

Bill 23 – More Homes Built Faster Act: Implications for the City of Brampton

Committee of Council
November 23, 2022



City of Brampton: Context of Bill 23



Rapidly rising housing costs in recent years have increased pressures on households



In 2021, there were 28,000 households on Peel Region's Centralized waiting list and approximately 28% (7,700 households) were Brampton residents



1 in 5 of Brampton residents (132,000) are considered to be living in unsuitable housing

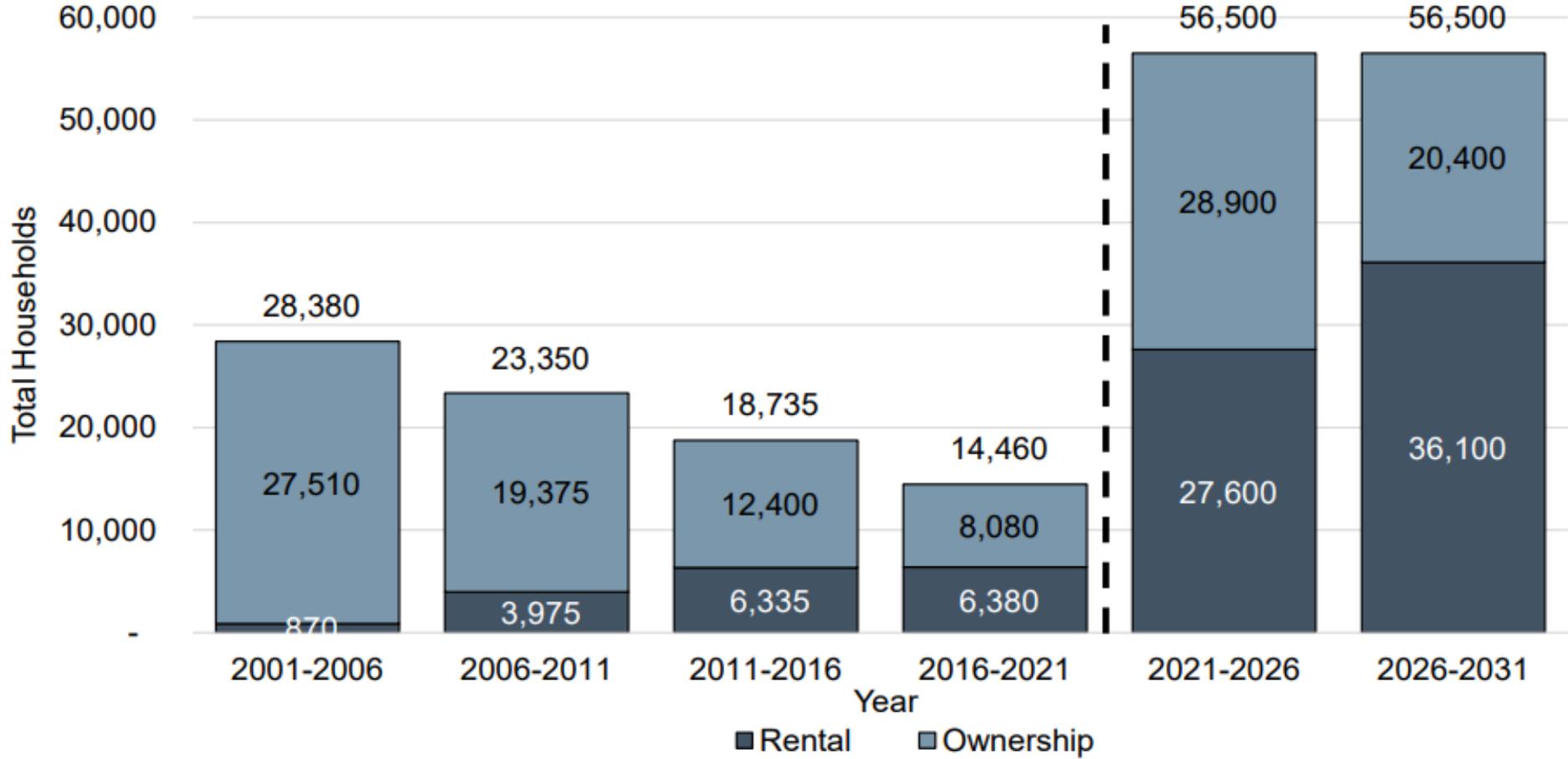


The City of Brampton has historically experienced trouble in achieving the desired activity rate, and pre-pandemic employment targets



