

**RE: Environmental Registry of Ontario Posting 019-6821 – Proposed Planning Act, City of Toronto Act, 2006, and Ministry of Municipal Affairs and Housing Act Changes (Schedules 2, 4, and 6 of Bill 97 – the proposed Helping Homebuyers, Protecting Tenants Act, 2023)**

**From: Steve Ganesh, Commissioner – Planning, Building and Growth Management Department, City of Brampton;**

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To Whom It May Concern,

The City of Brampton (hereinafter referred to as ‘the City’) appreciates the opportunity to provide comments on the proposed changes outlined in the Environmental Registry of Ontario posting 019-6821 – Proposed Planning Act, City of Toronto Act, 2006, and Ministry of Municipal Affairs and Housing Act Changes (Schedules 2, 4, and 6 of Bill 97 – the proposed Helping Homebuyers, Protecting Tenants Act, 2023).

The City is supportive of efforts by the Province to address housing supply and development challenges, and remain committed to working with the Province towards their ambitious goal of delivering more housing. However, the City provides a number of recommendations below in response to the proposed changes.

The City recognizes the changes made to the Employment Area definition to protect traditional industrial uses and separate sensitive uses from these Industrial lands in alignment with the D6 Guidelines. However, there are other employment-supportive uses that help to create more ‘complete’ employment areas, which include the integration of some commercial and institutional uses in close proximity to these locations. The City proposes that the Province set criteria for how to integrate supportive employment uses in close proximity, while also protecting integral office lands within the Province. The proposed changes to the Planning Act, City of Toronto Act, 2006, and Ministry of Municipal Affairs and Housing Act could lead to potential economic, social, and environmental impacts. Therefore, it is recommended that the Province continue further dialogue with municipal partners like the City of Brampton prior to final approval of the proposed legislative changes. This will result in a more balanced and strategic plan that aligns provincial and municipal goals and outcomes.

**Please see below specific comments on individual aspects of the proposed legislative changes:**

- 1. Revising the definition of “area of employment”**

**City comment:** The City of Brampton applauds the Province's efforts to maintain the integrity of Traditional Industrial Employment lands through the removal of permitted uses of institutional uses and commercial uses, however, requests the province establish criteria to allow for Employment-serving uses within employment areas to support their on-going function and to create more 'Complete' Employment areas. Such uses may include restaurants for workers to attend on their breaks and childcare facilities to allow for care of children, proximate to places of work.

The City recognizes the important role that Office uses have in supporting the economic development and growth of the city, providing critical jobs to Brampton residents in support of creating complete communities. The City recognizes that protection for office uses needs to be considered by the province through the *Planning Act* and new draft Provincial Planning Statement.

The City requests clarification of where commercial uses such as Car Dealerships, and other such auto uses, whose function and character more greatly align with that of traditional employment areas are anticipated to be located.

The City requests clarification of the appropriateness of residential uses within MTSA's located in employment areas given the removal of PSEZ. The City maintains that MTSA within historically protected employment areas **should be protected** from the introduction of sensitive uses, mainly residential uses, that erode the employment base required for the city. Specific criteria should be used for lands that had been within the PSEZ to ensure that these employment functions are not lost in the City of Brampton.

The City of Brampton hopes to see the continuation of protected employment areas through Provincially Significant Employment Zones to protect residential expansion into these finite lands within the city. MTSA's may be a threat to these employment lands located within the current PSEZ and therefore the City requests the provide provisions that maintain MTSA's located within the PSEZ should be utilized for office uses, providing a strong transition from traditional industrial employment to more compact, urban office environments.

**City recommendation:** The City recommends the Province establish stringent criteria that ensures the employment uses remain the predominant use and it does not result in these areas being consumed by residential (within MTSA's), commercial, and institutional uses.

A new definition should be given for office uses throughout the city and specific criteria applied for non-office uses should be applied to ensure that these other non-industrial employment functions are also protected. The City recommends that MTSA's located within PSEZs solely be used for employment functions related to predominantly Office uses and office-supportive uses.

**2. Postponing the fee refund provisions for processing an application to amend by-laws or for approval of plans and drawings, in accordance with Bill 109**

**City comment:** The City supports a change to postpone the fee refund provisions relation to Bill 109. The City has worked to adopt an amendment to the 2006 Official Plan to support a more robust pre-con process in order to meet Bill 109 timelines. Further information is requested from the Province relating to exempted municipalities from the refund requirement and when this regulation would be in-force and effect.

**3. Amendments to shorten the time period within which the City Clerk must give notice of a by-law made under subsection 38 (1) or (2)**

**City comment:** The City has no comments on this proposed change to the time period but recognizes the changes provided to allow Interim Control By-laws to be appealed by anyone who has received notice and not just appealed by the Minister. This provides additional appeal rights that the City is supportive of providing.

**4. Amendment to the definition of a “development”**

**City comment:** The City supports the inclusion of less than 10 residential units constituting a “development”.

**5. Amendment to the communication requirements in the case of an appeal to the OLT**

**City comment:** The City recognizes that detailed information may be requested during an appeal to the OLT and has no comment on this proposed change.

**6. Permissions for the Minister to provide that policy statements, provincial plans, and official plans do not apply in respect of a license, permit, approval, permission, or other matter required to permit and establish a use made by the order**

**City comment:** The City of Brampton is working toward the structured and orderly development in the City in accordance to approved plans and provincial planning instruments. The City does not support the ability for the Minister to make decisions outside of approved provincial plans or local plans, which may pose financial, environmental, social or economic risk to the City's built and natural environments, and its finances. Consideration of the health, safety and well-being of residents are enshrined through policy, specifically Official Plan policies, that consider the contextual needs of the city and its residents.

