

RE: Environmental Registry of Ontario Posting 019-8370 – Proposed Changes to Regulations under the Planning Act and Development Charges Act, 1997 Relating to the Bill 185, Cutting Red Tape to Build More Homes Act, 2024 (Bill 185): Newspaper Notice Requirements and Consequential Housekeeping Changes (Schedules 6 and 12 of Bill 185 – the proposed Cutting Red Tape to Build More Homes Act, 2024)

From: Steve Ganesh, Commissioner – Planning, Building and Growth Management Department, City of Brampton

To Whom It May Concern,

The City of Brampton (hereinafter referred to as ‘the City’) appreciates the opportunity to provide comments on the proposed changes outlined in the Environmental Registry of Ontario posting 019-8370 – Proposed Changes to Regulations under the Planning Act and Development Charges Act, 1997 Relating to the Bill 185, Cutting Red Tape to Build More Homes Act, 2024 (Bill 185): Newspaper Notice Requirements and Consequential Housekeeping Changes (Schedules 6 and 12 of Bill 185 – the proposed Cutting Red Tape to Build More Homes Act, 2024).

The City is supportive of efforts by the Province to address housing supply and development challenges, and remain committed to working with the Province towards their ambitious goal of delivering more housing. However, the City provides a number of recommendations below in response to the proposed changes.

Please see below specific comments on individual aspects of the proposed legislative changes:

1. Modernizing public notice requirements

City Comment: The City applauds the Province’s recognition of a changing environment as it relates to public notification and the dissemination of information. With newspapers ceasing print publication in many municipalities in favour of online platforms the City of Brampton has experienced difficulties in providing public notice to residents regarding planning applications. The Brampton Guardian has moved online and the City has since been using it’s municipal website to post notices and information and will continue to do so moving forward.

The City also eagerly awaits more information related to the best practices of public engagement as outlined in the ERO posting and look forward implementing those practices. We seek clarification on whether these best practices will be in the form of guidelines or if these will be mandated changes. If mandated the City would seek further clarification on if the Ministry will be consulting municipalities prior to the enactment of these changes.

The City is not anticipating this change in legislation will impact the municipality at this time and has no additional comments.

2. Streamlining third party appeals

City Comment: The City recognizes the changes made to the Planning Act are to streamline the planning application process. However, there are concerns that limiting third party appeals to “specified persons” (as defined in the Planning Act) hinder the planning process and unintentionally restrict public participation.

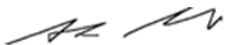
The language in the amendment limited third-party appeal rights to official plan amendments (OPAs) and zoning by-law amendments (ZBAs) to only the applicant, the Minister, and approval authority, a public body, and those specified persons (generally utility providers across the province). In addition to this would also be a retroactive effect meaning those with third-party appeals now (meaning who are not those previously named) would lose their appeal right even if the notice of appeal has been provided, unless: a hearing on the merits had been scheduled before April 10, 2024, or if an exempt person or public body filed a notice of appeal in respect of the same decision.

This is particularly problematic when considering this legislation would prevent appeals of Official Plans, Comprehensive Zoning By-laws, and City-initiated official plan as well as zoning by-law amendments.

City Recommendation: It is recommended that the Province consider the possible issues that would be created by limiting third-party appeals to “specified persons.” This change may result in ignoring legitimate concerns dealing with infrastructure and cost sharing for example. Alternatively, the Province may consider permitting third-party appeals to non-specified persons within certain geographic areas of individual planning applications. Further consideration may also need to be given to larger planning act undertakings as mentioned above.

The City of Brampton would like to thank the Province for the opportunity to provide feedback and comments on the proposed changes.

Sincerely,



Steve Ganesh, MCIP, RPP
Commissioner
Planning, Building & Growth Management