Approximately 83% (94,000) of the 113,000 households added through Bill 23 would lead to additional population growth in the City of Brampton

Bill 23 Housing Target, 2021 to 2031 vs. 2001 to 2021 Census Housing Growth (Forecast by Housing Tenure Derived by Watson & Associates Economists Ltd.)



Source: Historical data from Statistics Canada Census. Housing forecast derived from Bill 23. Housing forecast by tenure prepared by Watson & Associates Economists Ltd, 2022.

Growth Funding Implications

The proposed changes leads to:

- **Development Charge Reductions, Exemptions and Change of Eligibility Requirements**
- **Reduced Parkland Revenue**

- If Bill 23 goes through as written, based on impacts to DCs, CIL Parkland and additional infrastructure needs, the **City would lose the accumulated equivalent revenue of a property tax increase of approximately 80%.**
- It is estimated that the **Bill could cost the City \$440 million in development charges alone.** Without corresponding provincial grants, the City of Brampton would need to recover that revenue through the tax base or by reducing service levels. In efforts to recover the DC Shortfall, **the City could expect an equivalent to a one-time increase of property taxes by about 9%.**
- Additional impacts to **development charges may also result from the proposed threshold of 80%** of average market value to define affordable housing which could result in additional **loss of revenue of between \$260M and \$800M** depending on what % of development meets this threshold. This would be **equivalent to a one time property tax increase of between 5%-16%.**
- To service the additional infrastructure, an estimated **\$2B beyond the current needs or \$200M annually equivalent to a one-time 40% tax increase** is needed



Reducing Parkland for the City

Bill 23 proposes not only reduced revenue for parkland and recreational facilities, but reduced parks across the city due to:

- Less parkland per development
 - Over 33% less parkland on large sites greater than one hectare
- Poorer quality parkland
 - 100% parkland dedication credit for encumbered parkland and privately-owned publicly-accessible spaces;
 - Applicant identified park parcels including inappropriate lands
- Municipalities must accept private ownership of publicly accessible spaces like POPs or to accept Strata parks
 - Limited legal rights the municipality – this leads to increased liability for the City

The potential CIL Parkland revenue loss is estimated to be \$700M to \$1.05 billion over the next decade, equating to a potential one-time increase of property taxes by 14% - 21%.



Accommodating Growth with Reduced Resources

If **Bill 23** receives Royal Assent, the impacts would be far-reaching:

- Housing Implications – 3 times historical levels in the past decade and changing how the City defines affordable housing
- Growth Management – revision to long-term accommodation of new population and housing, including employment options, hard and soft infrastructure, including: schools, hospitals, day cares, transit, streets, water, wastewater, etc.
- Employment Conversion Pressure - Increased population growth will increase pressure for the conversion of Employment Areas
- Administrative Implications – the majority of proposed changes places increased workload on the existing staff complement



The City requests the Province:

- Maintain current growth paying for growth models by not proceeding with proposed changes or provide additional funding and/or alternative revenue streams
- Lower the housing targets to a more realistic level and engage with the City of Brampton to determine an appropriate number
- More realistic targets and discount calculation for affordable/attainable housing;
 - Maintain existing CIL Parkland calculation methods;
 - Scrapping the proposed development charges exclusion categories

Undermining Neighbourhood Character

The proposed changes leads to:

- **More instances of the "Big Blue House", Less City/Council Oversight in Neighbourhood redevelopment, Potential Overcrowding/Unsuitable living conditions for residents (allowing up to 3 units as-of-right)**
- Site plan controls ensures the design of new buildings integrates into the existing urban fabric, support sustainability metrics and the goals and objectives of the community area.
- With the objective of addressing missing middle housing, there are other ways that Bill 23 could achieve this that does not reduce the City's ability to ensure social, environmental, design, infrastructure and Enforcement challenges are mitigated.

