

# The Ontario government gives developers what they ask for...



**By comparing the policy submission put forward by the Ontario Home Builders Association (OHBA) and Ontario Bill 108 - More Homes, More Choice Act - it's clear that the Bill fulfills many of the recommendations put forward by the development industry.**

While some of the recommendations of the OHBA reflected in Bill 108, such as higher density near public transit hubs, are good planning policy, the majority of the recommendations benefit the development industry only, and do little or nothing to build the housing Ontarians need. Changes to the *Conservation Authorities Act*, *The Endangered Species Act* and to Environmental Assessments - which may seem out of place in a housing Bill - all reflect requests from the development industry.

The chart that begins at the bottom of the next page shows the recommendations from the OHBA submission in the first column, with the policy changes from the government that fulfil these recommendations in the second column. The final column contains a summary of the impacts on the environment and the public

## BACKGROUND

Developers made policy submissions during the Housing review initiated by the province. Consultations were held with the development industry before any stakeholder meetings were held. To date, no public meetings have been held on the Housing Action Plan.

The data on housing the Greater Golden Horseshoe (GGH) tells a different story than the development industry is leading us to believe. According to Building Industry and Land Development Association, [55,000 homes are needed per year](#) to keep up with demand in the GGH. In 2018, the Ontario Home Builder's Association (OHBA) generated over [55,000 housing starts](#) in the region, showing they are meeting the recommended amount. However, the changes being put forward by the province in Bill 108 do make it likely that developers have a freer hand to build what they want – single family housing on greenfield sites and much higher density in high-demand areas, with fewer parks and community amenities.

Developer driven delays have slowed the implementation of municipal plans by up to three years. Prior to Ontario Municipal Board (OMB) reform in 2017, [developers flooded the board](#) with applications to be heard under the old rules. Now they want the backlog they created cleared, and the old rules returned.

Many of the recommendations the OHBA made encourage sprawl, undermine cost-effective development and will put more development costs on the backs of taxpayers. The OHBA submission is strikingly similar to Bill 108. There was no public demand for a return of OMB rules, to shoulder more of the costs of development or to expand urban boundaries – these ideas came directly from the development industry. Upcoming changes to the Provincial Policy Statement (PPS), which can be made through an Order in Council, could tick off even more items on the industry's wish list.

**Is that what the province means when it says it's Open for Business? Is our government being run by business interests?**

## Comparison of what developers asked for and what the government gave them in Bill 108 and Growth Plan Changes

### DEVELOPERS WISH LIST

## Return of the OMB

### WHAT THEY GOT FROM THE PROVINCE

Many of the OMB rules and procedures have been reinstated and supports for public intervention have been removed. While the LPAT (Local Planning Appeal Tribunal) will retain its name, it will once again be able to make final decisions on major planning issues, just like the old OMB.

### THE RESULT WILL BE . . .

Less public say in development decisions. Restores ability of developers to overturn municipal decisions. An expected surge in appeals from developers.

## DEVELOPERS WISH LIST

# More low-density development

### WHAT THEY GOT FROM THE PROVINCE

Updates to the provincial Growth Plan include lower density targets (people/jobs per hectare) in many areas.

### THE RESULT WILL BE . . .

More car-dependent communities with high infrastructure and service costs. More costly/difficult to provide community amenities like public transit and schools. Higher property taxes. Loss of farmland to “greenfield” development.

## DEVELOPERS WISH LIST

# Faster urban boundary expansion

### WHAT THEY GOT FROM THE PROVINCE

Developers can now submit applications for boundary expansions prior to the regular review of the Municipal Plan, where a need for new city/town boundary expansions must be proven, and before existing designated urban areas are fully “built out.”

### THE RESULT WILL BE . . .

Development pushed into the pushed beyond existing city boundaries on to farmland with no real evidence of need. Natural heritage areas and farmland may not be protected if they are not designated in Official Plans.

## DEVELOPERS WISH LIST

# Weakening evidence-based planning

(change Land Needs Assessment (LNA), allow land designation changes and boundary expansions without a Municipal Comprehensive Review)

### WHAT THEY GOT FROM THE PROVINCE

End of requirement for Municipal Comprehensive Reviews for boundary expansions and for re-designation of employment lands. It remains to be seen whether the province will get rid of the Land Needs Assessment methodology or go back to the old methodology that designated too much land.

### THE RESULT WILL BE . . .

Poor planning decisions, such as designating too much land for development, overbuilding infrastructure (sewers, transit) and unnecessary boundary expansions cost us all. Moves away from creating complete communities. Loss of employment lands.



## DEVELOPERS WISH LIST

# Put burden of paying for infrastructure and community services on taxpayers rather than having growth pay for growth

### WHAT THEY GOT FROM THE PROVINCE

Significant changes to Sections 37 and 42 of the Planning Act could lead to significantly lower development charges and supports for community services. Fewer resources (land or money) for parkland creation.

### THE RESULT WILL BE . . .

Higher municipal taxes or fewer community services (schools, libraries) and lower costs for developers. New leverage for developers to rush municipal approvals. Less urban parkland and unnecessary boundary expansions cost us all. Moves away from creating complete communities despite growing populations.

## DEVELOPERS WISH LIST

# Limit Environmental Assessments (EA) and weaken the Endangered Species Act (ESA)

### WHAT THEY GOT FROM THE PROVINCE

Fewer projects covered by EA requirement. Sweeping changes to ESA, including “pay to kill” fund, removal of automatic habitat protection for newly listed species, and adding non-scientists to the committee that reviews the scientific need for species protection.

### THE RESULT WILL BE . . .

The cumulative impacts of smaller to medium-size projects will be ignored as these are exempted from the EA process. Similarly, the ESA will be largely toothless, leaving species-at-risk that need immediate attention facing long delays and science-based protection decisions becoming politicized and influenced by industry and developers.

## DEVELOPERS WISH LIST

# Limit the role of Conservation Authorities

### WHAT THEY GOT FROM THE PROVINCE

Conservation Authority programs will be limited to flood and natural hazard planning. The Minister of the Environment, Conservation and Parks will define wetlands, streams and valley lands, the extent of regulated areas, the types of prohibited development/activities and exemptions in these areas.

### THE RESULT WILL BE . . .

Conservation Authorities will be hindered in carrying out their core mandate of conserving, restoring and managing the natural resources of Ontario’s watersheds. The changes also politicize delivery of the core mandate by providing broad discretion for the Minister to arbitrarily set future restrictions solely via regulation. Once the regulatory changes are made public, it will be easier to assess the impact of the changes to the *Conservation Authorities Act*.