



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

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Municipal Affairs and Housing
Planning and Housing Policy Branch
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Re: ERO #026-0300 Proposed Planning Act, City of Toronto Act, 2006, Building Code Act, 1992 and Municipal Act, 2001 Changes (Schedules 1, 2 and 7 of Bill 98, the Building Homes and Improving Transportation Infrastructure Act, 2026)

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 Changes* (ERO #026-0300).

GOHBA strongly supports the government's efforts to address our housing affordability and supply crisis through legislative and regulatory changes to further support housing, economic, and infrastructure development, and advance key transportation and transit priorities by reducing barriers and costs to development.

GOHBA has been the proud voice for the Ottawa home building community since 1951. Our 450+ members include builders, developers, professional renovators, trade contractors, suppliers and manufacturers serving the residential construction and professional renovation industry.

Our comments are complementary to and in concert with those of the Ontario Home Builders' Association as the provincial voice of the residential construction industry.

GOHBA's Position

Ontario's housing supply challenge is not solely a matter of land availability. It is a challenge of regulatory unpredictability, duplicative process requirements, inconsistent municipal interpretation, and approval timelines that materially increase development costs and reduce housing production. GOHBA strongly supports the government's reforms that improve certainty, standardization, and implementation efficiency across municipalities.

Provincial policy objectives are frequently undermined by inconsistent municipal implementation practices. Legislative reform should therefore prioritize not only policy alignment, but also implementation mechanisms, timelines, and consequences for non-compliance.

We provide comments on specific proposals below.

1. Streamlining and Standardizing Official Plans

The planning and development processes across Ontario is a patchwork of rules and demands as each of the 444 municipalities have their own Official Plans without a standard approach to their development, organization and presentation. This lack of consistency in the planning regime hampers the ability of new home builders to operate in multiple jurisdictions, and limits the capacity of the residential construction industry to build at the scale that is required.

Municipal variation in definitions, land use categorizations, application requirements, mapping systems, and supporting studies creates unnecessary duplication and inefficiency, particularly for builders operating across multiple jurisdictions.

GOHBA members want to build homes that families can afford, and fully support the province's efforts to reduce red tape and timelines by streamlining and standardizing Official Plans, ensuring consistency and effectiveness in every municipality across the province.

GOHBA supports the standardized structure for local (lower- and single-tier municipality and planning board) official plans, table of contents and schedules as detailed in the proposed changes.

2. Standardizing Land Use Designations in Local Official Plans

GOHBA also generally supports the proposed standardized set of land use designations to be used in local official plans, with one recommended modification.

The standard set of *Land Use Designations* should be revised to strategically align with the framework for *Strategic Growth Areas and Intensification Areas*. This will support a more structured connection between Official Plans and Growth Management Strategies.

Recommendation:

Aligning with our comments to ERO 026-0304, *Draft Projection Methodology Guideline*, we strongly recommend replacing the proposed **Neighbourhoods** designation with four distinct designations that better represent their growth management conditions and subsequent strategy:

1) Mid- and High-rise Neighbourhoods, Corridors or Nodes

These neighbourhoods can be expected to intensify based on historic absorption rates for units in mid- and high-rise buildings, based on market trends.

- 2) **Evolving Low-rise Neighbourhoods**, in existing built-up areas ideally suited to infill redevelopment (pre-1980's, no flood plain, transit served). These neighbourhoods can intensify slightly, or can as much as triple in density over a twenty-year period, where municipal regulations are intentionally structured to support intensification outcomes. Anticipating growth in these neighbourhoods is only possible using infill market forecasting based on an analysis of new regulations and market conditions, and cannot be forecasted using historic rates of redevelopment.
- 3) **Stable low-rise Neighbourhoods**, existing built-up areas unlikely to intensify within the planning horizon and therefore will not contribute to growth.
- 4) **New Low-rise Neighbourhoods**, in urban expansion areas will yield new home growth based on permitted expansion capacity and market trends.

All four designations would include residential uses, small-scale commercial uses, institutional uses (including cemeteries), and other uses as prescribed.

A clearer distinction between stable, evolving, and strategic growth neighbourhoods would also support more coordinated infrastructure planning, capital forecasting, and transit investment decisions.

Most municipalities in Ontario fail to coordinate their Official Plans with their Growth Management Strategies.

Setting *Land Use Designations* that correlate with growth is the first step to ensuring a more coordinated set of policies. Failure to coordinate these policy documents has resulted in confusion and a general sense of disregard for the policies.

In the absence of a clear plan, some City Councillors randomly support or oppose proposals for residential projects. Some residents and councillors misunderstand and fear growth. Clarity and consistency in these two planning documents is critical, and these four neighbourhood designations make this possible.

3. Complementary Changes to Support Implementation of Streamlining and Standardizing Official Plans

Climate Change Policies

GOHBA supports the government removing the redundant requirements for municipalities to include climate change policies and enhanced development standards in official plans.

Official Plans are intended to function as high-level policy documents that guide long-term land use planning, growth management, infrastructure coordination, and community structure.