"The Big Blue House" - a Brampton example of loosened Site Plan Control

Photo Source: The Brampton Guardian



The City recommends the Province:

- Not alter legislation enabling the use of Site Plan Control for residential development 10 units or less
- Defer the zoning of up to 3 units to the Comprehensive Zoning By-law Review process

Loss of Accountability and Community Engagement

The proposed changes leads to:

- **Removal of community rights in the Planning process, increased legal costs to the City through the OLT**

Public Engagement and Appeal Rights: Diminished

- Changes are proposed to limit third party appeals for planning matters (Official Plans, Official Plan amendments, zoning by-laws, zoning by-law amendments, consents and minor variances).
- Appeal rights would be maintained for key participants (e.g., applicants, the province, public bodies (including Indigenous communities) and utility providers (that participated in the process))
- Further, changes are proposed to completely remove the public meeting requirement for draft plans of subdivision



Loss of Accountability and Community Engagement

The Ontario Land Tribunal

- The Ontario Land Tribunal (OLT) has the responsibility to resolve land use planning conflicts in Ontario and to effectively identify and determine the public interest
- Mandating the award of costs following the results of a hearing will have a chilling effect on the exercise of legislative approval authority leading to unintended consequences
- In considering financial impacts from proposed Bill 23 changes and previous legislation affecting land use planning, this could lead to additional administrative and financial burdens for the City to bear.



The City recommends the Province:

- Make no changes to third-party appeal rights
- Request the requirement for public meetings as part of Draft Plans of Subdivisions be maintained.
- Request the Province maintain the current OLT costs award practice.

Brampton's Natural Environment Implications

The proposed changes leads to:

- **Reduced ability to protect, conserve, enhance and manage the natural heritage system, leading to the loss of protected lands**

The Bill proposes changes to the Ontario Wetland Evaluation System that will see the down designation of Provincially Significant Wetlands

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.
- Developments to be built on lands that should be/used to be protected.

Wetlands

- Changes of remove the concept of wetland complexes, which will make it more difficult for small wetlands to be evaluated.
- With the removal of MNR and Conservation Authority involvement, as well as scoped municipal review of completed documents, there are concerns around the lack of oversight, expertise, and quality control of these evaluations prepared by consultants hired by development industry.



Main Street North after Hurricane Hazel, March 1948. Russell Cooper fonds, Region of Peel Archives/PAMA

Brampton's Heritage & Natural Environment Implications

Natural Heritage System

- Further loss of natural heritage areas and features such as wetlands, may result in significant repercussions like serious flooding, which puts the safety of communities at risk. Natural features are a cost-effective strategy for Climate Resilience and protecting property.

Ecological Offsetting

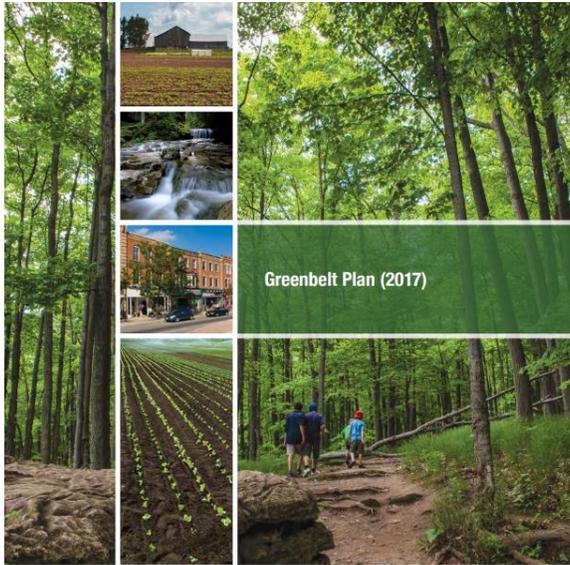
- Change could result in Brampton's natural heritage features and functions, that would otherwise be protected in-situ, being proposed for removal and replaced elsewhere, including outside of the city, region and/or watershed.
- Could lead to a steady reduction in the amount of natural space covered by the City's Natural Heritage System, weakening the entire system.

