



Ontario
Home Builders'
Association

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August 6, 2021

Ministry of the Environment, Conservation and Parks

777 Bay Street, Toronto, ON M7A 2J3

RE: Secondary Response to ERO Postings 019-2785, 019-2768, and 019-2972

The Ontario Home Builders' Association (OHBA) thanks the Ministry of the Environment, Conservation and Parks (MECP) for the opportunity to provide additional comments and feedback regarding the above-referenced postings on the Environmental Registry of Ontario (ERO).

Further to our comments provided by online submission dated July 3rd, 2021, regarding the various proposed guidelines (ERO 019-2785 – Land Use Compatibility, ERO 019-2768 - Odour Mixtures, and ERO 019-2972 - Environmental Compliance), please refer to our additional comments below. These have been formulated following our further review of the proposed guidelines and liaison with several stakeholders since that time, all of whom have raised similar issues of concern.

In so doing, OHBA would like to reinforce the comments and positions outlined in our letter of July 3rd, 2021. Our comments to date are consistent with those presented to the Ministry by other stakeholders.

OHBA strongly believes that the guidelines as proposed by the MECP go far beyond the expectations of the Ministry in terms of significant impact on the development industry, municipalities, and the other stakeholders involved in the implementation of the same. Moreover, OHBA does not believe that the proposed measures will achieve the overall positive impacts that the Ministry is seeking without causing significant disruption to the land development industry.

Specifically, our concerns together with those of other stakeholders regarding the proposed guidelines can be simply stated. First, the proposed guidelines will make it more difficult to establish and maintain industrial uses and the significant economic activity they generate. Secondly, the proposed guidelines will make it more difficult to encourage residential development and achieve the intensification growth targets established in the Provincial Growth Plan. These will have significant negative impacts on the development industry and the provincial economy. OHBA strongly suggests that the MECP review the proposed guidelines keeping these serious implications in mind.

We feel that the proposed guidelines, among other things, are cumbersome and are not empirically based. In addition, there are shared concerns regarding the proposed guidelines becoming a directive which we understand is not intended.



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The following list includes key issues shared by other stakeholders with whom we have connected regarding the proposed guidelines,

- The Areas of Influence (AOI) and Minimum Separation Distances (MSD) defined are unrealistic and excessive. They should not be included in official plans;
- Intensification in the vicinity of major transit station areas will be jeopardized and undermine the efforts of both MMAH and the Ministry of Transportation to achieve their Transit-Oriented Community targets;
- Lands already designated in municipal official plans and zoning bylaws for permitted residential uses as of right will be in jeopardy;
- Provincial policies regarding growth will not be achieved;
- AOI and MDS are unpredictable, subject to interpretation, and promote uncertainty all of which will discourage investment;
- Development approvals will be delayed unnecessarily;
- Demonstration of need tests and land use compatibility studies will be cumbersome and excessively costly;
- Municipal staffing levels will require additional capacity, training, and expertise to deal with the responsibilities being imposed which would increase processing and approval times as well as the cost to a development proponent.

If the Ministry plans to proceed with these guidelines, OHBA strongly encourages the province to organize technical committees immediately, with development proponents and municipalities participating to provide the practical expertise needed to accurately assess the impact of the proposed guideline. It will be important to 'get it right' prior to the start of the implementation process. As such, the impacts of the proposed guidelines can be suitably addressed and understood. Moreover, the Ministry of Municipal Affairs and Housing must also be engaged in these future discussions with MECP, stakeholders and technical committees on the proposed guidelines as they will directly impact current and future planning decisions across Ontario and challenge the province's Housing Supply Action Plan.