**City recommendation:** It is recommended that provincial policies and Official Plan policies should be applied in all cases.

## **7. Amendments to clarify the parking requirements for additional residential units**

**City comment:** The City appreciates the clarification provided by the Province. The residential parking requirement in the existing Zoning By-Law is not impacted by the legislative changes.

**City recommendation:** As recommended in the Brampton Parking Plan, parking constraints arising from additional vehicles will need to be addressed through on-street parking permits. As well, significant improvements to transit and active transportation will be needed to encourage non-automobile modes of travel. The City recommends additional provincial investment in higher-order transit be prioritized to support the housing growth occurring in the city, including the increased population and housing from additional residential units.

## **8. Permissions for the Minister to make regulations governing the power of the City under section 111 and authorizing the City to require an order requiring a landowner make payments and provide compensation**

**City comment:** Although these amendments focus on changes to the City of Toronto, City staff reiterate similar comments as provided through Bill 23. Through Housing Brampton, Council has endorsed key actions with the objective to increase the supply of purpose-built rental housing. The proposed changes could lead to housing instability for renters, the loss of tenant protections, and diminish the stock of purpose-built rental housing.

**City recommendation:** Any restrictions or limits imposed on the powers of a municipality to prohibit and regulate the demolition and conversion of residential rental properties should not have negative impacts for renters and should not weaken protections on the existing affordable purpose-built rental stock. In addition, the City recommends the Province propose additional measures to protect existing rental housing across the province, such as 'Inclusionary Rental' policies that protect rental sites through zoning.

## **9. Permissions for the Minister to appoint and fix the terms of reference for the Provincial Land and Development Facilitator and up to four Deputy Facilitators**

**City comment:** Staff seek further information on the specified functions that would be requested at the direction of the Minister.

The City of Brampton would like to thank the Province for the opportunity to provide feedback and comments on the proposed changes.

Sincerely,

Steve Ganesh, MCIP, RPP  
Commissioner  
Planning, Building & Growth Management

**RE: Ontario's Regulatory Registry Posting 23-MMAH008 – Proposed Amendments to Increase Maximum Fines for Offences Under the Residential Tenancies Act**

**From: Steve Ganesh, Commissioner – Planning, Building and Growth Management Department, City of Brampton;**

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To Whom It May Concern,

The City of Brampton is submitting this letter in relation to the Ontario's Regulatory Registry posting 23-MMAH008 – Proposed Amendments to Increase Maximum Fines for Offences Under the Residential Tenancies Act. The City of Brampton (hereinafter referred to as 'the City') is supportive of efforts by the Province to address tenants' rights.

The City has reviewed the draft legislation and offer the following comment to assist the Province. The City is supportive of additional protections that support renters in Brampton.

Sincerely,

Steve Ganesh, MCIP, RPP  
Commissioner  
Planning, Building & Growth Management

**RE: Ontario's Regulatory Registry Posting 23-MMAH009 – Proposed Amendments to Clarify and Enhance Rental Rules Related to Air Conditioning**

**From: Steve Ganesh, Commissioner – Planning, Building and Growth Management Department, City of Brampton;**

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To Whom It May Concern,

The City of Brampton has several comments and questions in relation to the Ontario's Regulatory Registry posting 23-MMAH009 – Proposed Amendments to Clarify and Enhance Rental Rules Related to Air Conditioning. The City of Brampton (hereinafter referred to as 'the City') is supportive of efforts by the Province to address tenants' rights. The City has reviewed the draft legislation and offer the following comments to assist the province.

Through our assessment of the proposed changes to the Residential Tenancies Act, 2006, the City is supportive of the positive impact it would have to enable tenants to choose for themselves whether they require an A/C unit, rather than leaving it to the discretion of landlords. Consequently, tenants' health, comfort, and well-being is protected, especially considering the projected increase of extreme hot days due to climate change impacts in the near future. The City has some recommendations to improve implementation of this proposed legislation, including fair and formalized processes for charging seasonal fees to tenants for use of A/C and providing financial support for energy efficient A/C models.

**Please see below specific comments on individual aspects of the proposed legislative changes:**

**City Comments:** Warmer average temperatures are expected across all seasons, bringing hotter summers and warmer winters, more extreme heat, less extreme cold, less snow and ice cover, and earlier spring peak streamflow. These changes translate to wide-ranging impacts for Brampton such as greater risks of heat-related illnesses such as heat exhaustion, heat stroke and even death due to more extreme heat events. The City is supportive of protecting tenants' rights to install A/C units to prevent health impacts from extreme heat events, especially for vulnerable populations.

**City Recommendations:** The Province should provide a standard calculation and agreement for seasonal fees, or this should be added into the standard lease agreement provided by the Province. This ensures that a formalized and fair process for additional seasonal fees protects against price gouging, especially for more vulnerable residents. Additionally, the province should consider providing financial support or

establishing an incentive program for tenants to purchase more energy efficient A/C models, such as window A/C heat pumps which provide both cooling and heating. Finally, education for tenants and landlords about these new rights and energy efficient options is important as Ontario experiences warming temperatures and an increased numbers of extreme heat events, especially in urban areas due to urban-heat-island effects.

Sincerely,

Steve Ganesh, MCIP, RPP  
Commissioner  
Planning, Building & Growth Management