



May 10, 2024

The Honourable Paul Calandra
Ministry of Legislative Affairs
Main Legislative Building, Queen's Park
111 Wellesley St. W
Toronto, ON M7A 1A8

Re: City of Ottawa Comments on Bill 185

Dear Minister Calandra,

Thank you for the opportunity to submit comments on Bill 185, *Cutting Red Tape to Build More Homes Act, 2024*. The City of Ottawa's comments on Bill 185 are attached to this letter as Document 1. The comments focus only on sections within Bill 185 with which the City of Ottawa has major concerns. We have no issues with any of the amendments that are not referenced in Document 1.

We would be pleased to discuss this in further detail and to collaborate with our Provincial colleagues on building homes faster.

Thank you,

A handwritten signature in blue ink, appearing to read "Vivi Chi".

Vivi Chi, P. Eng.
Interim General Manager
Planning, Development and Building Services Department
City of Ottawa

DOCUMENT 1

Bill 185 Section	Summary of Changes	City of Ottawa Comments
<p>Schedule 12, <i>Planning Act</i></p> <ul style="list-style-type: none">• s. 4 (2)• s. 5 (3)• s. 8 (1)• s. 10 (1)	<p>Municipalities would no longer have the authority to require applicants to engage in pre-consultation prior to submitting a development application.</p>	<p>To meet the prescribed application review timelines (and to avoid the refund of fees) as imposed by Bill 109, <i>More Homes for Everyone Act</i>, the City of Ottawa implemented a three-phase pre-consultation process. The first two phases allowed staff to provide applicants with the list of required materials for the application and high-level feedback on the proposed concept, while phase 3 provided staff an opportunity to review the materials to ensure they were complete and adequate. This ensured that once applications were submitted, staff could make a decision within the prescribed timelines and eliminate the need for re-submissions, and in doing so, speeding up the approvals process.</p> <p>By eliminating the ability to mandate this process, the City of Ottawa is concerned that there will be a higher frequency of inadequate and/or incomplete applications being submitted, causing delays in application review and slower approvals.</p> <p>The City of Ottawa appreciates the Province's focus on speeding up the development approvals process and avoiding unnecessary delays during pre-consultation. As such, the City of Ottawa recommends retaining the ability to mandate pre-consultation, but with provisions governing how pre-consultation may be administered. This ensures collaboration between municipalities and applicants while continuing to streamline approvals. Also, more time should be provided in the Bill to allow municipalities to transition to the new pre-consultation process without hindering the speed of approvals.</p>

Bill 185 Section	Summary of Changes	City of Ottawa Comments
Schedule 12, <i>Planning Act</i> • s. 4 (4)	Applicants would be permitted to appeal Official Plan Amendments for urban boundary expansions to the Ontario Land Tribunal if the municipal council refuses or makes no decision on the application.	The City of Ottawa is concerned with this proposed amendment. These appeals could lead to lands being added to the urban boundary that undermine the growth management strategy of the Official Plan. The lands may not be identified in the supporting Infrastructure Master Plan, Transportation Master Plan, or Parks and Recreational Master Plan. The current system for urban area expansion requires a comprehensive review to evaluate the best lands relative to each other, including the factor of affordability in bringing services to the new area. A piecemeal application approach does not provide for consistent evaluation of multiple alternatives. The City of Ottawa recommends that appeals of applications to expand the urban boundary continue to be prohibited.
Schedule 12, <i>Planning Act</i> • s. 7 • s. 9	The Minister would be authorized to make regulations to create zoning provisions in order to provide greater permissibility for ancillary residential units on serviced lots.	The City of Ottawa is concerned with this proposed amendment as it would reduce the ability for municipalities to determine appropriate zoning provisions that reflect local contexts. While the City of Ottawa is committed to permitting three residential dwellings on serviced lots, it is important for the zoning provisions to adequately address site-specific considerations and public input into comprehensive zoning by-laws.
Schedule 12, <i>Planning Act</i> • s. 11	Undertakings by post-secondary institutions would be exempted from the <i>Planning Act</i> .	Municipalities use many of their authorities under the <i>Planning Act</i> to ensure that development is consistent with the policies and strategies outlined in their Official Plans, master plans, and municipal by-laws and policies. Exempting undertakings by post-secondary institutions undermines this ability, especially when no conditions or stipulations are provided. This also eliminates public input into these undertakings, both by exempting them from direct public consultation and exempting them from the plans and policies that were developed through public consultation.