



# COUNTY OF WELLINGTON

## COMMITTEE REPORT

**To:** Chair and Members of the Planning Committee  
**From:** Sarah Wilhelm, Manager of Policy Planning  
**Date:** Thursday, January 12, 2023  
**Subject:** County Official Plan Review – Progress Report #8



PLANWELL

### 1.0 Purpose

This progress report for the County Official Plan Review carries forward information from the last progress report in October 2022 (PD2022-23) for reference and also covers the period from October to December, 2022.

### 2.0 Key Updates

June to September 2022	October to December 2022
<ul style="list-style-type: none"> <li>County Growth Structure Official Plan Amendment (OPA 119) was submitted to the Ministry of Municipal Affairs and Housing and deemed complete June 9, 2022.</li> <li>The 120-day decision deadline would have been October 7, 2022 but has been extended beyond that date by the Province.</li> </ul>	<ul style="list-style-type: none"> <li>The Ministry of Municipal Affairs and Housing (MMAH) posted OPA 119 on the Environmental Registry of Ontario (ERO) for a 30-day comment period on September 8, 2022.</li> <li>MMAH reposted OPA 119 on the ERO for comments from December 5, 2022 until January 4, 2023.</li> </ul>
<ul style="list-style-type: none"> <li>County Growth Forecast Official Plan Amendment (OPA 120) has been prepared in draft and circulated for comment.</li> </ul>	<ul style="list-style-type: none"> <li>The open house for OPA 120 was held December 15, 2022 and the public meeting will be held January 12, 2023.</li> </ul>
<ul style="list-style-type: none"> <li>Phase 2 Land Needs Assessment technical report has been finalized and was approved in principle by County Council on September 29, 2022.</li> </ul>	<ul style="list-style-type: none"> <li>No further updates at this time</li> </ul>
<ul style="list-style-type: none"> <li>The Agricultural Policy and Mapping Review component of the Municipal Comprehensive Review (MCR) is ongoing. Preliminary Draft Agricultural System mapping refinements are being reviewed by County planning staff.</li> </ul>	<ul style="list-style-type: none"> <li>Draft Agricultural System mapping and accompanying refinement recommendations for the entire County are almost complete. When finished, County staff will begin the public, agency and stakeholder engagement on the proposed mapping. Unfortunately, the County has experienced consultant delays with this work.</li> </ul>

Further information about the Official Plan Review, including County Planning Committee Reports, is available at the project website: [www.wellington.ca/planwell](http://www.wellington.ca/planwell).

### **3.0 Work Plan**

Together with WSP planning consultants, planning staff have begun Phase 3: the next phase of the MCR component of the Official Plan Review. Phase 3 implements and builds upon the technical work completed by Watson & Associates and approved in principle by County Council (Phase 1 - Growth Structure and Allocations and Phase 2 - Land Needs Assessment). The Phase 3 growth management work has been divided into an urban and a rural component (Phase 3A and 3B respectively). While both parts of Phase 3 are important, work on Urban Phase 3A has started first because this allows policy staff to manage in-house and consulting resources more effectively. A delay in Rural Phase 3B also allows for:

- the County to wait for the Provincial pause to be lifted on OPA 119, which has more implications for the rural growth component of the MCR (e.g. Regionally Significant Economic Development Study Area, Hamlet of Puslinch, etc.);
- the results of the Agricultural System mapping review to be considered; and
- consideration of the new Provincial planning policy framework (discussed below) which may introduce increased flexibility for rural growth.

#### **3.1 Bill 23 and the Provincial Planning Policy Framework**

Planning staff provided an overview report on the More Homes Built Faster Act, 2022 (Bill 23) in early November 2022 (PD2022-26). Much has changed since then. In a letter of December 22, 2022 (attached) Minister Clark provided an update concerning Bill 23 and other recent legislative and regulatory changes the Government has made.

As part of Bill 23, the Province is undertaking a housing-focused review and consideration of integrating the Provincial Policy Statement and Growth Plan for the Greater Golden Horseshoe. While planning staff agree that streamlining these policy documents would be beneficial, the implications of this future Provincial planning document on our work are unknown. For this reason, we do not recommend initiating the Phase 3A Policy Review at this time but have begun the Settlement Area Land Review. The main objectives of the Settlement Area Land Review are to identify, evaluate and recommend the following within Wellington's Urban Centres:

- Future Development lands to be re-designated for community area use in Wellington North, Minto and Mapleton (Erin also has lands to be re-designated, but they are part of the Town's Official Plan);
- Excess community area land and excess employment area land to be delineated in Wellington North, Mapleton and elsewhere, if applicable; and
- a possible new mixed-use commercial/residential designation County-wide.