The City recommends the Province:

- Do not proceed with the proposed natural system changes
- Reconsider changing the roles of CAs and the downloading of CA approvals

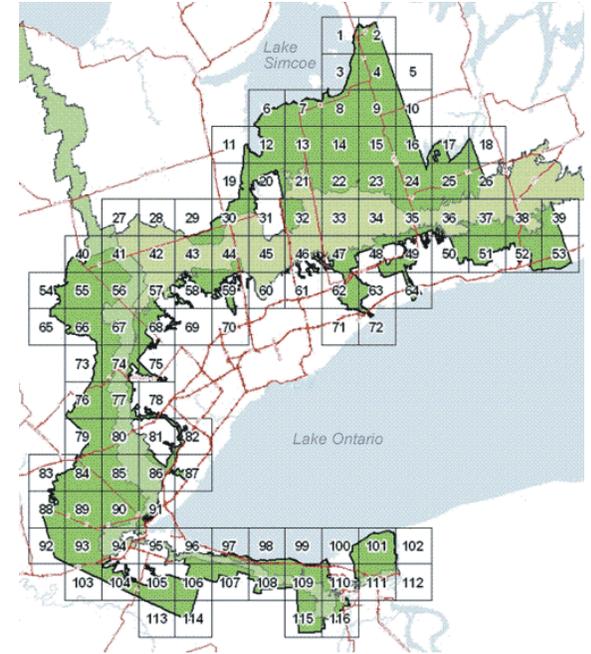


Brampton's Heritage & Natural Environment Implications



Greenbelt Plan Impacts

The Bill proposes unlocking some lands within the Greenbelt for development. It is unclear at this point as to whether lands within the City of Brampton will be impacted by this legislation.



The City recommends the Province:

- Maintain current Greenbelt protections

Brampton's Cultural Heritage Implications

Threatens 385 listed properties that are valuable to the community

- Requires municipalities to remove a property from a heritage register if the City fails to issue a notice of intention to designate within 2-years.
- Freezes the designation process once a prescribed event occurs (not yet defined).
- Bill 23 proposes timelines that does not consider the capacity for staff to effectively conserve all necessary or valued heritage in the city.

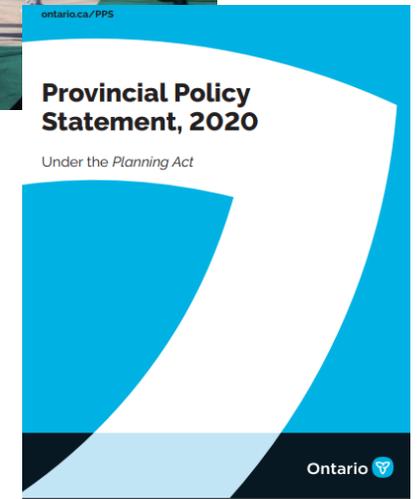
The City recommends the Province:

- Remove the “designate it or lose it” approach to irreplaceable cultural heritage
- Prioritize the protection of Brampton's unique heritage based on the value to the community rather than administrative timelines



Other Significant Changes through Bill 23

- Proposes a review of the Provincial Policy Statement and Growth Plan
- Requires municipalities to create "as-of-right zoning" to meet minimum density targets for Major Transit Station Areas within one year.
- Removes the Region of Peel's planning responsibilities, making the Minister the approval authority and Minister's decisions cannot be appealed.
- Minister's given the power to make regulations related to the replacement of rental housing when it is proposed to be demolished or converted.
- Introducing a new "attainable housing" category that has not yet been defined.
- Inclusionary Zoning:
 - Proposes a maximum set aside rate of 5%,
 - Amends the affordable housing definition, and
 - Sets a maximum affordability period of 25-years.



The City recognizes the inter-connected nature of the changes compounded through this Bill and has considered these impacts through Appendix 1.

Thank you!

