



Greater Ottawa Home Builders' Association
Association des constructeurs d'habitations d'Ottawa

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June 11, 2025

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

**Re: ERO 025-0461 Proposed Planning Act and City of Toronto Act, 2006 Changes
(Schedules 3 and 7 of Bill 17 - Protect Ontario by Building Faster and Smarter Act,
2025)**

Please accept the below from the Greater Ottawa Home Builders' Association (GOHBA) and its members as a submission to the government's request for feedback on *Proposed Planning Act and City of Toronto Act, 2006 Changes (Schedules 3 and 7 of Bill 17 - Protect Ontario by Building Faster and Smarter Act, 2025)* (ERO 025-0461). We also support the comments of the Ontario Home Builders' Association and our fellow municipal HBAs across the province.

GOHBA has been the proud voice for the Ottawa home building community since 1951. Our 440 members include builders, developers, professional renovators, trade contractors, suppliers and manufacturers serving the residential construction and professional renovation industry.

To build 1.5 million homes over the next ten years we need a coordinated effort between the Federal Government, Provincial Government, municipalities and our members. We all have a role to play and by working together we can be successful. We need a consistent and stable regulatory and policy environment.

The planning and permitting processes across Ontario have become a patchwork of rules and demands as each of the 444 municipalities impose their own set of studies, submission requirements and timeframes, often above and beyond what's legislated. This lack of consistency in the development process hampers our ability to build at the scale that is required.

GOHBA members want to build homes that families can afford, and the province can help reduce red tape and timelines by **harmonizing and streamlining the approvals process and ensuring consistency and effectiveness in every municipality across the province.**

There is no beneficial reason why a house does not have a consistent definition or approach in neighbouring municipalities like Ottawa and Carleton Place.

GOHBA supports the governments initiatives to:

- increase certainty throughout the development approvals process,
- streamline processes further to help reduce barriers, and
- reduce development costs

We provide the following specific comments in support of the above.

Minor Variances (As of Right Variation from Setback Requirements)

GOHBA is supportive of regulation-making authority that could provide for variations to zoning by-laws to be permitted as-of-right, and will provide more detailed comments in its submission to ERO 025-0463 (*Proposed Regulation – As-of-right Variations from Setback Requirements*).

In particular, GOHBA recommends expanding the authority to allow variances as-of-right for:

- Front Yard Setback
- Rear Yard Setback
- Minimum Interior Side Yard Setback
- Minimum Lot Area
- Minimum Lot Width
- Maximum Building Height
- Parking Spot Width

The City of Ottawa is currently undertaking an update of its Zoning Bylaw following approval of its Official Plan. As part of our work on the Bylaw, GOHBA compiled the applications that went to Panel 1 and Panel 2 of the Committee of Adjustment in 2023 and 2024.

Our hope is that this data will provide guidance to provisions in the next iteration of the zoning bylaw – eg, where the zoning required a minimum lot area of 360 square metres (the old R4UA & R4UB) but the requested variances had a lower number (Mean: 316.31 square metres, Median & Mode: 336.0 square metres) that the new zoning will have a smaller minimum lot area that reflects actual development experience in the City.

We believe that if this exercise is carried throughout the Bylaw for the above items it would eliminate a significant number of applications that would need to go to the Committee in the first place, which would help relieve some of the workload of the Committee and Planning Staff alike.

This exercise would also align with the government's objectives in this area to speed up development application processing, reduce costs, and help create additional residential units by eliminating barriers.

Minister's Zoning Order

GOHBA is generally supportive of the allowing the Minister to impose conditions that must be met before a use permitted by a Minister's zoning order comes into effect. We have no specific comments.

Study Requirements (Complete Application)

GOHBA is supportive of the government ensuring more consistent rules across municipalities on the information and studies that may be needed for planning applications, and will provide more detailed comments in its submission to ERO 025-0462 (*Proposed Regulations – Complete Application*).

In particular, the City of Ottawa could help itself by removing unnecessary technical studies from the current list of 42 under the Development Application Study Policy Bylaw (Technical Studies), limiting the application of others to very specific circumstances, and scoping the requirements contained in the Terms of Reference (ToRs) for most of the studies.

Requiring unnecessary studies delay applications from being deemed complete. Reducing the number of studies would reduce red tape and reduce staff workload, which results in quicker and less expensive development approvals.

The numerous studies and the extensive information demanded in Ottawa's technical studies directly contradict the intent of Bill 109 and Bill 185 to streamline the application process and expedite housing supply growth.

Unnecessary requirements in these technical studies increase workloads for both applicants and City staff, ultimately leading to increased costs and delays in construction for all types of housing throughout Ottawa.

Excessive and unnecessary studies elongate and complicate the application process, and make it more difficult for applications to be deemed complete.

This, in turn, leads to protracted exchanges between the city and applicants to discern and fulfill "outstanding" requirements, consequently shifting the focus from reviewing applications for their substantive content to a more laborious emphasis on completeness.

