



November 18, 2022

Premier of Ontario, The Hon. Doug Ford,
Minister of Municipal Affairs and Housing, The Hon. Steve Clark
Minister of Municipal Affairs and Housing
17th Floor - 777 Bay St.
Toronto, ON
M7A 2J3

Dear Premier Ford and Minister Clark:

Re: Bill 23 – “More Homes Built Faster Act”

The Council for Canadian Urbanism (CanU) is a national organization bringing together urbanists and city builders through our annual summits, our regular events, and the activities of our working groups and caucuses. Our Board of Directors and membership consists of private and public sector professionals from across Canada with an interest and expertise in urbanism.

As the Province continues to grow, it is important to be reminded of the need for quality in the manner in which we plan and design our communities. Urban Design plays a crucial role in shaping the quality of our living environment. It involves many different disciplines including planning, development, architecture, landscape architecture, engineering, economics, law and finance, among others.

As an organization and as professional practitioners, we recognize the dire need for greater housing affordability in Ontario and the need to take action to help address our current housing crisis. We are strong believers in supporting intensification and the streamlining of planning processes to deliver housing across our communities but not at the expense of delivering complete, sustainable, and liveable communities.

Housing affordability is a measure of economic prosperity. Quality design ensures the creation of complete communities that influence the economic success and diverse social fabric of a community. Urban design plays an important role in facilitating more housing through good design ensuring all housing is part of a healthy, complete, and attractive community that can and does co-exist and fit into its context. Conversely, bad design leads to public backlash hindering the provision of much needed housing. In short, urban design can be used as a very effective tool to ensure quality, sustainable growth.

Bill 23 proposes extensive modifications to a number of Acts and regulations and if passed as proposed, in combination with *Bill 109*, these changes will hinder the ability of municipalities and practitioners to ensure that complete communities can be delivered across Ontario.

CanU is concerned with the following provisions affecting urban design and ultimately the quality of life, of all Ontarians:

- Proposed changes to the role of Regional Authorities will affect the coordination of regional municipal and transportation infrastructure impacting these systems efficiency and cost. Regional systems are the backbone on which urban design delivers compact, transit supportive, flood protected communities. This fragmentation will result in longer approval timelines and the implementation of substandard infrastructure systems that will restrict anticipated growth.
- Proposed changes to the role and function of Conservation Authorities will have a regional impact on how we manage floodplains, hazardous lands, and more intangibly, conserve their ecosystems. In the face of higher climate temperatures, flooding, drought and erosion we cannot depart from the very processes that keep Ontarians safe and the provincial coffers balanced against the rising cost of preventable flooding and climate change.
- In tandem with the proposed changes to the *Conservation Authorities Act* are changes to end the use of green municipal standards. Green standards encourage the industry to build better and deliver economically competitive communities that are healthier and more sustainable.
- Proposed changes to the *Development Charges Act* limit the financial resources available to municipalities to ensure growth pays for growth. Without sufficient funding, municipalities can neither deliver infrastructure, nor create a safe, high-quality public realm, particularly in areas where it is most needed, e.g., intensification areas. Furthermore, there is no legislative provision to ensure the development savings being introduced will be transferred to the buyer.
- Through previous legislation the province limited the delivery of affordable housing (defined as housing sold at 80% of the average resale purchase price of ownerships units or rented at 80% of the average market rent (AMR)) to Protected Major Transit Station Areas. This is a community building issue in direct conflict with the process of delivering socially equitable and diverse housing across our communities. This fact combined with the newly proposed affordable housing percentage and timeline cap continue to build on an incomplete and perfunctory approach to solving the housing affordability crisis.
- Changes to the *Heritage Act* have missed the opportunity to ensure heritage conservation, preservation and re-used co-exists with growth in a manner that history and the uniqueness of a community is retained and used as a powerful place-making tool that is key in the design of vibrant communities.
- Proposed changes to parkland dedication, and the ability of development to provide and locate land at their discretion, compromise the ability of municipalities in the creation of safe, healthy and complete communities. Rather, these changes will impact the capacity to deliver open spaces in the shape and form needed by communities, specially in intensification areas. The process of locating and providing open space takes place in the context of the “network building” that urban design undertakes. It is not and cannot be undertaken as a piecemeal exercise where a dissonant series of parkland pieces are not readily accessible to the community or are not of the hierarchy and scale needed by the community.

- The proposed legislation skims and avoids looking at how “gentle intensification” forms (other than the as-of-right 3 units per lot) can be delivered within residential communities and misses the opportunity to introduce regulation that delivers the range of built forms usually associated with the “missing middle” typology (i.e., from townhomes to walk-up apartments).
- At the local scale, matters of exterior design and streetscape (except to matters related to exterior access to a building that will contain affordable housing units) are excluded from the Site Plan process. When applied properly, urban design is not about architectural style and frivolous requirements. Rather, in its review of exterior design and streetscape urban design seeks to achieve various goals such as: (1) mitigating impact on existing development through massing articulation; (2) contributing to quality walking environments; (3) mitigating wind and shadow impact; (4) offering safe urban spaces in the provision of well sited and designed open spaces and public realm; and (5) delivering greater public understanding and acceptance of change in their communities. If matters of exterior design are excluded from the Site Plan process, it impacts the scope and ability of Urban Design Review Panels to help municipalities and the development industry deliver excellence in design.
- Revisions to the Greenbelt legislation further replicate the current and outdated suburban community model. The opening of the Greenbelt signifies a strong departure from the province’s decades long work on sustainability. The proposed Greenbelt “opening” sets the stage for future Greenbelt car dependent development and represents a massive, missed opportunity as well as a recipe for failure and expense down the road.

In summary, and while not an exhaustive list, *Bill 23* introduces a new planning framework of Regional fragmentation, diminished Conservation Authorities’ role and associated natural heritage limitations, heritage conservation constraints, and reduced municipal financial resources of which implications will not be immediately apparent. The proposed framework will result in a piece meal and expensive planning practice similar to the car centric planning framework of the 1950, 60, 70’s and its known impacts to sustainability and the social, economic and environmental health of our communities. The Bill’s changes will only contribute to but exasperate our climate crisis.

In building the homes and communities the province needs, billions of dollars are going to be spent both publicly and privately. At the same time the Province has a unique opportunity to provide leadership and ensure that what gets built; homes, communities and infrastructure, meets the standards and utilizes the latest technologies proven to deliver on climate change reduction.

Unfortunately, there are no shortcuts in the city building process. CanU supports more housing but not at the expense of implementing and supporting strong and resilient communities. Both are not mutually exclusive.

CanU remains committed to housing and community building to help the Province and our communities as we all navigate a highly competitive and harsher economic and environmental reality.

This could be a win-win for the Province to meet both today’s housing and community building needs while ensuring they are also resilient, well-designed and energy efficient. Ensuring a well-planned and well-built future needs co-ordination of the short term and the long term.

Let's do the hard work and get it right, our mistakes will carry for generations to come.

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