

Via Digital Delivery

June 26, 2025.

Ministry of Municipal Affairs and Housing
Provincial Planning Branch
13th Floor, 777 Bay Street
Toronto, ON M7A 2J3

Attn: Honourable Rob Flack, Minister of Municipal Affairs and Housing

**Re: *Bill 17, Protect Ontario by Building Faster and Smarter Act, 2025*
Comments on Changes to Complete Application Requirements and
Submissions from Certified Professionals
*ERO Number 025-0462***

Bousfields Inc. ("Bousfields") is one of the pre-eminent land use planning, urban design and community engagement firms in Ontario. We are writing to formally express our views on the legislative changes to the *City of Toronto Act, 2006* (the "City of Toronto Act") and the *Planning Act, R.S.O. 1990, c. P.13* (the "Planning Act") that would be introduced through Schedules 3 and 7 of Bill 17, *Protect Ontario by Building Faster and Smarter Act, 2025* ("Bill 17").

Company Profile

Established in 1974, Bousfields is a multidisciplinary firm specializing in land use planning, urban design, community design and community engagement. We offer a comprehensive range of services to the development industry, municipalities and government agencies. As a trusted partner in the collaborative planning process, Bousfields often takes the lead as prime facilitator and project manager, coordinating the overall project design and working closely with landowners, multidisciplinary consultant teams and municipal staff to ensure new development is completed in a cohesive, effective and context-sensitive manner. Our extensive expertise in urban design and community engagement also positions us to provide meaningful input through the planning process, which ultimately leads to good planning outcomes for all Ontarians.

Background

Schedules 3 and 7 of Bill 17 propose to amend the *City of Toronto Act* and the *Planning Act* to limit complete planning application requirements to what is currently identified in official plans, except where the Ministry of Municipal Affairs and Housing ("MMAH") approves changes, and to specify certified professionals from whom municipalities would be required to accept studies, among other matters.

The *Planning Act* and its associated regulations establish the minimum information requirements for planning applications. In addition to provincial standards, municipalities may also require supplementary studies and reports to address their official plan policies.

An application is deemed “complete” when it includes all information mandated by the relevant sections of the *Planning Act*, applicable regulations, and any additional requirements specified in the municipality’s official plan. Accordingly, complete application requirements are intended to ensure that municipalities receive the necessary information to evaluate proposals against their official plan policies and to make informed decisions.

As stated in Chapter 1 to the Provincial Planning Statement (“PPS”), municipal official plans are the most important vehicle for implementation of the PPS and for achieving comprehensive, integrated and long-term planning. To that end, most official plans include built form, public realm and urban design policies to shape the form of new development, ensure appropriate site organization and mitigate potential impacts related to light, view and privacy, among other matters.

However, Bill 17 allows regulation-making authority that would enable the Minister of Municipal Affairs and Housing to make regulations regarding the reports and studies that may be required as part of a complete application. Such regulations, which have been posted on the Environmental Registry of Ontario (ERO 025-0462), state that the following could not be required as part of a complete application (amongst others):

- Sun/Shadow Impacts: information and material related to the impact of shadows cast by a proposed development on the subject land and on surrounding lands including streets, parks and open spaces; and
- Urban Design: information and material concerning the urban design of a proposed development, including how a proposed development aligns with municipal policies and/or urban design guidelines.

Comments

We support the intent to reduce delays and costs for achieving new housing. The current state of housing affordability in Ontario is a challenge that must be addressed by all levels of government to effect meaningful change. While we acknowledge that there is inconsistency in the scope, type and number of studies required for planning applications across Ontario, Urban Design and Sun/Shadow Studies are consistently referenced in municipal official plan policies and should continue to be required as part of a complete application if determined to be applicable and appropriate in the specific context and circumstances of the particular application.

As outlined in Section 2 of the *Planning Act*, the Minister, the council of a municipality, a local board, a planning board and the Tribunal, in carrying out their responsibilities under the Act, are required to have regard to, among other matters, matters of provincial interest such as:

- (r) the promotion of built form that,
 - (i) is well-designed,
 - (ii) encourages a sense of place, and
 - (iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

This direction is implemented through municipal official plans. For instance, the City of Toronto Official Plan provides that:

“Great cities do not happen by accident – they are designed and orchestrated so that individual private and public developments work together to create cohesive blocks, neighbourhoods and districts. Good urban design is not just an aesthetic overlay, but an essential ingredient of city-building. Good urban design is good business and good social policy...This Plan demands that both the public and private sectors commit to high quality architecture, landscape architecture and urban design, environmentally sustainable design, consistent with energy efficiency standards.”

To that end, urban design reports, such as Urban Design Briefs, Block Context Plans and Shadow Studies, are prepared to demonstrate that a development proposal is supportive of city building objectives and conforms to official plan policy. In particular, Block Context Plans demonstrate fit and compatibility, which are often key considerations with respect to official plan policy.

Block Context Plans evaluate a long-term vision for an area in circumstances where an area specific plan does not exist, supporting the achievement of comprehensive block planning and the mitigation of built form impacts. The analysis undertaken in urban design reports is often essential for a professional planner to form a planning opinion on the appropriateness of a development application and whether it is in the public interest, the latter being a critical responsibility pursuant to the Ontario Professional Planners Institute (“OPPI”) Professional Code of Practice.

While we recognize the importance of expediting development approvals in a timely and efficient manner, as Members of the Canadian Institute of Planners and Ontario Professional Planners Institute, we are bound by the Professional Code of Practice to:

- provide independent professional opinion to clients, employers, the public and tribunals; and
- undertake planning services with diligence and render services with appropriate preparation.

Appropriate diligence includes preparation of urban design reports including Shadow Studies and Block Context Plans in order to assess development applications against the policy framework set out by the Province in the Provincial Planning Statement and municipalities in their official plans. Removal of the requirement for urban design reports in support of complete applications does not negate our obligation to fulfill our

professional responsibilities to both our clients and the public. Furthermore, we are concerned that the removal of this requirement will have the unintended effect of creating delays in application processing, ultimately delaying approvals for new housing rather than expediting them.

In our opinion, there must be an appropriate balance between the need to fast track development approvals as set out in Bill 17 and ensuring that each application appropriately addresses the public interest. In our considerable experience, urban design has played a critical and vital role, particularly over the past 25 years, in assisting the development industry as well as the public in achieving a high-quality built form and public realm environments.

Over many decades, Bousfields has contributed to the approval and delivery of hundreds of thousands of residential units across the Province. Urban design has played and continues to play an important role in delivering high quality housing to residents of Ontario. In our opinion, Urban Design Reports, including Shadow Studies, are important components of good planning and city building and should continue to be part of the application process. Based on our experience, inclusion of these reports does not result in delays in the processing of development applications but rather helps to support and expedite decision making.

Please do not hesitate to contact the undersigned at ltinker@bousfields.ca should you have any questions or wish to discuss this further.

Yours truly,

On behalf of Bousfields Inc.



Louis Tinker, MCIP, RPP

Managing Partner, Bousfields Inc.