County planning staff will continue to engage with municipal staff as part of the MCR effort, including Phase 3A kick-off meetings which focus on the individual needs of each municipality. Some meetings have been held (Wellington North and Minto), are scheduled (Mapleton) and are in the process of being scheduled (Erin, Guelph/Eramosa and Puslinch). While discussions with Centre Wellington staff

on addressing urban land need/settlement area boundary expansions are ongoing, the outcomes will follow later this year.

Staff will continue to monitor available information about the new Provincial planning policy document and other changes that might impact the MCR, engage with MMAH staff about our work plan and make necessary adjustments to our approach.

### **3.2 Greenbelt Expansion**

In addition to Bill 23, the Province also released a proposal to remove or re-designate 7,400 acres from the Greenbelt area for urban development. These removals were to be largely offset by adding approximately 7,000 acres of rural land in Erin to the Greenbelt. While the County requested consideration of removals from the Greenbelt (known as “whitebelt” areas) to support employment growth in Erin and rounding out of Morriston, the Province approved the Greenbelt amendments as proposed without modifications.

## **4.0 Recommendations**

That the report “County Official Plan Review – Progress Report #8” be received for information; and

That the County Clerk forward the report to Member Municipalities.

Respectfully submitted,



Sarah Wilhelm, MCIP, RPP  
Manager of Policy Planning

Attachment #1      December 22, 2022 letter Re: Bill 109, 2022 and Bill 23, 2022 (MMAH)

Attachment #2      December 16, 2022 letter Re: Greenbelt Amendments (MMAH)

**Ministry of  
Municipal Affairs  
and Housing**

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Ontario

234-2022-6136

December 22, 2022

Dear Head of Council:

Ontario's housing supply crisis is a problem which has been decades in the making. It will take both short-term strategies and long-term commitment from all levels of government, the private sector, and not-for-profits to drive change. Each entity will have to do their part to be part of the solution.

To help support this important priority, I am pleased to provide you with an update on recent legislative and regulatory changes our government has made to help get 1.5 million homes built over the next 10 years.

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

Bill 109, the More Homes for Everyone Act, 2022, was introduced on March 30, 2022 and received Royal Assent on April 14, 2022.

As part of the government's More Homes for Everyone Plan, Schedule 5 of Bill 109 made changes to the Planning Act. Consequential changes were also made to the City of Toronto Act, 2006.

Most of the Planning Act changes are now in effect except for the zoning and site plan control fee refund provisions, which are due to come into force on January 1, 2023. However, I am committed to bringing forward legislation to delay the effective date of the fee refund changes from January 1, 2023 to July 1, 2023. These legislative changes would be introduced in the new year.

In the event that any fee refunds become due to applicants before these legislative changes are made, municipalities might consider not issuing refunds in the interim given my express commitment to introduce legislation that, if passed, would retroactively cancel the requirement.

You can find more information about Bill 109 on the Environmental Registry of Ontario ([019-5284](https://www.ero.on.ca)), and the Ontario Legislative Assembly [website](https://www.ontario.ca/government).

### **Bill 23, More Homes Built Faster, 2022**

Bill 23, the More Homes Built Faster Act, 2022, was introduced on October 25, 2022, and received Royal Assent on November 28, 2022.

To support More Homes Built Faster: Ontario's Housing Supply Action Plan: 2022–2023, Schedule 9 of Bill 23 made changes to the Planning Act. Schedule 1 of Bill 23 also made similar changes to the City of Toronto Act, 2006 related to site plan provisions. Schedule 3 of Bill 23 made changes to the Development Charges Act.

The planning-related and municipal development-related charges changes came into force on November 28, 2022, except for provisions related to removal of planning responsibilities from certain upper-tier municipalities, certain provisions related to parkland dedication, and exemptions from municipal development-related charges for affordable and attainable housing, which will come into force on a day in the future to be named by proclamation. Provisions related to Conservation Authorities will take effect January 1, 2023.

