23.

Waiving Fees

With respect to waiving development charges, parkland dedication and other requirements for additional dwelling units, not-for-profit housing, inclusionary housing, etc., the Municipality questions whether these savings to developers will be passed on in lower unit purchase prices. (Consumer demand and willingness to pay remains higher than the building industry's capacity to supply.) Development will however increase municipal service and infrastructure needs, the costs of which will be a burden passed on to the existing tax base, if not collected through development charges.

Site Plan Approval

Waiving site plan approval for residential developments of ten or fewer dwelling units will create adverse impacts to public and municipal interests and developments. The site plan approval process currently provides a single mechanism to address relevant items such as parking, site grading, stormwater management, site servicing, servicing capacity, entrances, work on municipal lands, and sidewalk and road closures. These are important considerations even for smaller developments. In the absence of site plan approval, municipalities will be forced to rely on (or create) a variety of other mechanisms and by-laws to address these interests, which will be less efficient than site plan approval and contrary to the intent of Bill 23 to reduce process.

Yours Respectfully,

Stephen McAuley,
Chief Administrative Officer

cc. Honourable Doug Ford, Premier of Ontario, premier@ontario.ca
Hounourable Steve Clark, Minister of Municipal Affairs and Housing, minister.mah@ontario.ca
Honourable Graydon Smith, Minister of Natural Resources and Forestry, minister.mnrf@ontario.ca
Honourable David Piccini, Minister of Environmental Conservation and Parks. Minister.mecp@ontario.ca
Honourable Monte McNaughton, MPP Lambton – Kent – Middlesex, Monte.McNaughtonco@pc.ola.org
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Association of Municipalities of Ontario
Ontario municipalities

The Corporation of the Township of Douro-Dummer

By-law Number 2022-57

Being a By-law of The Corporation of the Township of Douro-Dummer to confirm the proceedings of the Special Electronic Meeting of Council held on the 6th day of December, 2022 and the proceedings of the Regular Meeting of Council held in Council Chambers on the 6th day of December, 2022.

The Municipal Council of the Corporation of the Township of Douro-Dummer Enacts as follows:

1. **That** the action of the Council at its special electronic meeting held on December 6, 2022 and the regular meeting held on December 6, 2022 in respect to each motion, resolution, and other action passed and taken by the Council at its said meeting is, except where prior approval of the Local Planning Appeal Tribunal is required, hereby approved, ratified, and confirmed.

2. **That** the Mayor and the proper officers of the Township are hereby authorized to do all things necessary to obtain approvals where required, and to execute all documents as may be necessary in that behalf and the Acting Clerk is hereby authorized and directed to affix the Corporate Seal to all such documents.

Passed in Open Council this 6th day of December, 2022.

_____
Mayor, Heather Watson

_____
Acting Clerk, Martina Chait-Hartwig