

May 2, 2024

To: [PlanningConsultation@ontario.ca](mailto:PlanningConsultation@ontario.ca)

Re: OPSBA Response to the current regulatory proposal from the Ministry of Municipal Affairs and Housing (MMAH): Proposed Planning Act, City of Toronto Act, 2006, and Municipal Act, 2001 Changes (Schedules 4, 9, and 12 of Bill 185 - the proposed Bill 185, Cutting Red Tape to Build More Homes Act, 2024)

The Ontario Public School Boards' Association (OPSBA) appreciates the opportunity to respond to this proposal stemming from the government's latest housing legislation. We have commented previously on the province's plans to build 1.2 million homes over the next ten years and agree that housing, particularly affordable housing, is an issue of utmost importance. Partners must work together collaboratively. New homes must be built in concert with corresponding plans to provide school infrastructure.

Ontario's school boards strive to be effective partners in supporting growth in our communities. This is why we have also been supportive of Minister Lecce and the Ministry of Education's focus on having school capital projects move quickly and provide a more streamlined approval process, while allowing for innovative new solutions for school building. A recent example of this is the ministry's plan to help school boards in rapidly densifying areas. Ontario Regulation 374/23: Acquisition and Disposition of Real Property was developed to deal with schools on shared sites (i.e. condo podium schools) and meet the needs of our province's growing proportion of vertical communities. This was a great model of how to think more creatively and move projects along faster.

The timing of this Bill 185 proposal provides an excellent opportunity to build on recent momentum and significantly speed up the process of building schools in this province that meet the urgent needs of students and families.

**Similar to the exemption already given to publicly assisted colleges and the current consideration to also grant this exemption to publicly assisted universities, OPSBA 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*.**

We note that much like the Crown and colleges, school boards are consolidated on to the government's financial statements and all school board capital and operating funding comes from the government. Delays in projects translate into cost escalations that become a direct pressure on the government. An exemption would also allow for school capital projects to be completed in a much more responsive and timely manner and permit local decisions to be made

faster and more efficiently, while at the same time reducing barriers and accelerating access to student learning.

As required now, school boards would continue to follow and adhere to building policy and ensure municipal requirements are met. Furthermore, school boards would also continue to engage with external accredited professionals (i.e. engineers, planners) who understand the legislative obligations and local municipality requirements and as obligated, they would support official municipal plans.

We strongly believe that schools are unique “community service facility” projects and need to be considered and addressed differently than hospitals and long term care centres. Our member boards spend considerable time and effort developing their Long-Term Program and Accommodation Strategies in a manner that balances student enrolment and equitable access to education programming. This important work is done by experienced professional staff who take into consideration the use of schools by local child care partners and community groups, many of which use indoor and outdoor school space before and after regular school hours.

OPSBA also notes that, should a full exemption not be granted, a separate, expedited approval process be established for school board capital projects. The process would include a standard process containing minimum project requirements and appropriate approval timelines that would be consistent across all municipalities. These would include clear requirements for transparency of the overall process. For the sake of students and families, we cannot understate the importance of improving municipal planning processes for school boards to ensure greater speed and efficiency for school building.

There are many reasons why an exemption is practical and makes common sense. These include:

- Residential construction is much quicker than school construction and the current capital approvals process is not responsive enough to the time lag, putting extended pressure on building schools and student transportation, which also adds to traffic congestion in newly built residential areas.
- Many school boards overlap with more than one municipality and therefore have multiple and often different approvals processes and timelines.
- Students must maintain access to specialized spaces that support education and are barrier-free (AODA-compliant) including gymnasiums, libraries, greenspaces, playgrounds, etc.
- While all schools feel the effects of delayed approvals – which leads to increased costs – northern, rural, and remote schools feel this pressure to an even greater degree.
- Urban schools have their own unique planning challenges, as municipal and provincial approval delays can jeopardize or compromise project agreements with builders and developers who do not necessarily operate on or follow education timelines.
- School board plans can stagnate if there are delays that are beyond their control (i.e. subdivision planning falls behind schedule or lapses).
- Our member boards have indicated that some school designs and plans require additional discussions, negotiations, changes and agreements with local municipal partners regarding things such as:
  - Parking and loading zones
  - Landscaping
  - Installation of commonly used crosswalks
  - Street lighting

- Building envelope finishes and design elements
- Other municipal or local specific requirements
- School board plans ensure that schools are safe learning and workplaces for students and staff.
- Local school board knowledge takes the community environment and school population factors into consideration.
- Local trustees work with their communities to help them understand accommodation needs and pressures and ensure that community voice is heard to best work with school board staff to plan strategically.

In closing, we believe this is an opportune time to help Ontario address its infrastructure challenges and support the goal of building schools faster and more efficiently – cutting much administrative work, unnecessary duplication, and bureaucratic approvals.

Our recommendation is that:

*School boards receive the same exemptions afforded to universities and colleges, with new school builds not subject to the Planning Act's rezoning and site plan requirements.*

We thank you for your consideration and would like to participate in any future stakeholder consultation regarding planning for schools.

Sincerely,



Cathy Abraham  
President

cc.

The Honourable Stephen Lecce, Minister of Education  
The Honourable Paul Calandra, Minister of Municipal Affairs and Housing  
Kate Manson-Smith, Deputy Minister, Ministry of Education