Bill 23 also made changes to legislation led by other ministries. Please see Appendix A for an overview of the effective dates of the Bill 23 changes by schedule.

You can find more information about Bill 23 on the Environmental Registry of Ontario ([019-6163](tel:019-6163)), and the Ontario Legislative Assembly [website](#).

### **Bill 3, the Strong Mayors, Building Homes Act, 2022 and Bill 39, the Better Municipal Governance Act, 2022**

Bill 3, the Strong Mayors, Building Homes Act, 2022, was introduced on August 10, 2022, and received Royal Assent on September 8, 2022. Bill 3 and associated regulations ([O. Reg. 529/22](#) and [O. Reg. 530/22](#)) came into force on November 23, 2022.

Bill 39, the Better Municipal Governance Act, 2022, was introduced on November 16, 2022, and received Royal Assent on December 8, 2022. Bill 39, amendments to associated regulations ([O. Reg. 581/22](#) and [O. Reg. 583/22](#)), and additional regulations to prescribe provincial priorities ([O. Reg. 580/22](#) and [O. Reg. 582/22](#)) came into force on December 20, 2022. Additional details can be found in Appendix B and on the Ontario Legislative Assembly's website ([Bill 3](#) and [Bill 39](#)).

Sincerely,



Steve Clark  
Minister

c: Chief Administrative Officer

# Appendix A

## Effective Dates for Bill 23, the More Homes Built Faster Act, 2022

Schedule	Effective Date
Schedule 1: City of Toronto Act, 2006	<p>All of the changes in Schedule 1 (City of Toronto Act) came into force on the day the bill received Royal Assent.</p> <p>Note: The legislative changes to the City of Toronto Act include amendments that give the Minister of Municipal Affairs and Housing authority to make regulations imposing limits and conditions on how municipalities can regulate the demolition and conversion of residential rental properties of six units or more. No regulations have been made at this time.</p>
Schedule 2: Conservation Authorities Act	<p>Changes in Schedule 2 (Conservation Authorities Act) came into force the day the bill received Royal Assent, except for:</p> <ul style="list-style-type: none"> <li>• On January 1, sections related to streamlining disposition of lands for CAs comes into force which would allow CAs to sell or lease land without Minister’s approval provided they follow rules around public consultation and notifications.</li> <li>• Also on January 1, sections that enable the Minister’s ability to issue direction to freeze fees and ability to scope CA commenting on development applications and land use planning policies through regulation, would come into force but only have effect when the Minister issues direction on fees or if a regulation prescribing Act under which CA commenting roles is restricted is made.</li> <li>• Changes related to CA permitting (including removal of “conservation of land” and “pollution”, adding “unstable soil and bedrock”, regulation making powers to exempt development from a CA permit where it has been authorized under the Planning Act, etc.) take effect on a later date (upon proclamation) once a new regulation under Section 28 of the CA Act is in effect. MNRF continues to consult on that regulation through the Environmental Registry (#019-2927).</li> </ul>
Schedule 3: Development Charges Act, 1997	<p>All of the changes in Schedule 3 (Development Charges Act) came into force on the day the bill received Royal Assent, with the exception of provisions relating to development charge exemptions for affordable and attainable housing units, which would take effect upon proclamation.</p>
Schedule 4: Municipal Act, 2001	<p>All of the changes in Schedule 4 (Municipal Act) came into force on the day the bill received Royal Assent.</p> <p>Note: The legislative changes to the Municipal Act give the Minister of Municipal Affairs and Housing authority to make regulations imposing limits and conditions on how municipalities can regulate the demolition and conversion of residential rental properties of six units or more. No regulations have been made at this time.</p>
Schedule 5: New Home Construction Licensing Act, 2017	<p>Many of the amendments in Schedule 5 (New Home Construction Licensing Act) came into force on the day the bill received Royal Assent.</p> <p>The amendments regarding the maximum fine that a court may impose for a subsequent conviction, as well as most of the amendments related</p>

