

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

**Key Elements and Implementation Recommendations to  
Manage Bill 109**

**December 12, 2022**

## Background

### **Key Elements of Bill 109, More Homes for Everyone Act, 2022**

- An Act to amend the various statutes with respect to housing, development and other matters.
- First major legislative response to the recommendations of the provincial Housing Affordability Task Force Report of February, 2022.
- Received Royal Assent on Thursday April 14, 2022.
- Intended to incentivize the timely processing of certain applications to bring more housing units to market.

# Gradual Refunds on Applications Based on Decision Timelines

	<b>No Refund</b>	<b>50% Refund</b>	<b>75% Refund</b>	<b>100% Refund</b>
<b>Zoning By-law Amendment</b>	Decision within 90 days	Decision within 91 and 149 days	Decision within 150 and 209 days	Decision after 210 days
<b>Official Plan / Zoning By-law Amendment</b>	Decision within 120 days	Decision within 121 and 179 days	Decision within 180 and 239 days	Decision after 240 days
<b>Site Plan</b>	Approval within 60 days	Approval within 61 and 89 days	Approval within 90 and 119 days	Approval after 120 days

If the Bill 109 requirements were applied to applications received in 2021, the City would have had to return essentially all **(98.2%)** associated revenue - **which equates to \$5.4 million.**

# Bill 109 – Our Response

Avoid refunds on  
development  
application fees  
(minimize risk)

Ensure quality  
development  
outcomes

Continuous  
improvement  
efforts to realize  
efficiencies

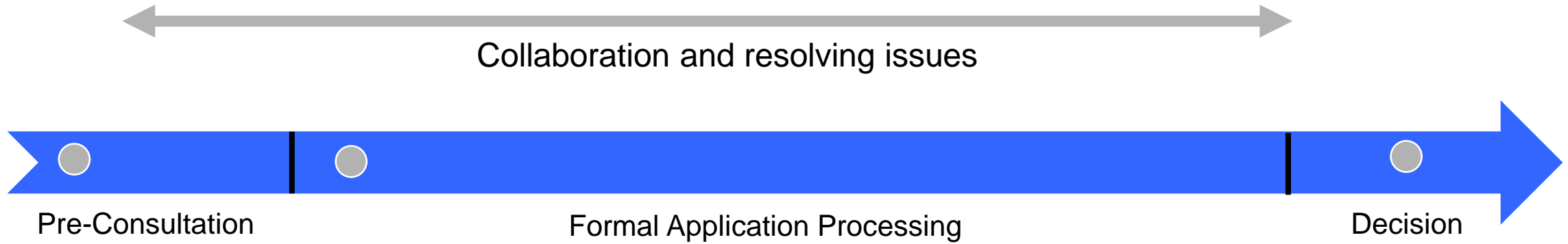
# Key Changes

- ✓ Additional reliance on Pre-consultation process – accountability rests with applicant and City.
- ✓ Early issue identification through non - statutory public engagement
- ✓ “Holding” provisions may be used more frequently.
- ✓ Changes to the Site Plan application process.
- ✓ Withdrawal and resubmission option.

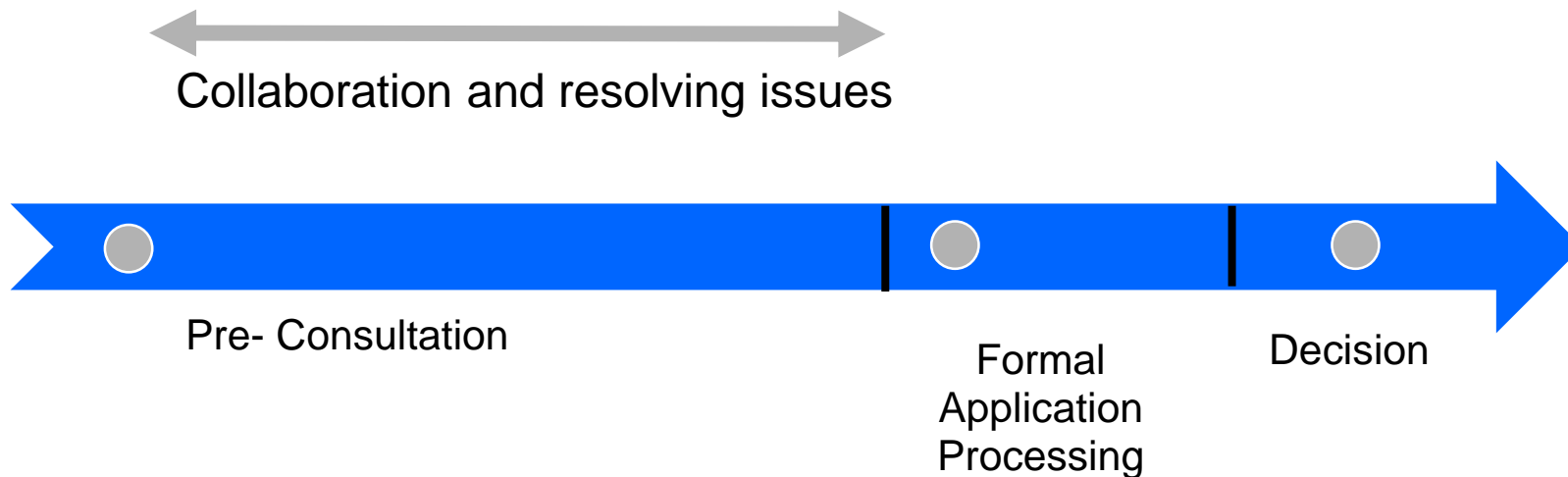


# Key Changes

## Pre Bill 109 Process



## Post Bill 109 Process



# Proposed Amendments to the Pre-Consultation Application Requirements



- Introducing a new two-stage process to create a stronger focus on resolving issues.
- More involvement of external commenting agencies.
- Encourage applicants to host non-statutory public engagements.

