



November 17, 2022

Standing Committee on Heritage, Infrastructure and Cultural Policy  
Whitney Block  
Room 1405  
99 Wellesley Street W  
Toronto, ON M7A 1A2

Re: Bill 23, More Homes Faster Act, 2022

Dear Committee Members,

On behalf of the Old Ottawa South Community Association, I am writing to express our community's concerns regarding Bill 23.

We are all impacted by increasing housing costs and limitations in supply and understand the Government of Ontario's desire to introduce measures to alleviate the situation. Bill 23 changes proposed to Schedule 5, New Home Construction Licensing Act, 2017, will increase consumer confidence and are welcome.

However, the combined impacts of other changes as proposed in Bill 23, will negatively impact our community, our city and our province.

As an older community within greater Ottawa, concerns regarding heritage, site plan control, the elimination of appeal rights for individuals and communities, and decreased environmental protections are among our numerous concerns.

#### Third Party Appeals

Bill 23 proposes to eliminate appeal rights to third parties who, under the Planning Act, can currently appeal planning decisions that affect them. Interested parties who have followed an application closely enough to have made submissions regarding an application that affects them, may no longer appeal. Only the developer/applicant, some public entities and infrastructure providers, will retain the right of appeal.

The right to appeal a decision regarding an application which may have negative effects is fundamental to residents. The cost of appeals, and related costs for expert reports and testimony, mean few third party appeals are undertaken lightly. The impacts of a development are likely to affect the communities they inhabit for decades, and the role of an appeals process open to communities and affected third parties is an important one.

260 Sunnyside Ave, Ottawa, ON K1S 0R7 613-247-4872 613-247-4946  
Fax: 613-247-2114 OSCA @oldottawasouth.ca [www.oldottawasouth.ca](http://www.oldottawasouth.ca)



### Site Plan Control

Bill 23 proposes to reduce a municipality's authority to regulate the exterior design of a building. Materials, scale, character, appearance and elevation design features would no longer be part of site plan control review nor would the appearance of landscape elements and other works.

These reductions will negatively affect the important review function of site plan control and lead to greater disparities between the qualities of design and materials as presented at the consultation stage of a development proposal, and the eventual realization of the building as constructed.

### Environmental Protection

In April 2019, Ottawa declared a Climate Emergency in response to the current and future impacts of climate change and to enable the City and its residents to become more resilient to the impact of changing weather patterns and extreme events. Bill 23 undermines the checks and balances that conservation authorities provide when considering development that impact waterways and wetlands. Residents of Old Ottawa South need to be assured that future development in their neighbourhood, and in particular at Brewer Park, will not adversely affect the eco-systems that contribute to our ability to manage climate change. Without environmental oversight and the elimination of the community's ability to challenge developments that could have adverse effects, this provision in Bill 23 will have long term consequences for generations to come.

### Heritage

Proposed Schedule 6, ONTARIO HERITAGE ACT, changes will severely limit the ability of municipalities to designate the ever-dwindling stock of buildings of documented heritage interest.

The current system allows for the possibility of designation by requiring a 60-day waiting period when applications for demolition are received for properties on a municipal heritage inventory. This 60-day period allows municipal heritage staff to more deeply investigate the heritage merits of the building and to decide whether or not to designate the building. This system allows understaffed heritage departments to direct their efforts where they are needed, when they are needed.

Proposed changes will require that, in order to list a property, certain prescribed criteria will have to be met, but do not specify whether the existing "Criteria for Determining Cultural Heritage Value or Interest" will be used in determining whether the property is of cultural heritage value or interest, or if new regulations will be proposed.

Additionally, Bill 23 proposes to impose a time limit for how long a property may be listed on the heritage inventory. Under Bill 23, a municipality would have two years to initiate the designation process, from the date the property of interest is first listed. Should the municipality not initiate the designation process within the two-year limit, the property would have to be removed from the inventory and could not be re-listed for five years.

260 Sunnyside Ave, Ottawa, ON K1S 0R7 613-247-4872 613-247-4946  
Fax: 613-247-2114 OSCA @oldottawasouth.ca [www.oldottawasouth.ca](http://www.oldottawasouth.ca)



Where municipalities have initiated a designation process in response to development proposals on properties considered to be of heritage value, Bill 23 would now prohibit initiation of the designation process once a “prescribed event” occurs. Although this term is as yet undefined, it is likely that a development application would qualify as such a “prescribed event”, eliminating the possibility of municipal designation of a property if the property is not already listed on the register at the time of the “prescribed event.”

Bill 23 also proposes changes regarding the creation of a “heritage conservation district” by requiring that, in addition to current requirements, the area defined for the Heritage Conservation District must meet as yet undefined criteria for determining whether or not the area is of cultural heritage value/ interest and also explain how that value meets the criteria.

These proposed changes will severely limit municipal efforts to ensure that the limited stock of buildings of heritage interest in Ontario will be available to future generations of Ontarians. It is also unwise, as the embodied carbon of existing buildings is an effective tool in our efforts to address climate change.

#### Parkland Dedication

Bill 23 also proposes to reduce parkland dedication requirements. The current rate of required parkland would be halved, in cases where actual land is conveyed, and the cash-in-lieu of parkland (where the applicant provides a sum of money to be used by the municipality for the provision of parkland) requirement is also halved. Other requirements in this category would further profit developers and limit municipalities and municipal planning departments.

As an urban neighbourhood in which increased densities will, over time, tax our existing parks, reductions in parkland dedication rates for new development is inimical to the future welfare of our residents.

#### Municipal Tools and Authority

Changes to the Development Charges Act will negatively impact the ability of municipalities to recoup some of the costs of development and to provide some of the other services on which residents depend. This and other proposed policies that limit decisions and controls at the local level will impact our community, where the relationship with our local councillor has proved crucial in negotiating outcomes that benefit all of our community.

Bill 23 purports to concern itself with increasing the availability of housing quickly, but its long-term impacts are fundamentally damaging to residents and community groups through loss of appeal rights; to communities--urban, suburban and rural, and to municipalities and municipal authority structures. Circumscribing rights under the Planning Act and reducing local level control may or may not lead to more homes, but it will lead to poorer planning outcomes for Ontario residents.

260 Sunnyside Ave, Ottawa, ON K1S 0R7 613-247-4872 613-247-4946  
Fax: 613-247-2114 OSCA @oldottawasouth.ca [www.oldottawasouth.ca](http://www.oldottawasouth.ca)



We urge a rewriting of this bill so that it may better reflect the wider concerns and desired future outcomes of residents and community associations such as OSCA, as well as the important local level controls provided by municipal level decision making throughout Ontario.

Sincerely,

A handwritten signature in blue ink that reads 'Richard Slowikowski'.

Richard Slowikowski  
President, Old Ottawa South Community Association

c.c. Hon. Doug Ford, Premier of Ontario  
Steve Clark, Minister of Municipal Affairs and Housing  
Joel Harden, M.P.P., Ottawa Centre  
Mark Sutcliffe, Mayor, City of Ottawa  
Shawn Menard, Councillor - Capital Ward, Ottawa City Council

260 Sunnyside Ave, Ottawa, ON K1S 0R7 613-247-4872 613-247-4946  
Fax: 613-247-2114 OSCA @oldottawasouth.ca [www.oldottawasouth.ca](http://www.oldottawasouth.ca)