Schedule	Effective Date
<p>Schedule 6: Ontario Heritage Act</p>	<p>to administrative penalties, will come into force on February 1, 2023.</p> <p>Most of the amendments to the Ontario Heritage Act (OHA) made through the bill will be proclaimed into force on January 1, 2023. These include:</p> <ul style="list-style-type: none"> <li>• The new authorities under Part III.1 of the Act that relate to the Standards and Guidelines for Conservation of Provincial Heritage Properties.</li> <li>• Most of the changes to procedures related to municipal registers, including the process and requirements around inclusion of non-designated properties on the municipal registers. However, the requirement for municipalities to make their municipal registers available on a publicly accessible website will not come into force until July 1, 2023 to provide municipalities with time to ensure compliance.</li> <li>• Limiting the ability to issue a Notice of Intention to Designate a property subject to a prescribed event to only those properties included on a municipal register.</li> <li>• The authority to prescribe criteria for determining cultural heritage value or interest for the purposes of including non-designated properties on the municipal register and designating a Heritage Conservation District (HCD).</li> <li>• The authority to set out processes to amend and repeal HCD bylaw in regulation. Note, the Ministry of Citizenship and Multiculturalism will consult on the development of these processes to be set out in regulation in 2023.</li> </ul> <p>Regulatory amendments to O.Reg. 9/06: Criteria for Determining Cultural Heritage Value or Interest will also come into force on January 1, 2023. These changes establish that non-designated properties included on a register must meet one or more of the criteria outlined in the regulation, and that individual properties and HCDs must meet two or more of the criteria included in the regulation in order to be designated. The regulation also includes transitional provisions to address matters underway at the time of the changes coming into force.</p> <p>The outstanding amendments to the OHA made through Bill 108, the More Homes, More Choice Act, 2019, will also be proclaimed into force on January 1, 2023. The amendments speak specifically to the demolition or removal of an attribute that is not a building or structure within an HCD.</p> <p>Regulatory amendments to O.Reg. 358/21: General will come into force on January 1, 2023. These amendments include consequential housekeeping amendments and transition provisions related to the above legislative amendments coming into force.</p> <p>Bill 23 included some minor housekeeping amendments to the OHA that came into force upon Royal Assent. These included repealing the alternative definition of “alter”.</p>
<p>Schedule 7: Ontario Land Tribunal Act, 2001</p>	<p>The changes in Schedule 7 (More Homes Built Faster Act, 2022) will come into force on proclamation.</p>

Schedule	Effective Date
Schedule 8: Ontario Underground Infrastructure Notification System Act, 2012	The changes in Schedule 8 (Ontario Underground Infrastructure Notification System Act, 2012) came into force on the day the bill received Royal Assent.
Schedule 9: Planning Act	<p>The changes in Schedule 9 (Planning Act) all came into force on the day the bill received Royal Assent, with the following exceptions:</p> <ul style="list-style-type: none"> <li>• provisions related to removal of planning responsibilities from certain upper-tier municipalities, which would come into force on a day to be named by proclamation.</li> <li>• provisions related to the exemption of community benefits charge and parkland dedication requirements for affordable and attainable housing units</li> <li>• provisions related encumbered land to be conveyed to municipalities by developers for park or other recreational purposes</li> <li>• provisions related to Conservation Authorities (linked to the changes in Schedule 2) will take effect January 1, 2023</li> </ul>
Schedule 10: Supporting Growth and Housing in York and Durham Regions Act, 2022	<p>Except as otherwise provided, the Act set out in Schedule 10 came into force on the day bill received Royal Assent.</p> <ul style="list-style-type: none"> <li>• Sections 7 to 10, subsection 11 (5) and section 14 come into force on a day to be named by proclamation of the Lieutenant Governor. Once in force, these sections will require a prescribed municipality to develop, construct, and operate the Lake Simcoe phosphorus reduction project and allow the Ontario Clean Water Agency to undertake some or all of that project if ordered to do so by the Lieutenant Governor in Council. The project will also be exempt from the Environmental Assessment Act.</li> <li>• Subsection 85 (1) comes into force on the later of the day subsection 44 (1) of this Act comes into force and the day section 2 of Schedule 5 to the Accelerating Access to Justice Act, 2021 comes into force. Subsection 85 (1) makes consequential changes to the Act arising out of changes to the Expropriations Act in respect of alternative hearings processes.</li> <li>• Subsection 85 (2) comes into force on the later of the day section 61 of this Act comes into force and the day section 42 of Schedule 4 to the Comprehensive Ontario Police Services Act, 2019 comes into force. Subsection 85 (2) makes consequential changes to the Act arising out of the Comprehensive Ontario Police Services Act, 2019 consistent with other Ministry of the Environment, Conservation and Parks legislation. The change would allow a person undertaking an inspection to obtain the assistance of the local police force rather than the Ontario Provincial Police Force.</li> </ul>

