

Municipality of East Ferris

Memo to Council

Report No.: PLAN-2022-07

Date: November 22, 2022

Originator: Greg Kirton, Director of Community Services

Subject: Bill 23 – *More Homes Built Faster Act* – Overview Memo

BACKGROUND MEMO

This memo is intended to give an overview of the highlights of Bill 23, the *More Homes Built Faster Act*. Bill 23 is proposing sweeping changes to planning legislation and other legislation that affects planning in Ontario. Most significant for East Ferris are the changes to the *Planning Act* and the *Conservation Authorities Act*.

Proposed Changes Significantly Impacting East Ferris:

- Limitation on Third Party Appeals
 - Appeals on planning applications would only be permitted by certain “specified persons” including public utilities, municipalities and the applicants. Effectively this change would prevent any resident from appealing any planning decision.
- Ministerial Amendments to Official Plans
 - The Minister would be entitled to unilaterally amend a municipalities Official Plan when the Minister is of the opinion that it would benefit a matter of provincial interest. No OLT hearing or challenge could take place.
- Site Plan Control Agreements
 - There are multiple amendments proposed to the site plan control process but most notably, Section 41(1.2) of the *Planning Act* would be amended so that site plan control would no longer be applicable to developments under 10 units.
- Three Residential Units
 - Official plans and zoning by-laws would not be permitted to contain policies that prevent up to 3 residential units per lot, including residential units within accessory structures.
 - However, these policies are proposed to apply to “parcels of urban residential lands”, which are defined as lands within a settlement area and on public services. This appears to not be applicable to East Ferris.
- Removal of Commenting Ability of NBMCA
 - Very significant change that would prevent the NBMCA from commenting on our development applications in any respect related to, but not limited to, matters regarding the *Endangered Species Act*, *Environmental Assessment Act*,

Environmental Protection Act, Ontario Water Resources Act, Drainage Act, and Planning Act.

Other Notable Changes Affecting East Ferris:

- Parkland Dedication Changes
 - Municipalities would have additional requirements around collecting parkland dedication funds. It appears that a parks plan would be required to be passed prior to the passing of a parkland dedication by-law.
 - Parkland dedication money must also be spent or allocated on a yearly basis. 60% of money in the parkland dedication fund must be spent or allocated annually. Currently there is no timeline.
- Public Meeting for Subdivision Applications
 - Going forward no public meeting would be required for subdivision applications prior to Council making a decision on a file. Public meetings would still be required for official plan amendments and zoning by-law amendments that normally accompany these types of applications.
- Ontario Land Tribunal Changes
 - Changes proposed to give the tribunal expanded powers to dismiss appeals without hearings as well as expanded flexibility to award costs in cases that do go to hearing. Currently cost awards are rare.

Many of these proposed changes will have a significant impact on the way we handle planning matters in East Ferris. This memo is intended to provide a brief overview for discussion purposes and direction on drafting a letter of comment to the province.

Respectfully Submitted,



Greg Kirton

Director of Community Services