



Ontario Association of
Landscape Architects

A component organization of the
Canadian Society of Landscape Architects

November 15, 2022

Ministry of Citizenship and Multiculturalism

Submitted online to Environmental Registry of Ontario

Re: Ontario's Landscape Architects' Significant Concerns with Bill 23

To Whom it May Concern,

The Ontario Association of Landscape Architects (OALA) is joining the growing number of professional organizations and other groups concerned about Bill 23, the More Homes Built Faster Act, announced on October 25, 2022.

The OALA is the regulatory body whose mission is to promote, improve and advance the profession of landscape architecture and maintain standards of professional practice that serve and protect the public interest. The OALA represents 2,000 professional landscape architects practicing in both public and private sectors across Ontario. We plan and design the public and private realm, parks, streetscapes, and other space between buildings, to support community, environment, health, safety and economy.

The amendments proposed by Bill 23 have significant and direct impacts on the scope of our work and our professional interests, as well as the health and safety of all Ontario residents.

The OALA appreciates and supports advancing legislation and programs that address the current housing affordability crisis in Ontario. However, the Association believes that the Bill, as proposed, also includes changes to existing legislation which would undermine essential social, environmental and cultural interests of rural and urban communities, affecting the health, safety and well-being of all citizens of Ontario.

IMPACT ON SITE PLANNING & THE PUBLIC REALM

Site plan review is an important planning process that contributes to a thriving, livable city with a healthy economy. It ensures that the public interest is considered in a new development proposal, and that development makes a positive impact on the street, the block, the neighbourhood, and the city. Building homes is not only about the bricks and mortar of housing, but also about the planning and

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design of safe, healthy, sustainable, vibrant, and socially integrated communities -- the places where neighbours come together; where children play and where elders walk and take tea. It takes a Village.

Establishing these complete communities is especially important where new housing and intensification are proposed in built up areas to avoid sprawl development. In this regard, there has been considerable discussion among our members about the Bill's proposal to remove site plan control completely for any building with fewer than 10 units. Proposals for infill housing, even those with less than 10 units, need to be well integrated within already established neighbourhoods. The site planning process is meant to secure the attention to design needed to achieve these ends.

Landscape architects are key players in the planning process as consultants and as municipal agents engaged in the conceptual design, detailed design, evaluation, and implementation of new development, and the associated public realm of streetscapes, parks, and other open spaces. In the view of many of our membership, the amendments to the site planning process in Bill 23 will not deliver high quality development that delivers excellence in design when municipalities are not in a position to ensure it. Our organization is concerned about a planning strategy that puts aside a process for high quality urban living at the site and neighbourhood level without including an alternative means for its delivery.

We are concerned that the proposed amendments eliminate exterior design and building materiality matters from the site planning process. It bears repeating that in 2019, the OALA indicated to the Ontario Government that the review of exterior design matters including the character, scale, appearance, and sustainable design features of buildings as well as landscape elements is critical to building great communities. These elements frame, define and contribute to the character of the public realm. The scale, type and quality of materials, and design articulation greatly influence the quality of the experience for the public and residential neighbours including the beauty and microclimate of the public realm.

The review of exterior sustainable design features allows municipalities to require Green Standards and achieve important climate mitigation and adaptation site details so critical for the future of our neighbourhoods (eg. urban tree canopy for shade, native species selection for biodiversity, treatment of glazing to reduce bird collisions, material selection to reduce greenhouse gas emissions, shielded lighting to reduce light pollution and maximize safety).

The Bill also limits the ability of municipalities to secure sustainable design features related to the 'appearance' of the streetscape unless the appearance impacts matters of health, safety, accessibility or the protection of adjoining lands.

OALA's concern is that if passed, this amendment would weaken design excellence and in so doing contribute to a reduction in the overall quality of life, as well as the health and safety of users, and the sustainability of our shared environment.

IMPACT ON PARKLAND DEDICATION

Bill 23 is also proposing changes to how much parkland will be provided, and how parkland is provided for new development especially with intensification. The proposed amendments affect location and configuration of parkland dedication, stripping these matters from municipal responsibility, leaving important land use decisions to private interests that may not always be aligned with public interest or community needs. Parkland rates are being reduced while density is being increased. Restrictive timeframes for cash-in-lieu of parkland funds expenditure are proposed which would limit municipal negotiation and park planning horizons. When new development is being planned, municipalities will have to purchase parkland separately. This would reduce a municipality's ability to secure parkland per development. Taken together, we are concerned these proposed changes adversely affect the quantity and quality of parkland dedication and community green space both locally and regionally.

During the recent COVID-19 pandemic, the value of our shared public realm of parks, streets and open spaces to the physical and mental health of individuals and communities has been experienced and proven. Affordable housing should not come at the expense of our shared public and civic spaces.

We ask that further investigation of parkland provision be undertaken to ensure that sufficient and appropriate healthy green spaces that support both increased population as well as the natural and cultural environment be considered and incorporated into any Affordable Housing strategy to ensure that all neighbourhoods gain the maximum benefit for a protected park land base and cash improvements for the future. We need to continue to make long-term plans for much needed outdoor amenities for our diverse and growing population.

IMPACT ON THE ROLE OF CONSERVATION AUTHORITIES

Proposed Bill 23 amends the Conservation Authorities Act by reducing Conservation Authorities' (CA) role and responsibilities in safeguarding the natural environment and also the funding that supports them. The OALA, as an organization committed to stewardship of the environment, considers that the proposed changes work against Ontario's essential environmentally responsible legislative framework in place since 1954's Hurricane Hazel devastated homes and landscapes. The Conservation Authorities' role in protecting wetlands, forests, riverways and shorelines, preserving natural areas, habitats and groundwater systems, and supporting environmental stability and resiliency cannot be underestimated in an era already experiencing the impacts of climate change.



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The OALA, in the interest of protecting the environment, has a serious issue with the Bill's reduction to the CA's role and responsibilities. The amendment has far-reaching consequences not only for potential damages to natural environment systems with the attendant impacts on surrounding lands, but also to the community's expectations for wise management of landscape and environmental resources that the CA's provide. The OALA is concerned that there is no other body organized and capable of this task to protect the public interest in reducing risk and ensuring the health of the natural environment. The OALA urges the Minister to reconsider this aspect of the Bill.

THE PUBLIC INTEREST

The public interest is the basis for the work done within our profession. While the OALA applauds the Province's efforts to address the current housing crisis, our members remain concerned Bill 23, as currently proposed, will have consequences which threaten the important matters of health, safety, and well-being of our communities, our environment, and our future.

As city-builders, we appreciate that a successful housing strategy with affordability at its root contributes to Ontario's economic health and boosts its competitiveness in attracting business and a highly skilled labour force. As stewards of the environment, we also appreciate the importance of protecting the land, resources, community, and its diverse peoples as important to our economic future. It is our hope that amendments to the legislative framework meant to bolster our housing needs will be balanced with the fulsome regard for all the needs of our complex society. We hold the view that the current Bill needs further refinement to do this.

We would be pleased to participate in a healthy and productive dialogue with your government about how the OALA can assist in moving forward an affordable housing strategy with an agenda that is not only functional, timely, and economically feasible, but also delivers a healthy, attractive, safe, and environmentally responsible Ontario.

We look forward to continuing to work with your government and the citizens of Ontario.

Yours truly,
ONTARIO ASSOCIATION OF LANDSCAPE ARCHITECTS

A handwritten signature in black ink, appearing to read 'Steve Barnhart', is written over a light blue circular graphic element.

Steve Barnhart OALA, CSLA
OALA President