**To ensure the efficient delivery of good planning decisions by responding to the needs of all stakeholders and the legislative changes in Bill 109.**

# Proposed Amendments to the Complete Application Requirements

- Require clearances from applicable internal departments or external agencies before deeming an application complete.
- Prescribe complete application requirements for Site Plans.
- Updates to the list of studies required as part of a complete application.
- Require all plans, reports/studies to satisfy approved Terms of Reference and be signed off by a qualified, registered, and/or licensed professional.

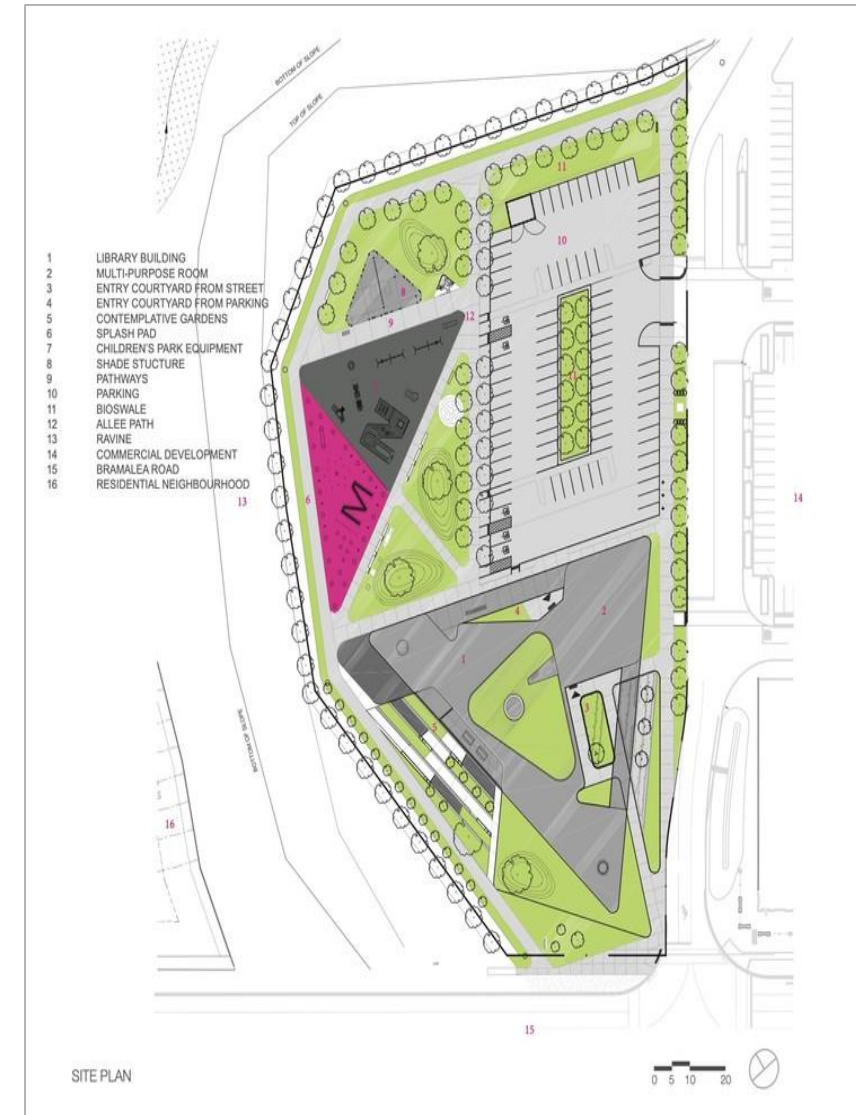
**To ensure submitted applications include the material needed for staff to make or recommend a decision within required timelines.**





# Site Plan Applications

- Subject to the new Pre-Consultation Application process and complete application requirements.
- Prescribing additional complete application requirements.
- Adding an “approval in principle” step identifying conditions to be fulfilled by the applicant.
- Concurrent Site Plan Application processing with an Application to Amend the Official Plan and/or Zoning By-law will no longer be permitted.



# Process Changes Requiring Subsequent Official Plan Amendment

## Removal of minimum required time between a statutory public meeting and Recommendation Report

- Official Plan requirement to provide a minimum 30 days.

## Addition of an “Approval In-Principle” processing step to Site Plan Control

- Conditions to be met by applicant within 180 days.
- Constitutes “approval” of a Site Plan Application in accordance with Bill 109.

The background image shows a city street scene. On the left, there is a glass-enclosed bus stop with a red roof. Above the bus stop, the word "Wellington" is visible. A person is standing inside the bus stop. Behind the bus stop is a large, multi-story building with a curved facade and many windows. To the right of the main building is a tall, narrow structure with a clock face near the top. The entire image is overlaid with a semi-transparent blue filter.

# Thank you!