

Established in 1889, the Ontario Association of Architects (OAA) is the self-regulating body for the province's architecture profession. It governs the practice of architecture and administers the Architects Act in order to serve and protect the public interest.

Standing Committee on Finance and Economic Affairs
Whitney Block
Room 1405, 99 Wellesley Street West
Toronto, Ontario
M7A 1A2

May 10, 2024

Re: Bill 185, *Cutting Red Tape to Build More Homes Act, 2024*

Dear Chair and Committee Members,

On behalf of the Ontario Association of Architects (OAA), I am writing to confirm the Association's support in principle of Bill 185, *Cutting Red Tape to Build More Homes Act, 2024*.

For more than a decade, the OAA has been urging government to streamline the development approval process. The introduction of the suite of legislative changes contemplated by Bill 185 is very encouraging.

The OAA urges government to continue its work to advance housing affordability. As outlined in this submission, the Association recommends holistic measures that include:

- increasing housing supply;
- improving financial attainability; and
- advancing climate action to address the affordability crisis province-wide.

Increasing Housing Supply

Government is steadfast in its commitment to increase housing supply. To that end, the OAA applauds the province for exploring ways to get shovels in the ground faster for priority projects and encourages the continued pursuit of opportunities to streamline the approval process for ***all project types***.

For more than a decade, the OAA has urged government to identify a streamlined development approval process. In [2013](#) and [2018](#), the Association commissioned independent research to quantify the economic impact of the lengthy Site Plan Approval (SPA) process on individual projects across the province as well as the cumulative effect on Ontarians.

The 2013 study found "approximately half of all applications took six months or more to obtain approval." Larger municipalities were found to take longer than small and mid-sized municipalities. Further, the 2018 study, using a conservative estimate of the annual building permit value subjected to SPA, found that indirect costs of the broken process cost all participants involved up to \$900 million per year.

The OAA applauds government's commitment to explore further opportunities to cut red tape to build housing and is encouraged to learn the province will consult sector experts like architects, municipal planners, building officials, engineers, and industry associations in a commitment to streamline planning processes in some of Ontario's fastest-growing regions to enable more housing. The OAA and its members stand ready to work alongside government and other partners to identify ways to make the development approval process more efficient while protecting the public interest.

Streamlining the approval process for priority projects is a step in the right direction, but government should continue to look for possibilities to streamline the **overall** approval process. Such proposals in Bill 185—like providing flexibility for forthcoming changes to planning responsibilities for certain upper-tier municipalities and creating a new framework for how Ministerial Zoning Orders (MZOs)—begin to address this much-needed streamlining of the development approval process overall.

The OAA also notes government's proposal to exempt publicly assisted universities from the *Planning Act* to accelerate the building of new student housing. The Association supports this based on equity, as such a change would afford universities similar treatment as publicly assisted colleges that have historically been exempt from the *Act*. However, the provision of student housing—whether on college or university campuses—must be carefully integrated with municipal planning and infrastructure to avoid unintended consequences of new development.

In addition to exempting universities, government should encourage all post-secondary institutions exempt from the *Planning Act* to establish Master Plans and internal Design Review Processes in collaboration with their municipalities. This helps guide development that can be sustained by local infrastructure. It can also integrate new development with adjacent communities near campuses and increase the quality of design through better long-term planning and a qualified peer-reviewed design process.

The OAA supports the proposed changes to the *Planning Act* in Bill 185 that would help create additional residential units by providing authority for the creation of regulations to eliminate practical barriers to additional units being built. These changes would prevent authorities having jurisdiction from limiting opportunities for further intensification.

By cutting this red tape, the proposed amendment would promote greater efficiency of land use and encourage municipalities to explore opportunities to intensify urban areas by leveraging existing infrastructure. In this same vein, the OAA urges government to also consider expanding as-of-right zoning permissions established in Bill 23 from three units to four on residential properties, as outlined in the Province's Housing Affordability Task Force Report. This would help encourage the development of more "missing middle" housing typologies. Further, government may wish to consider opportunities to encourage the construction of more family-sized apartments, as well as improvements to accessibility to permit a broader range of housing needs to be met, including families and aging-in-place strategies.

Improving Financial Attainability

Increasing supply and addressing problematic processes alone is not enough to address housing affordability across the province. The government also needs to consider its own levers to make housing more financially attainable to more Ontarians.

Through the introduction of Bill 185, government is proposing a change to the *Planning Act* to streamline and limit certain third-party appeals to the Ontario Land Tribunal (OLT) to help communities get quicker planning approvals for housing projects, reduce building costs, and reduce project delays.

The OAA has long supported the existence of an independent, nonpartisan review tribunal to consider planning and development proposals. Members of the architecture profession have observed, however, that in some instances, projects can be held up at the OLT for as long as 100 months (approximately eight years), partially due to third-party appeals.

