



Ontario
Home Builders'
Association

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Re: Proposed Planning Act Changes (More Homes for Everyone Act, 2022 (Proposal Number: 22-MMAH006)

The Ontario Home Builders' Association (OHBA) is pleased to provide its comments regarding the proposed *Planning Act* changes (*Proposal Number 22-MMAH006*) which implement the *More Homes for Everyone Act, 2022*. The OHBA understands that this initiative is in accordance with the provisions contained in the *More Homes for Everyone Act, 2022* which has received Royal Assent on April 14th, 2022. The OHBA has also submitted a comprehensive commentary to the province through *ERO # 019-5284* which deals with the proposed *Planning Act* changes in detail.

The OHBA recognizes that the proposed amendments, if passed, would, among other matters, implement the following.

- Municipalities would be required to gradually refund application fees to applicants who do not receive a decision on their zoning by-law amendment applications or site plan applications within the legislated timelines. This would apply to applications made on or after January 1, 2023.
- A new *Community Infrastructure and Housing Accelerator (CIHA)* tool would be established for municipal requests to expedite zoning outside of the *Greenbelt* area.
- Guidelines governing the scope of how this authority may be used would be established by the Minister of Municipal Affairs and Housing with such guidelines to be in place before an order could be made.
- Decisions on site plan applications would need to be delegated to staff for applications made on or after July 1, 2022.
- Site plan application review would be extended from 30 to 60 days.
- Regulation-making authority would be established to prescribe complete application requirements for site plan applications.
- A regulation-making authority would be established to prescribe what cannot be required as a condition of subdivision approval.
- A one-time discretionary authority would be established to reinstate draft plans of subdivision that have lapsed within the previous five years, subject to consumer protection provisions.
- A regulation-making authority would be required to require public reporting on development applications and approvals.



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- Municipalities with a Community Benefits Charge (CBC) by-law would be required to undertake and complete a review, including consulting publicly, on their by-law at least once every five years.
- The *Minister of Municipal Affairs and Housing* would be provided with new discretionary authorities when making decisions to:
 - 'Stop the clock' if more time is needed to decide on all official plan matters subject to *Minister's* approval (with transition for matters that are currently before the *Minister*),
 - Refer all or part(s) of an official plan matter to the *Ontario Land Tribunal* for a recommendation, and
 - Forward all of an official plan matter to the *Ontario Land Tribunal* to decide.
- A regulation-making authority would be established to authorize landowners and applicants to stipulate the type of surety bonds and other prescribed instruments to be used to secure obligations in connection with land use planning approvals.
- A tiered alternative parkland dedication rate for Transit-Oriented Communities (TOCs) would be implemented to provide increased certainty of parkland requirements:
 - For sites less than or equal to five hectares, parkland would be dedicated up to 10% of the land or its value.
 - For sites greater than five hectares, parkland would be dedicated up to 15% of the land or its value.
- Encumbered parkland could be identified through an order by the *Minister of Infrastructure* and would be deemed to count towards any municipal parkland dedication requirements. This would help ensure that TOC developments can provide new homes and parkland for use by the community.
- Schedule 1 of *Bill 109* would also make consequential amendments to the *City of Toronto Act, 2006*.

The OHBA is supportive of the proposed *Planning Act* changes in particular those which would streamline review process timelines and related development approval requirements. Further, the OHBA is encouraged regarding greater municipal accountability and transparency with respect to development related charges pertaining to community benefit, parkland dedication, and cash in lieu of parkland requirements. These are aspects of the planning approvals process that have quite frankly increased to unacceptable levels, and which have unnecessarily contributed to the cost of new homes being experienced.

The OHBA has long supported, as a high priority item, the adoption of pay-on-demand surety bonds as an acceptable alternative to secure the financial obligations of development agreements. This is an eminently reasonable approach and one that is in line with a number of jurisdictions both within and outside of Ontario which have taken this course of action to encourage and accelerate new housing



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investments in their communities. Such a measure is a positive step as it will enable greater liquidity within the home building sector to reinvest more quickly in additional new housing supply.

The OHBA has been working with the province to facilitate the provision of housing supply by its industry members in order to address the housing crisis Ontarians are facing. The OHBA strongly feels that the proposed *Planning Act* changes will assist in moving towards the achievement of this objective. The OHBA appreciates the opportunity to contribute its feedback regarding *Regulatory Registry Proposal Number: 22-MMAH006*.