They are not intended to serve as detailed technical manuals governing building design, construction methodologies, site engineering standards, or environmental performance specifications.

Over time, many municipalities have expanded Official Plans beyond their appropriate planning function by embedding increasingly prescriptive climate-related and enhanced development standards that duplicate or conflict with requirements already addressed through provincial legislation, regulations, technical codes, and approval processes, including the Ontario Building Code.

This layering of municipal requirements has contributed to inconsistent standards across Ontario, increased approval complexity, extended timelines, and added unnecessary housing costs without corresponding improvements in planning outcomes.

Climate change mitigation and resilience are important objectives and are already appropriately addressed through:

- provincial policy direction;
- infrastructure planning;
- environmental approvals;
- conservation and stormwater requirements;
- the Ontario Building Code; and
- evolving building technologies and market practices.

Official Plans should remain focused on their core purpose:

- establishing land use permissions;
- coordinating growth and infrastructure;
- identifying strategic growth areas;
- supporting transit-oriented communities; and
- providing a predictable framework for housing and employment growth.

Removing redundant climate policy requirements from Official Plans will improve consistency, reduce duplication, and help restore Official Plans to their intended strategic planning role.

Changes to PMTSAs

The government is proposing that for an already approved protected major transit station area (PMTSA), only official plan amendments changing the boundaries of the PMTSA or the planned population and jobs for the area would require the Minister's approval.

GOHBA supports the government's efforts to protect PMTSAs and ensure that their zoning permits transit-supportive densities.

Section 16(15) of the Planning Act states that municipalities may include policies in the official plan but does not require policies. In Ottawa this had led to discrepancies as to what may occur in proximity to some major transit locations as opposed to others based on the local community opposition. This forced the government to increase population and job densities in a number of PMTSAs and MTSA's with its recent approval of Ottawa's OPA 46.

It would better fulfill the intent of the government to direct that all transit stations will permit more intensification in order to avoid the subjective nature of local evaluation.

Recommendation - Establish automatically deemed zoning for PMTSAs and MTSA's after a year if the municipality has not done so.

While we appreciate the intention of the government to permit expanded appeal rights to an implementing zoning by-law that is passed after one year, the amendment is contradicted by amendments to s.34(19) that prohibit appeals by anyone other than the Minister, a specified person (utility companies) or a public body. Moreover, an appeal would only serve to further delay the implementation of PMTSA policies.

Rather, to fulfil the intent of the government, a zoning by-law should be automatically amended at the expiry of the one-year period, in order to implement the minimum height and density provisions contemplated by the Official Plan.

Proposed wording:

Insert new section 16(20.2): *If the municipality has not completed the zoning update within one year then existing zoning by-laws are deemed to be amended to reflect the protected major transit policies.*

A deemed conformity approach would provide certainty to landowners, reduce implementation delays, and better align municipal zoning with provincially approved intensification objectives.

4. Site Plan: Prohibit Mandatory Municipal Enhanced Development Standards and Green Building Standards

GOHBA supports the proposed changes to removing municipal authority to require certain mandatory Enhanced Development Standards at the lot level, outside of buildings, that are not specifically required for health or safety. These comments follow on and complement our previous submission on *Consultation on Enhanced Development Standards – Lot Level (outside of buildings)* (ERO 025-1101).

As well, requirements that duplicate or exceed standards already addressed through the Ontario Building Code should not be imposed through planning approvals.

GOHBA also supports prohibiting municipalities from requiring specific Enhanced Development Standard elements as part of a site plan approval.

Municipalities increasingly use site plan and subdivision approval processes to impose requirements unrelated to health and safety, including prescriptive landscaping, sustainability, and design standards that increase housing costs and approval timelines.

Recommendation – Explicitly prohibit Enhanced Development Standards for Subdivisions.

As per our comments and recommendations to ERO #026-0309 Enhanced Development Standards and ERO # 026-0310 Site Plan Control, GOHBA strongly urges the government to also grant the Minister authority to prescribe application requirements with respect to subdivision agreements.

GOHBA provides more specific comments and detail in its submissions to ERO #026-0309 and ERO #026-0310.

5. Minimum Lot Sizes

While GOHBA supports the government’s efforts to increase the amount and variety of urban infill housing, as per our previous comments to ERO #025-1100, in order to maximize the effectiveness of these regulations, GOHBA recommends that:

- 1) The scope of the changes should extend beyond reducing minimum lot sizes to the removal of minimum lot sizes in urban residential areas altogether; and,
- 2) The Government should expand their consideration beyond urban residential areas.

Greater flexibility in lot fabric also supports emerging housing forms, including modular, factory-built, and attainable ownership housing formats that are increasingly important to provincial supply objectives.

Recommendation – Extend the changes beyond reducing minimum lot sizes to removal of minimum lot sizes in urban residential areas altogether.

In urban low-density residential areas that are intensifying, lot size requirements have no function, and therefore result in over-regulation.

Building Codes set the standard for room sizes, so minimum lot size requirements are not needed to prevent the development of uninhabitably narrow buildings.