In our work, GOHBA has identified three prominent themes in technical studies that increase timelines and costs:

- 1) Clarity: Often there are instances where the language used in a ToR is unclear, leading to ambiguity about requirements and leaving room for interpretation and arbitrary requests by staff and file reviewers. It is imperative that ToR language is clear and ensures consistency in submission standards.

- 2) Duplication: Certain requirements in some of the ToRs overlap with content already requested in other ToRs or application processes. This redundancy unnecessarily increases the effort, cost and time to complete the required studies. Overlapping studies/requests should be removed to maintain an efficient and streamlined process.

This is particularly evident with the following ToRs:

- Urban Design Brief
- UDRP Report
- Planning Rationale

- 3) Unnecessary Details: GOHBA has particular concern regarding a few ToRs that appear excessively convoluted with requirements that are ambiguous and subjective, and therefore overly challenging to fulfill.

Therefore, **we urge the government to not only scope of the list of studies that can be requested as part of a complete application, but also dictate the language of the remaining ToRs to ensure consistency in interpretation across the province.**

Certified Professionals

GOHBA is supportive of regulation-making authority on specifying certified professionals from whom municipalities would be required to accept studies, and will provide more detailed comments in its submission to ERO 025-0462 (*Proposed Regulations – Complete Application*).

At a high level, municipalities should accept reports from professional Engineers, Architects, Consultants and Others with a relevant designation (like a BCIN) and not conduct further review.

This would help eliminate unnecessary reviews of all documentation submitted by professionals (e.g., Joist, Truss, HVAC and structural letters, etc), and streamline the process by not requiring review if packages submitted include all required elements (i.e. as per building code).

Currently municipal engineers cannot rely on a consultant's professional stamp for submissions, and are required to complete their own peer review due to liability concerns. This review can add 2-3 months to the approval process.

GOHBA supports the province eliminating this additional time and soft costs (which would improve affordability) by defining that liability should be on the engineer stamping the submission, and that municipal staff are not liable for civil submissions.

This measure would also fulfill the second part of Recommendation #21 from the Housing Affordability Task Force Report (*...if a member of a regulated profession such as a professional engineer has stamped an application, the municipality has no liability and no additional stamp is needed*).

Streamline Planning Approval for Schools

GOHBA is generally supportive of the exempting schools from site plan control. We have no specific comments.

Additional Comments

To increase productivity in the residential construction industry overall, GOHBA urges the government to **invest in a sector transition strategy to higher productivity through more factory-based building.**

Our federal counterpart, the Canadian Home Builders' Association, has a [Sector Transition Strategy](#) that outlines how to facilitate a mass move towards more factory-built homes, which, among other benefits, allow for faster construction with fewer delays, and will require less of a ramp up in labour.

We also encourage the provincial government **to continue efforts to harmonize the provincial building code with the national model building code.**

A single, harmonized requirement across Canada for the same product or technique would eliminate trade barriers that result from additional product testing, labeling and professional training.

The plumbing industry has estimated that enforcing the same water heater standard across Canada could save manufacturers and consumers \$150 million per year. And this is just for one product category—the model National Building Code alone references more than 400.

GOHBA members also urge the government to **mandate municipal planning departments to have a user fee reserve fund like Building Code Services.**

Municipal planning departments charge fees to builders and developers (their clients) for services (such as development application review and processing). However, over the past number of years the fee rate has not truly been tied to the cost (or timeliness) of service.

Unlike a municipality's Planning Department, its Building Code Services (BCS) department is required to create and maintain a contingency fund with the excess revenue it holds at the end of the year from its fees for service. This allows BCS to maintain their level of service and staffing if there is a period of time where they do not receive their expected fee for service revenues. BCS also has to consider the size of their contingency fund in setting their fee levels for the next year.

In order to ensure fairness and that fees are spent on the service they were charged for, GOHBA requests that the provincial government mandate that all fees collected for a municipality's planning services should remain in the department, and any operating surplus to be transferred to a reserve fund, as is done with Building Code Services.

This will support three key objectives:

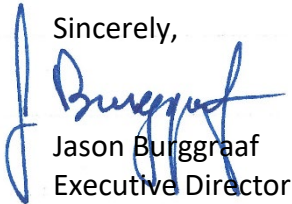
- The department's financial sustainability;
- Consistency of service and performance despite ebbs and flows in housing activity; and,
- Management oversight that increases accountability and transparency.

Every year in Ottawa, the Planning Department's operating surplus – the majority an excess of user fees – is redirected into general revenue. GOHBA has consistently opposed this transfer. It is critical that any surplus be reinvested in the planning application approvals process in order to improve service to clients and get housing to market to meet soaring demand.

Conclusion

We thank the Ministry for the opportunity to comment. We are pleased to answer questions or provide further information as requested.

Sincerely,

A handwritten signature in blue ink, appearing to read "Burggraaf", is written over the printed name and title.

Jason Burggraaf
Executive Director