

May 9, 2024

Government of Ontario – Ministry of Municipal Affairs and Housing

**Re: Proposed Bill 185, Cutting Red Tape to Build More Homes Act, 2024**

Thank you for the opportunity to review and comment on the Environmental Registry of Ontario (ERO) posting 019-8369 regarding proposed changes to the Planning Act, City of Toronto Act, 2006, and Municipal Act, 2001. The general intent of the Bill is to streamline the approvals process in order to build more homes and infrastructure faster.

The Simcoe County District School Board (SCDSB) is supportive and understands the critical need for additional residential housing forms and is supportive of the intent to plan for comprehensive, complete communities in a way that is socially, environmentally, and fiscally responsible. As a legislated commenting agency as well as an active participant in the development approval process, the SCDSB has a unique perspective on the proposed changes. The intent of this letter is to outline and provide feedback on amendments of interest to the SCDSB. Comments are provided in the following table:

#	Proposed Amendment	SCDSB Comment
1.	Remove the Community Infrastructure and Housing Accelerator (CIHA) tool	The SCDSB requests additional information about what will happen with CIHA requests that have been submitted and no decision has been made.
2.	<p>“Use It or Lose It” Tools</p> <ul style="list-style-type: none"> <li>- Create new municipal servicing management tool which would explicitly authorize municipalities to adopt policies by by-law to formalize how water and sewage servicing of an approved development is managed to enable servicing capacity to be allocated/reallocated</li> <li>- Create Minister’s regulation-making authority to enable the Minister to provide exemptions for individual or classes of approved developments</li> <li>- Enhance lapsing authority for approvals of draft plans of subdivision/condominium and site plan</li> </ul>	<p>The SCDSB requests that schools be added to the exempted class of developments for the reallocation of water and sewage servicing capacity. Development timelines for the board can be lengthy due to Ministry of Education funding processes, meaning the SCDSB requires flexibility when servicing capacity is allocated.</p> <p>The SCDSB also requests that notification of lapsed files be provided to commenting agencies.</p>
3.	Voluntary and appealable pre-application process	The SCDSB supports this change but wishes for clarification regarding whether municipalities can still ‘front end’ the pre-consultation stage under this new voluntary process.

4.	Removal of planning responsibilities from specific upper-tier municipalities	Based on the dates provided, it appears that Simcoe County will no longer have planning responsibilities as of December 31, 2024; additional clarification of timelines would be appreciated.
5.	Expedited Approval Process for Community Service Facility Projects	<p>The SCDSB requests clarification on the difference between 'community service facility' and 'public service facility' in the context of this proposed new process.</p> <p>The SCDSB is supportive of the proposed Expedited Approval Process, as it will support the board in its efforts to ensure appropriate accommodation for our students can occur in a timely and financially responsible manner. While understanding that the process details are still to be developed, the SCDSB would like to know how the regulation-making authority and expedited process would be implemented.</p> <p>In addition to the proposed Expedited Approval Process, the SCDSB recommends that schools be exempt from Site Plan Control. Further details and rationale are provided later in this letter.</p>

Schools are considered a 'Public Service Facility' under the current Provincial Policy Statement, 2020, and planning authorities are required to have regard for the adequate planning for and provision of public service facilities. This has provided the SCDSB with solid policy justification when working with planning authorities to ensure that board education needs are being adequately considered. In reviewing the legislative changes proposed under Bill 185, SCDSB planning staff noted that the proposed 'Expedited Approval Process for Community Service Facility Projects' specifically speaks to a streamlined approval process applying to public schools K-12. The SCDSB is supportive of this proposal and wishes to provide additional information that may assist the government in developing the expedited approvals process.

The SCDSB recommends that in conjunction with an expedited approvals process, public elementary and secondary school uses be exempt from Site Plan Control. The general intent of Site Plan Control is to ensure that proposed developments are well designed, are cohesive with the surrounding uses, and minimize any potential negative impacts. However, public elementary and secondary schools are a unique class of development that tend to achieve the goals of Site Plan Control organically. Given the nature of school buildings as important community centres, they are designed to specifically promote learning and create social spaces. In order for these buildings to be key parts of the community they tend to be located within residential areas. This

promotes the fabric of a complete community, allows students to use active transportation modes instead of relying on personal vehicles/buses and provides a large green space area for the students and community to enjoy. Ultimately, schools are designed to provide a public benefit primarily for the local community, which means that it is in the best interest of the board to design in harmony with the surrounding land uses. Instead of creating better school development, the Site Plan Control requirement for schools slows down development timelines, enforces municipal standards that differ from activity on a school site, adds extra cost to the process, and creates additional work to navigate through the unpredictable and inconsistent process.

With the Province's stated goal to construct 1.5 million new homes by 2031 comes the need to ensure Public Service Facilities are sufficient to meet the needs of the residents of these new homes. The Simcoe County District School Board is fully supportive of the government's proposal to expedite the approvals process for facilities like schools, which will support the board in its efforts to accommodate growth and ensure that every student has access to quality education. The SCDSB also appreciates the Province's consideration of exempting schools from Site Plan Control for existing and future schools in order to provide a more consistent approval process that results in more timely and fiscally responsible student accommodation.

SCDSB relies on temporary accommodations to support growth as new schools and/or additions are developed. To further support the ability of school boards to utilize this accommodation strategy, SDCSB requests the following zoning and site plan provisions be included in the "Expedited Approvals for Community Service Facilities Projects":

Zoning Provisions Applicable to Portable Classrooms:

- 1) There shall be no setbacks from lot lines, except in accordance with the Ontario Building Code and other applicable legislation.
- 2) Portable Classrooms shall be exempt from parking provisions.
- 3) Where a D-4 Study is required, a D-4 Study may only be required a maximum of every ten-years.
- 4) Maximum number of Accessory Buildings or Structures shall not be applicable to Portable Classrooms.

Site Plan Control:

- 1) The placement or relocation of portable classrooms shall be exempt from all municipal By-laws passed under Section 41 of the *Planning Act R.S.O. 1990, c. P.13*, regardless of whether there is an existing Site Plan Agreement.

Should you require additional information, please do not hesitate to contact this office.

Sincerely,

Andrew Keuken, MCIP, RPP  
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