



sleisk@cassels.com
tel: +1 416 869 5411
fax: +1 416 640 3218
file # 1-3309

November 24, 2022

By Email: PlanningConsultation@ontario.ca

Ministry of Municipal Affairs and Housing
777 Bay Street, 17th Floor
Toronto, ON M7A 2J3

To Whom it May Concern:

**Re: ERO Number 019-6163
Feedback on Proposed Changes to the *Planning Act***

We represent The Governing Council of the University of Toronto (“University”).

The University is among the top 10 non-government employers in Toronto, adding \$12 billion stimulus to the GTA annually in the form of salaries, benefits and expenditures of faculty, staff and students.

The three campuses of the University of Toronto contain a concentration of the country’s foremost educational, cultural, research, medical and government institutions. These institutions are of global significance and situated amongst a concentration of significant heritage resources, dynamic contemporary architecture, and a wealth of publicly accessible open spaces. The University is the owner of approximately 265 hectares of land across its St. George, University of Toronto Scarborough and University of Toronto Mississauga campuses. The St. George Campus alone occupies 176 acres, making the University one of the largest landowners in downtown Toronto. Over the next 15-20 years, the University intends to invest billions of dollars towards new development projects that will address a critical need for housing proximate to campus for its students, faculty, employees, and graduate and undergraduate student families and other University projects.

The University is supportive of the Province’s efforts to eliminate development constraints and update policies to reduce red tape and remove barriers that are slowing down housing construction and other priority projects. Concerns remain however that there will be unintended consequences from prior amendments that will ultimately result in delay, as set out further below. Additional comments with respect to the *Ontario Heritage Act*, Rental Replacement and Inclusionary Zoning have been submitted under separate cover in accordance with each ERO posting.

Restriction on appeals of municipally initiated plans will not reduce red tape

While the University is supportive of the Province's intention to streamline the development approvals process, the University is concerned about the elimination of appeal rights for municipally initiated plans and bylaws. As existing *Planning Act* provisions require owners to wait two years before submitting applications to amend an adopted municipal plan or bylaw, it is critical that third parties can raise objections to municipally initiated policies at first instance and appeal, as necessary.

We understand that the Government has moved a motion to delete this proposed amendment and reinstate appeal rights, as well as remove the two-year prohibition on development applications. The University is supportive of these amendments.

Requirements for the refund of application Fees need further clarity

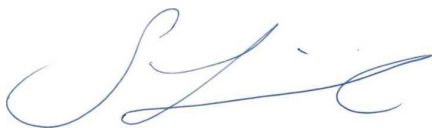
The University is supportive of imposing more stringent requirements on municipalities to ensure development applications are processed in accordance with the timelines prescribed by the *Planning Act*. However, the University has significant concern that requiring municipalities to refund application fees if a decision is not reached by the prescribed deadline, as adopted by Bill 109 and coming into force on January 1, 2023, will cause mass refusals of applications to avoid having to return application fees. This increase in refusals will have the unintended consequence of increasing appeals to the Ontario Land Tribunal, increasing its administrative burden and causing further delays to approvals and project construction.

To address this concern, we request that provisions be added to allow the time periods set out for the refund of application fees to be extended upon the agreement of both the municipality and the owner.

We welcome the opportunity to discuss our comments further.

Yours truly,

Cassels Brock & Blackwell LLP



Signe Leisk
Partner

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