

## **Bill 23, More Homes Built Faster Act, 2022-Public Hearing Requirements for Plans of Subdivision**

Presented To:	Planning Committee
Meeting Date:	June 24, 2024
Type:	Managers' Reports
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Recommended by:	General Manager of Growth and Infrastructure
File Number:	N/A

## **Report Summary**

This report provides a recommendation regarding the legislative changes to the Planning Act as a result of Bill 23-More Homes Built Faster Act.

## **Resolution**

THAT staff be directed to initiate the process to amend the Official Plan to remove the requirement of a public hearing for Plan of Subdivision Applications in accordance with the Planning Act, as outlined in the report entitled "Bill 23, More Homes Built Faster Act, 2022-Public Hearing Requirements for Plans of Subdivision", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on June 24, 2024.

## **Relationship to the Strategic Plan, Health Impact Assessment and Climate Action Plans**

This report is an operational matter under the Planning Act to which the City is responding.

## **Financial Implications**

There are no financial implications associated with this report.

## **Report Overview:**

This report will focus on examining the changes to statutory public meeting requirements for plans of subdivision within the Planning Act and the implications from a public consultation perspective. Staff is seeking direction from Planning Committee to draft an Official Plan Amendment to remove the requirement of a public hearing for Plan of Subdivision Applications in accordance with the Planning Act.

# Staff Report

## Background:

Bill 23 - More Homes Built Faster Act received Royal Assent on November 28, 2022 and is intended to support Ontario's Housing Supply Action Plan with a stated aim of increasing the supply of housing in the Province. Bill 23 made several legislative changes to various Acts, including the Planning Act. One of the Planning Act changes in effect as of November 28<sup>th</sup>, 2022 is that the public hearing requirements for plans of subdivision applications have been removed. It is noted that the requirement for public circulation of the notice of application has not been removed or altered and would continue to allow for written public comments to be received and included as part of a Committee decision. The opportunity for oral comments, however, is no longer a requirement of the Planning Act. That being said, the Planning Act does not prevent municipalities from having public meetings should they so choose. Currently, the requirement for a public hearing for plans of subdivision is in the City's Official Plan, even though it has been removed from the Planning Act.

In 2019, Bill 108 amended the Planning Act to eliminate the ability for third parties to appeal plan of subdivision applications. In 2022, Bill 23 made further amendments to the Planning Act by removing the requirement for public meetings for plan of subdivision applications.

## Policy and Framework:

### City of Greater Sudbury Official Plan

Section 19.11 of the Official Plan speaks to citizen participation and public meetings. More specifically, Section 19.11.1 contains policies on public notification requirements for planning act applications. In terms of plans of subdivision the current standard is as follows:

"Where the City proposes to approve a draft plan of subdivision, a public meeting will be held no sooner than 14 days after the requirements for the giving of notice have been complied with."

Removing the above Official Plan policy would have the effect of being consistent with the *Planning Act* and provincial direction.

## Analysis:

Should Committee provide staff with direction to prepare an Official Plan Amendment to remove the requirement for public hearings for plans of subdivision it is anticipated that minor process changes would occur that would increase efficiency while maintaining public input as part of the decision-making process. Notice of Application would still be circulated in the newspaper, to landowners within the legislated radius of the subject property, and to departments and agencies. Comments received would continue to be included with the staff report. Reports would be considered as Manager Reports on the Planning Committee agenda rather than under the Public Meeting section. As outlined above, members of the public currently are unable to appeal plans of subdivision under the Planning Act and this would remain unchanged.

It is noted that often, plans of subdivision are accompanied by an official plan amendment and/or zoning by-law amendment, which do legislatively require a public meeting under the Planning Act.

## Conclusion:

Staff is seeking direction from to draft an Official Plan Amendment to remove the requirement of a public hearing for Plan of Subdivision Applications in accordance with the Planning Act.