



Ontario
Home Builders'
Association

20 Upjohn Rd., Suite 101 (416) 443-1545
North York, Ontario Toll Free 1-800-387-0109
M3B 2V9 Fax: (416) 443-9982
<http://www.ohba.ca> info@ohba.ca

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

RE: OHBA Regulatory Proposal Response to 21-MMAH015/ERO# 019-3958

The Minister of Municipal Affairs and Housing is considering making complementary changes to Minister's regulations under the Planning Act (ERO # 019-3958), which are needed because of the passing of Bill 276, the '*Supporting Recovery and Competitiveness Act, 2021 (Schedule 24)*' which received Royal Assent on June 3rd, 2021. Comments have been requested by August 23rd, 2021. Comments on Bill 276 were provided by Ontario Home Builders' Association (OHBA) in its letter dated May 19th, 2021, to the Chair of the Standing Committee on General Government. OHBA has been supportive of the legislative changes being proposed by the government, in particular the changes to the *Planning Act* related to consents.

What the New Regulations Mean

The new regulations, which are not yet available for comment, are expected to streamline the consent application process and provide more flexibility to an applicant and the consent authority. As such, key efficiencies will be gained as follows,

- Permits the purchaser of a property or the purchaser's agent to make an application for consent if given the authority in a purchase and sale agreement prior to a consent being granted and the land being conveyed;
- Allows for land that abuts a parcel of land conveyed with consent (the 'retained land') to be dealt with without a further consent;
- Permits landowners to obtain a consent certificate for both parcels of land referred to in an application for consent which proves that consent was granted;
- Provides that there is no merger of property if it is the result of the death of a joint tenant;
- Eliminates the need for a certificate of validation mandating compliance with a municipality's official plan and zoning bylaws;
- Allows an owner of land that was previously conveyed with a consent (or agent) to apply to the consent authority for the issuance of a certificate of cancellation of such consent;
- Allows for the amendment of a consent application up to the point in time a decision is made by the consent authority;
- Allows an owner to seek a one-year extension of time to two years (beyond the existing one-year test) to satisfy conditions imposed by the consent authority.

Benefits of the Proposed Changes:

These are positive aspects that will be of benefit to landowners during the consent application process.

Municipalities will realize savings, including time efficiencies due to the reduction in the number of consent applications received.

Landowners and consent applicants will realize savings, including timelines, due to the fewer number of consent applications required and the permission to make an application prior to land ownership.