



July 31st, 2020

Ministry of Government and Consumer Services
20 Dundas Street West, 4th Floor
Toronto ON, M5G 2C2

Proposal Number: 20-MGCS011

RE: Proposed regulation amendments to simplify the procedure for registering amendment to a Phased Condominium

Thank you to the Ministry of Government and Consumer Services for providing an opportunity to share stakeholder input on this regulatory proposal.

The Ontario Home Builders' Association (OHBA) supports improvements to the registration process to allow for faster occupancy within condominium developments. We believe that the *Condominium Act* should facilitate the phasing of registrations, especially in a high-rise setting where construction of 50 or more storey buildings is becoming more common.

The lengthy construction process means that some units will be complete and ready for occupancy, whereas others will still be under construction for a period of time. Adding to the complexity is the mixed-use purposes of the building, with combinations of commercial, retail, hotel, and residential condominiums all co-existing in the same building.

OHBA supports an expedited process, and these regulatory proposals, to more quickly transfer ownership and responsibility from the declarant to the condominium corporation within a single building while other common areas and private residences of the condominium building may not be ready for final occupancy. An expedited process would provide benefits to both consumers occupying their dwelling and developers providing new housing supply.

OHBA does seek clarification on section #5 of the proposed new surveying process for registering an amendment, that is how the sheets will make their way to the Land Registry Office (LRO) after the pre-approval process is completed. Typically, the only sheets sent to the planning office in the municipality for registration and final sign off by a Director or Commissioner, are the sheets associated with the phase. The original registered set (amended or otherwise) is not re-sent to the planning offices. So, item #5 of the proposed process where it states the integrated sheets will be sent to the LRO for registration will not happen. Rather, the amended approved sheets of the initial registration will be sent by the surveyor to the LRO directly and typically the planning office will forward the sheets for the new phase directly to the LRO by separate courier. So, this will require some assembly by LRO staff.

We would also point out that one of the unproclaimed amendments to the *Condominium Act* is the deletion of subsection 145(1)(b) which is the section that currently prohibits the creation of phased common elements or vacant land condominiums. If the deletion of subsection 145(1)(b) were to be proclaimed, our sector would immediately be in a position to create phased common elements and vacant land condominiums, further accelerating housing supply.



OHBA looks forward to further engagement on the *Condominium Act* as you continue this important process of engaging the public, stakeholders, and experts to make improvements on this regulatory framework.

Sincerely,

A handwritten signature in black ink, appearing to read 'AP' followed by a stylized flourish that extends to the right.

Alex Piccini
Manager of Government Relations, Ontario Home Builders' Association