Zoning can ensure that new development is contextually appropriate, especially in infill neighbourhoods where residents are experiencing more change. However, residents are concerned with the form and fit of buildings that are oversized compared to the surrounding neighbourhood, as opposed to buildings that are smaller.

Allowing more flexible standards would enable a broader range of low-rise housing forms, including compact and factory-built units. Greater flexibility would also lower development costs by reducing land requirements, improve affordability for first-time home buyers seeking attainable starter homes, and encourage gentle density and innovation without altering existing neighbourhood character.

Recommendation – Expand consideration beyond urban residential areas.

While the proposed regulation is focused on urban residential lands, GOHBA urges the province to also consider implications for rural villages and privately serviced areas.

For example, minimum lot sizes in communities such as Greely increased from 0.2 ha to 0.4 ha in 2015, resulting in inefficient land use within designated settlement areas. GOHBA emphasizes that the determinative factor in these contexts should be a mass-balance calculation ensuring adequate septic dilution, not a blanket minimum lot size.

When considering cumulative area dedicated to roads, parks, stormwater blocks and other non-residential elements of subdivision, safe septic capacity can often be achieved with average lot sizes between 0.2 and 0.4 ha, without requiring each individual lot to meet an identical minimum.

GOHBA will provide further specific comments in its submission to **ERO #026-0311**.

6. Minister's Zoning Orders

GOHBA supports removing requirements for the Minister to provide notice on proposed amendments to or revocations of Minister's Zoning Orders (MZOs).

7. Upper-tier Planning Responsibilities in Simcoe County

GOHBA has no particular comments on these proposals.

8. Encumbered Parkland and Privately Owned Public Spaces (POPS)

GOHBA strongly supports the Province's efforts to modernize and standardize the parkland dedication framework across Ontario.

The proposed regulation represents an important and necessary evolution in planning policy that recognizes the realities of contemporary urban development, the need to accelerate housing supply, and the importance of ensuring municipal parkland policies align with provincial intensification objectives.

GOHBA is supportive of developing a Minister's regulation under the *Planning Act* to prescribe criteria for developer-identified parkland and related implementation matters for the conveyance of developer-identified lands for municipal parkland dedication.

GOHBA is also strongly supportive of implementing provisions in Bill 23, the *More Homes Built Faster Act, 2022*, that are not yet in force, that would provide for:

- developer-identified lands, including land with encumbrances and POPS arrangements, to count towards municipal parkland dedication requirements; and
- the landowner to be able to appeal to the Ontario Land Tribunal (OLT) in cases where the municipality rejects developer-identified land, with the OLT required to order the land to be conveyed to the municipality if it meets prescribed criteria.

GOHBA also strongly supports the Province establishing clear and standardized provincial criteria regarding:

- encumbered lands;
- publicly accessible privately owned spaces;
- strata and alternative interests in land;
- owner identification of parkland lands; and
- municipal acceptance criteria.

Standardization is essential to reduce inconsistent municipal interpretation and implementation across Ontario. Without clear provincial direction, municipalities will continue to apply differing local standards that create uncertainty, increase costs, reduce housing supply, and frustrate intensification objectives.

Encumbered Parkland

As per our previous comments in a number of submissions, to support housing affordability and supply, **GOHBA strongly urges the government to bring into force the sections of Bill 23 that would require municipalities to accept ‘encumbered’ land as parkland.**

Further to this, there are many instances of development downtown and inside the greenbelt where an encumbrance below or above grade can and should be acceptable. Similarly, whether land is sloped or oddly shaped should not stop the land from being utilized as park space. Requiring all parkland to be entirely unencumbered is often impractical in intensifying urban contexts.

In high-density urban environments, accommodating underground infrastructure, structured parking, servicing infrastructure, and shared-use public spaces is often necessary to achieve intensification and housing targets.

Allowing encumbered land below or above grade to be included as parkland is a welcomed and very cost-effective solution to help new developments afford to create new parkland.

Therefore, we urge the government to expand this change to include above grade infrastructure.

GOHBA notes that the City of Ottawa's list of exclusions for lands that are 'not-acceptable' for being dedicated as parkland is greater than other municipalities in Ontario. The impact of this extensive list of non-acceptable land is that it diminishes land available for development (it impacts the units per hectare targets set by the city) and thereby requires that even more land be available within the urban area.

Privately Owned Public Spaces (POPS)

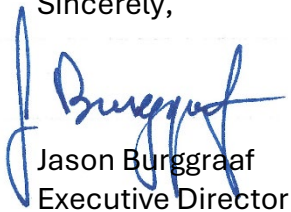
GOHBA also supports and strongly urges the government to bring into force the sections of Bill 23 that would require municipalities to accept privately owned public spaces (POPS) as part of any municipal parkland dedication requirement. GOHBA also supports the proposed changes to the *Planning Act* to facilitate easements for POPS.

GOHBA will provide further specific comments in its submission to **ERO #026-0312**.

Thank you for the opportunity to provide comments on the government's proposals.

We are pleased to answer questions or provide further information as requested.

Sincerely,



Jason Burggraaf
Executive Director