As this costly time delay gets passed on to end users and drives up the cost of housing, the OAA supports the proposed change and encourages government to enact it swiftly. There are other opportunities for public engagement throughout the development approval process continuum to ensure interest groups and individuals can voice their concerns.

The OAA is also encouraged to learn government intends to support the promotion of innovative design solutions, such as the expansion of mass timber construction and single-stair exits in small residential buildings. The OAA urges the province to carry out consultations on these contemplated changes and would like to be among those who are able to provide feedback.

Bill 185 proposes the creation of a regulation-making authority to exempt standardized housing designs (once created) from certain sections of the *Planning Act* and from planning provisions under the *City of Toronto Act, 2006*. The OAA believes standardized design can be an effective approach to advancing the financial attainability of housing; however, standardized design is only one of many approaches and it is certainly not a universal fix. Moreover, standardized designs will not move the needle forward significantly on housing affordability in the province.

The proposed legislation assumes that not only does architectural design significantly drive up the cost of housing, but also the implementation of a 'few-sizes-fit-all' schematic design catalogue allows other hurdles to be more easily cleared. Standardized designs serve only as a starting point for discussions between the client and the architect about fundamental requirements for a new home while also providing visual reference for typical room sizes and layouts to assist the design process to move more swiftly. Nevertheless, in most cases, the design process amounts to only a fraction of the time it actually takes to secure necessary planning and permit approvals, which can be as much as 90% of a project's timeline.

Bill 185 also proposes a "use it or lose it" provision that, if passed, would enable municipalities to adopt policies setting out how water and wastewater servicing may be allocated and reallocated after certain timelines so developments ready to proceed encounter fewer barriers and delays prior to construction. The OAA encourages government to consider what might be unintended consequences of such a measure.

Project proponents spend a lot of time in the development approval process and often struggle over lengthy timeframes to get project financing. Creating a “use it or lose it” clause in the *Municipal Act* and *City of Toronto Act* introduces an unmanageable risk that may disincentivize developers, thus adding to the affordability crisis.

Advancing Climate Action as a Road to Housing Affordability

Housing supply should not come at the expense of protected greenspaces. Shoshanna Saxe, assistant professor of civil engineering and the Canada Research Chair in Sustainable Infrastructure at the University of Toronto, stated on the television show, *The Agenda*, “[T]here’s a huge amount of land already available to be developed. The myth of [protected greenspaces] causing unaffordability has been around and debunked more times than I have fingers [.]”

The OAA urges government to continue seeking opportunities for urban intensification in order to advance both climate action (by creating alternatives to development on green fields) and housing affordability (by leveraging existing infrastructure and amenities in already built up areas).

The OAA supports government’s proposed changes in the Provincial Planning Statement (PPS) that increase intensification in areas close to transit and strategic growth areas. The Association has long supported urban intensification and encourages government’s focus on transit-oriented development. By intensifying these areas, housing development can leverage existing amenities, expand diverse housing stock, optimize land use, and promote vibrant and inclusive communities.

The adaptive reuse of underutilized plazas and shopping malls, as contemplated in the updated PPS, is a step in the right direction. However, government should also consider the addition of energy-efficient and low-carbon design as a component of these redevelopments. Encouraging climate action in design will promote development of long-lasting, sustainable, and healthy communities.

The OAA and its members stand ready to work alongside government and other partners to identify ways to promote climate action through design to address housing affordability. Government should also consider policies on building demolition, recognizing the cost of embodied carbon, and encouraging retention of existing buildings to be adapted to housing uses (such as office building conversions).

To address the challenges of under-utilized land use, including vacant urban land and derelict properties, government should also consider strategies for taxation change to permit municipalities to use a “carrot and stick” approach to encourage landowners to redevelop priority urban properties rather than let them remain parking lots or as derelict buildings. This could include both incentives (carrots) and progressive increases in taxation (stick) equivalent to the vacant property being developed to its highest and best use.

Finally, the OAA applauds the proposed removal of minimum parking requirements for developments located within Protected Major Transit Station Areas. Nevertheless, it is imperative that safe and accessible infrastructure for active

transportation be built in these areas and promoted. Additionally, to ensure these spaces are equitable, government should ensure barrier-free access and visitor parking be available for residents who require accommodation for a variety of purposes such as for personal support workers.

The OAA enjoys a longstanding, collaborative relationship with the provincial government. On behalf of the Association and Ontario's architecture profession, I look forward to continued work with this Committee to ensure the public interest is protected and promoted through the development of Bill 185, *Cutting Red Tape to Build More Homes Act, 2024*.

Please do not hesitate to contact the Association if you require additional information.

Sincerely,



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President