



May 9, 2024

ATTEN: The Honourable Paul Calandra
Minister of Municipal Affairs and Housing
777 Bay Street, College Park, 17th Floor
Toronto, ON M7A 2J3
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and

ATTEN: The Honourable Stephen Lecce
Minister of Education
438 University Avenue, 5th Floor
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Re: Feedback on Bill 185 (the Proposed Cutting Red Tape to Build More Homes Act, 2024) and Related Changes to the Planning Act, Development Charges Act, Municipal Act (ERO 019-8370) and associated Supporting Regulations together with and Review of Proposed Policies for a New Provincial Planning Instrument (ERO 019-8462) and; Proposed Planning Act, City of Toronto Act, 2006, and Municipal Act, 2001 (ERO 019-8369)

The Toronto Catholic District School Board (TCDSB) has reviewed the Environmental Registry of Ontario postings relating to *Bill 185 – Proposed Cutting Red Tape to Build More Homes Act, 2024* and associated supporting regulations. On behalf of the TCDSB we are writing to provide feedback on the Environmental Registry of Ontario postings pertaining to changes to the various land use planning instruments.

The TCDSB supports the Province of Ontario's initiatives on delivering more homes faster for Ontarians and supports forthcoming changes that benefit school boards to expedite school construction projects in order to keep pace with the growth of complete communities.

While the Province introduced a new school capital priorities framework in the Fall of 2023 with an emphasis is on "shovel ready" projects, the TCDSB continues to face significant delays for school board projects. The current land use planning approvals process has onerous development application requirements which are not inline with required timelines to get schools built efficiently. Site Plan Approval is typically upwards of 3 to 4 years with extraordinary increase in costs and not efficient to ensure schools are built within a timely manner to serve students of the community, with project timelines of 8 to 10



years to complete, effectively doubling school project completion timelines due to onerous and redundant review and development approval processes.

The TCDSB continues to advocate for Provincial initiative to amend the land use planning framework to include publicly funded school boards as a **priority** and to simplify approvals to construct schools which form an essential part of complete communities the Province is intending to advance.

Many of the changes proposed by Bill 185 including various amendments to the *Planning Act* and new *Provincial Policy Statement* (PPS) changes advance those objectives. Specifically, the introduction of:

Bill 185, Schedule 4, City of Toronto, 2006, Section 8:

“A new section 114.3 provides that a regulation made for the purposes of section 62.0.3 of the Planning Act may provide for the non-application of section 113 or 114 of the Act, or may set out restrictions or limitations with respect to their application, to a class of community service facilities that is prescribed for the purposes of section 62.0.3 of the Planning Act and that meets such requirements as may be prescribed for the purposes of that section.”

The TCDSB requests that publicly funded school boards in Ontario be given **exemptions** from the *Planning Act* and the planning provisions of the City of Toronto Act, and any applicable/corresponding changes considered in the Municipal Act.

The proposal to consider offering an exemption to community service facilities, such as schools, from *Planning Act* requirements is an area of interest to the TCDSB. While school boards are contemplated as being exempted the *Planning Act* and its regulations in the future, only post-secondary institutions are being offered this immediate benefit.

Like the Crown and colleges, school boards are consolidated on to the government's financial statements. All capital and operating funding comes from the government. Delays in projects translate into cost escalations that become a direct pressure on the government. Site plan approvals for schools seem to take longer than those of postsecondary sector.

Plans developed by school boards are prepared and signed off by accredited professional engineers and other specialists who are required to follow all applicable laws, including the Ontario Building Code.



Similar to the current approach taken with the Crown and Colleges, and now Universities, we are asking for the province to support the timely delivery of school sites by exempting school boards from *Planning Act* approvals.

In regard to the area of Ministerial Zoning Orders (MZO), the defined framework for requesting MZOs should include the ability for school boards to react to plans and address school accommodation as provincial interest.

With reference to the PPS, the province released an updated draft of the proposed PPS. This release comes one year after the original draft of the PPS was issued for public comment. If the draft PPS is adopted by the province, it will replace *A Place to Grow: Growth Plan for the Greater Golden Horseshoe* and the *Provincial Policy Statement, 2020*.

The proposed PPS includes a focus on the creation of complete communities by planning authorities. The TCDSB supports this as the notion of complete communities has been a tenet of planning policy for over 10 years and reflecting this concept in the PPS may assist school boards with securing school sites, which contribute to the “completeness” of a community.

The PPS is proposed to include a new policy that would support the development of underutilized commercial and institutional sites for residential uses. Ensuring that there is comprehensive planning of these conversion lands is necessary to ensure that school boards can effectively plan to accommodate future students from these areas, which are often disconnected from existing communities or were otherwise never contemplated for residential development with the potential to yield students.

A new policy in the PPS would direct the establishment of phasing policies to ensure orderly development that aligns with the provision of infrastructure and public service facilities. The new policy direction is supportive of school board needs by providing clearly planned phasing tied to infrastructure and public service facilities will help ensure that there is sufficient capacity in existing or planned schools in advance of the approval of new development.

The draft PPS includes provision for public services facilities as permitted uses on “lands for employment outside of employment areas” to support the achievement of complete communities. Recognizing the need for flexibility in the location of future schools is an important change that supports siting schools near areas of intensification and in other



areas of a community that may not be exclusively residential. It is further recommended that additional flexibility be provided to school boards for siting new schools in employment areas, which may be appropriate in certain circumstances.

Respectfully the TCDSB requests that the province **exempt** school boards from *Planning Act* related approvals, extend the same legislation under Section 51(24) of the *Planning Act* to Section 41, allowing school boards the ability to react to new MZO's to address school accommodations. This allows create alternative measures to have school sites secured in lapsing draft plans, plan newly converted residential lands in consultation with school boards and give flexibility to school boards to locate schools in a variety of land uses including employment if necessary.

Additional requests from the TCDSB includes permitting schools in any residential or non-residential land use designation and permitting schools, as of right, in any zone allowing residential, commercial, or mixed-use development as defined by the PPS. Lastly, that all temporary accommodation (portables) be exempt from Site Plan Approval, to allow for temporary accommodation which is necessary to respond to fluctuating enrolment.

We thank you for considering these requests and continuing to recognize that efforts to deliver more housing in Ontario by streamlining planning approvals also requires supporting school boards' collective ability to advance the construction of new schools, additions, and temporary accommodations more quickly.

Sincerely.

A handwritten signature in black ink, appearing to read "Brendan Browne".

Brendan Browne
Director of Education