

*Submitted via email to [PlanningConsultation@ontario.ca](mailto:PlanningConsultation@ontario.ca)*

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***OPPI Comments on Community Infrastructure and Housing Accelerator Guideline (ERO 019-5285)***

On behalf of the Ontario Professional Planners Institute (OPPI), I am pleased to provide our comments on the Ministry of Municipal Affairs & Housing's recent posting regarding "*Community Infrastructure and Housing Accelerator – Proposed Guideline*" (ERO 019-5285).

**About OPPI**

OPPI is the recognized voice of Ontario's planning profession. With over 4,600 members, it serves as both the Professional Institute and regulator of Registered Professional Planners (RPP) in the province. Our members work across the planning spectrum, for consulting firms, provincial and municipal approval bodies, private developers, community agencies and academic institutions.

RPPs are skilled, professional, and dependable navigators employed to help lead communities towards the Ontario of tomorrow. RPPs are the local experts who bring together differing points of view; they consult and develop recommendations that provide informed choices for decision-makers and elected officials. RPPs act in the public interest as professionals who work to improve the quality and livability of communities in Ontario today and for their sustainability long-term.

**Introduction**

OPPI supports the government's policy objective to address housing affordability in the Province of Ontario. The issue is shaping up to be a critical public policy challenge; complex with multiple dimensions that involve all orders of government.

As professional planners, OPPI's focus is on land use planning and its role in the housing policy conversation. To that end, we have worked with the government to advance measures that will lead to more housing being built and built faster in the Province of Ontario. Our initial collaboration has enhanced delegation of technical planning approvals through Bill 13, *Supporting People and Businesses Act, 2021* and then Bill 109, *More Homes for Everyone Act, 2022*.

OPPI has also developed its [Top 10 Housing Supply and Affordability Recommendations](#) that include measures such as:

- Creating a Chief Planner of Ontario (CPO) as an independent, non-partisan Officer of the Legislature to respond to the Auditor General's December, 2021 recommendations and ensure effective implementation of provincial land use plans and policies;

- Promoting new tools that streamline the planning process such as the Community Planning Permit System (CPPS); and
- Leveraging RPPs to streamline decision making by providing sign off on certain planning reports.

### **Community Infrastructure & Housing Accelerator (CIHA) Legislative Provisions**

Schedule 5 of Bill 109, *More Homes for Everyone Act, 2022* includes various amendments to the *Planning Act* including the addition of a new type of Minister's order under a new Section 34.1 of the *Planning Act*.

OPPI has a couple of initial observations on this legislative proposal:

**1. *This new section of the Planning Act appears to be duplicative and may not be necessary.***

The Minister's authority under this new section to issue an Order is similar to one that already exists under Section 47 (Minister's Zoning Order) of the *Planning Act*. An additional authority under Section 34.1, the zoning by-law section of the Act appears to add no new authority for the Minister. A council of a municipality can currently pass a resolution requesting that the Minister issue an Order under Section 47 of the Act.

**2. *The additional provisions under the new Section 34.1 can be added as part of the existing Section 47 authority.***

A path to an Order under Section 34.1 requires provisions including public notice, consultation and other transparency requirements and criteria. These are aspects OPPI has previously commented on and encouraged the government to include as part of Section 47 Orders. Accordingly, they can easily be folded into requirements for a Section 47 Order.

For the reasons above, OPPI does not see the merit in a new Minister's Order under the Act that creates an additional and duplicative authority for the Minister to issue a zoning order. Our recommendation would be that the two provisions be merged, and a single authority exist under Section 47 with the public notice, consultation, and limited to emergency situations involving a provincial interest.

### **Proposed Community Infrastructure & Housing Accelerator Guideline**

OPPI appreciates that Bill 109 has received Royal Assent and the new Section 34.1 Order under the brand of Community Infrastructure & Housing Accelerator (CIHA) is now law. Given that, we offer the following comments on the proposed CIHA Guideline as posted on ERO 019-5285.

- OPPI supports the tool not being applicable in the Greenbelt Area as defined under Ontario Regulation 59/50 "Designation of Greenbelt Area".
- OPPI supports the requirement to ensure that appropriate community and Indigenous engagement occurs and adequate environmental protections and mitigation measures are in place when considering the tool.
- OPPI encourages the government to require a request from all relevant municipalities by way of a Council motion, both the lower and upper tier (if applicable), for consideration of the CIHA tool

by the Minister. The current proposal only requires the request of the lower tier. This could pose significant challenges as a request of a lower tier Council could undermine direction of the upper tier Council in that area.

- OPPI encourages the Minister to ensure the request by a Council is consistent with provincial plans and the Provincial Policy Statement.
- OPPI encourages the government to limit the use of the CIHA tool to types of development that are deemed to be of provincial interest. Examples could include significant economic development opportunities, major housing projects that include significant affordable components, long-term care and other healthcare initiatives.
- OPPI encourages the government to require that a planning justification report be submitted along with any request by a Council (lower and upper tier as required) for the Minister's consideration.

### **Conclusion**

OPPI supports the government's desired outcome to expedite priority developments such as housing and long-term care in the Province of Ontario. However, frequent use of tools such as the proposed CIHA upends the top-down policy-led planning system required by the Provincial Policy Statement along with regional and local official plans as approved by the Minister of Municipal Affairs & Housing.

These approaches serve as a site-specific surgical tool but do not address the root of the challenge. A policy approach that focuses on streamlining the overall development approvals system and ensures oversight and accountability exists for implementation of provincial land use plans and policies is the right approach.

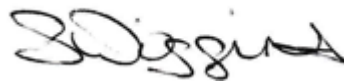
We encourage the government to consider OPPI's *Top 10 Housing Supply and Affordability Recommendations* and advance measures such as a Community Planning Permit System, creation of a Chief Planner of Ontario and further enhancing delegation of technical land use planning approvals.

Thank you for the opportunity to provide our initial comments on the proposed CIHA Guideline. If you have any questions on our comments, please feel free to contact Susan Wiggins at (647) 326-2328 or by email at [s.wiggins@ontarioplanners.ca](mailto:s.wiggins@ontarioplanners.ca).

Sincerely,



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