

May 10, 2024

**Electronic Submission only**

**ATTENTION:**

Honourable Paul Calandra  
Minister of Municipal Affairs and Housing  
777 Bay Street, 17<sup>th</sup> floor  
Toronto, ON M7A 2J3  
[Paul.Calandra@pc.ola.org](mailto:Paul.Calandra@pc.ola.org)

**RE: 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**

Ontario Regulatory Registry Posting [019-8370](#)

**Background:**

On April 10, 2024, [Bill 185, Cutting Red Tape to Build More Homes Act, 2024](#) was introduced in the Ontario Legislature, as part of Ontario's Spring 2024 Red Tape Reduction Package. In line with recent changes such as the [Bill 162: Get It Done Act, 2024](#), these new changes under Bill 185 are intended to continue streamlining planning approvals and increase housing and infrastructure development across the province. In addition to proposing amendments to 15 Acts, Bill 185 proposes regulatory changes to existing regulations under the Planning Act and Development Charges Act, 1997.

**Comments:**

Please find below, City Staff's comments in response to the proposed changes to regulations under the Planning Act and Development Charges Act, 1997 to modernize public notice requirements regarding newspaper notice and consequential housekeeping changes.

**Modernizing Public Notice Requirements**

Proposed changes would modernize public notice requirements by enabling municipalities to give notice on a municipal website if a local newspaper is not available. These changes would apply to statutory land use planning notice requirements under the Planning Act such as notice for Official Plan and Zoning By-law Amendments, as well as for Development Charges and Community Benefit Charges By-laws.

The proposed changes would be made to the following Regulations under the Planning Act:

- O. Reg. 543/06 – Official Plans and Plan Amendments;
- O. Reg. 545/06 – Zoning By-laws, Holding By-laws and Interim Control By-laws;
- O. Reg. 544/06 – Plans of Subdivision;
- O. Reg. 197/96 – Consent Applications;
- O. Reg. 200/96 – Minor Variance Applications; and
- O. Reg. 509/20 – Community Benefits Charges and Parkland.

The proposed changes would also be made to O. Reg. 82/98 – General under the Development Charges Act, 1997.

*Comments:*

City staff are supportive of the proposed modernization of public notice requirements by enabling municipalities to give notice on the municipal website if a local newspaper is not available. The Burlington Post ceased publication in September 2023, and permitting the use of the City's website as a means of public notification will provide a more modern and cost-effective approach to providing notice.

Consequential Housekeeping Amendments

As a result of the changes proposed under Bill 185 to limit appeal rights for Official Plans and Amendments, and Zoning By-laws and Zoning By-law Amendments, consequential amendments are being proposed to two regulations under the Planning Act, to require notices relating to Official Plan and Zoning By-law matters to include certain statements.

*Comments:*

Staff are unable to provide full commentary in the absence of the certain statements required in notices; however, the statements should:

- Be clear and concise regarding the limiting of third-party appeal rights at the Ontario Land Tribunal (OLT).
- Encourage the public to be involved in the planning process and to share input through public consultation and continue to be actively involved in the municipal decision-making process.

Prescribed Time Period Regarding New Evidence Introduced at an OLT Hearing

Changes are proposed to O. Reg. 549/06 to re-establish the prescribed time period for a municipality to review new evidence introduced in an OLT hearing. This change would enable provisions related to sending new information and material back to a municipality, reintroduced

through the More Homes, More Choice Act, 2019 (Bill 108) to operate effectively and expediently.

*Comments:*

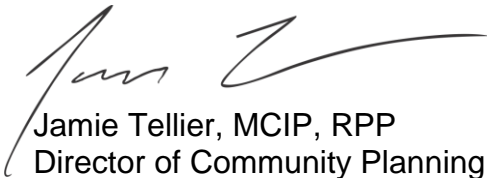
Staff request that the municipal response requirement be within an equal number of Council cycles instead of a prescribed number of days to provide Staff and Council time to review and provide response within a typical Council cycle.

Overall, staff support regulation changes that bring efficiency and clarity to the planning approval process, in support of the shared goal of accelerating the development of housing supply and enabling the City to meet or exceed its housing pledge target of 29,000 new housing units by 2031.

**Next Steps:**

Please accept this letter as the City of Burlington's submission on ERO posting 019-8370. Given the short period for consultation the comments have not been approved by City Council. This letter will be shared with the City's Committee's and Council at the earliest opportunity. Should Council determine any additional comments or refinements to these comments are required the Province will be advised at the earliest opportunity.

Sincerely,



Jamie Tellier, MCIP, RPP  
Director of Community Planning  
Community Planning Department  
City of Burlington