## Appendix B

### **Bill 3, the Strong Mayors, Building Homes Act, 2022 and Bill 39, the Better Municipal Governance Act, 2022**

As a result of Bills 3 and 39, changes were made to the Municipal Act, 2001, City of Toronto Act, 2006 and the Municipal Conflict of Interest Act, and regulations were established to give the mayors in Toronto and Ottawa strong mayor powers to help advance shared provincial-municipal priorities, including building new homes. These powers include:

- Choosing to appoint the municipality's chief administrative officer,
- Hiring certain municipal department heads, and establish and re-organize departments,
- Creating committees of council, assigning their functions and appointing the Chairs and Vice-Chairs of committees of council, and
- Proposing the municipal budget, subject to council amendments and a head of council veto and council override process.

The mayors of Toronto and Ottawa can also use strong mayor powers related to provincial priorities. These include:

- Vetoing certain by-laws if the mayor is of the opinion that all or part of the by-law could potentially interfere with a provincial priority,
- Bringing forward matters for council consideration if the mayor is of the opinion that considering the matter could potentially advance a provincial priority, and
- Proposing certain municipal by-laws if the mayor is of the opinion that the proposed by-law could potentially advance a provincial priority. Council can pass these by-laws if more than one-third of council members vote in favour.

The provincial priorities for the purposes of strong mayor powers are prescribed in O. Reg. 580/22 and O. Reg. 582/22 and they are:

1. Building 1.5 million new residential units by December 31, 2031.
2. Constructing and maintaining infrastructure to support housing, including, transit, roads, utilities, and servicing.

## Attachment #2 to PD2023-01

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December 16, 2022

Dear Head of Council, Municipal Chief Executive Officer and Clerk, and AMO Staff

**Re: Greenbelt Amendments and Revocation of the Central Pickering Development Plan and O. Reg. 154/03**

The government is committed to taking bold action to address Ontario's housing supply crisis by building 1.5 million homes over the next 10 years.

That is why the government has taken further action to support this goal by making changes to the Greenbelt and revoking the Central Pickering Development Plan and the associated Minister's Zoning Order (O. Reg. 154/03) to help build at least 50,000 new homes, while leading to an overall expansion of the Greenbelt by approximately 2,000 acres.

Further to the letters sent on Nov 4, 2022 regarding proposed amendments to the Greenbelt and the letter on October 25, 2022 regarding the proposed revocation of the CPDP, I am writing to provide an update that the government has approved Amendment No. 3 to the Greenbelt Plan (by OIC 1745/2022), amended the Greenbelt Area boundary (O. Reg. 59/05), and revoked the Central Pickering Development Plan (by OIC 1746/2022). The amendments were approved as proposed without modifications.

As Minister, I approved the related amendments to the Oak Ridges Moraine Conservation Plan (O. Reg. 140/02) and revoked the Central Pickering Development Planning Area and the related Minister's Zoning Order (O. Reg. 154/03).

Information on the Greenbelt Area boundary regulation, and the Oak Ridges Moraine Conservation Plan, and the revocation of the Central Pickering Development Plan and Minister's Zoning Order can be found at:

- Designation of Greenbelt Area (O. Reg. 567/22) - <https://www.ontario.ca/laws/regulation/r22567>
- Oak Ridges Moraine Conservation Plan (O. Reg. 568/22) - <https://www.ontario.ca/laws/regulation/r22568>
- Zoning Area - Regional Municipality of Durham, Part of The City of Pickering (O. Reg. 566/22) - <https://www.ontario.ca/laws/regulation/r22566>

Further details on these changes, including updated mapping, will be available online soon.

Thank you to those municipalities who provided feedback. The province looks forward to continued collaboration with municipal partners to get more homes built faster.

Sincerely,

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

Steve Clark

Minister

- c. Kate Manson-Smith, Deputy Minister, Municipal Affairs and Housing
- Sean Fraser, Assistant Deputy Minister, Municipal Affairs and Housing, Planning and Growth Division
- Hannah Evans, Assistant Deputy Minister, Municipal Services Division