

July 4, 2023

**Mayor David West and Members of Council**

City of Richmond Hill  
225 East Beaver Creek Road.  
Richmond Hill, Ontario

Sent via email to [clerks@richmondhill.ca](mailto:clerks@richmondhill.ca)

**RE: City of Richmond Hill  
Committee of the Whole (COW)**

**SRPI.23.059**

Request for Approval - Implementation of Bills 109, 23 and 97 - Revised Development Application Review and Approval Process

**July 5, 2023**

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The Building Industry and Land Development Association ('BILD') is in receipt of the City's staff report No.SRPI.23.059 entitled 'Request for Approval - Implementation of Bills 109, 23 and 97 - Revised Development Application Review and Approval Process' as presented on the July 5<sup>th</sup> COW meeting agenda. On behalf of our York Chapter, BILD appreciates this opportunity to provide the following sentiments as it relates to this work.

We have reviewed Staff Report SRPI.23.059 and are writing to express our members' strong opposition to staff's proposed imposition of a multi-stage, multi-submission approvals process purportedly under the City's *Planning Act* authority to require applicants consult with the municipality before submitting applications. This process includes the requirement for an applicant-led pre-application residents' meeting and the potential refusal to process or accept concurrent applications. While many applicants may benefit from the proposed "Collaborative Application Pre-Consultation" process ("CAP"), making this process mandatory does not align with the intent of Bill 109, *The More Homes for Everyone Act, 2022*. Bill 109 represents the first step in the Province's implementation of the recommendations of the Ontario Housing Affordability Task Force Report, meant to reduce overall cost, delay and cut red tape to achieve the goal of delivering 1.5 million new homes over the next 10 years.

As of July 1, 2023, an increasing portion of application fees will be refundable if a municipality fails to make a decision within the applicable statutory timelines. The clear purpose of the amendments is to encourage faster municipal decisions to facilitate the delivery of housing. While City staff have considered some efficiencies to expedite City decision making as encouraged by Bill 109, the CAP process increases risk and cost to applicants, through an iterative process with, no definite parameters or timelines set out in the by-law, and that is not authorized by the *Planning Act*.

Applicants have a statutory right to submit development applications to the applicable authority and to have these considered in accordance with the *Planning Act*, as well as other applicable policy and legislation. BILD's lawyers advise that the proposed implementation of the multi-phase pre-consultation is beyond the authority of the City. The purpose and intent of this pre-application step is for municipalities to provide preliminary direction and advice in advance of the submission of a formal application and the commencement of the statutory

review process. The City's proposal is an attempt to impose additional processes that a municipality does not have authority to impose directly under the *Planning Act* or its Official Plan. Technical reviews, including departmental and third party reviews, may be an important part of the planning process, but such reviews are matters of process once an application has been submitted and cannot be considered information or materials required for a complete application. Further to this, BILD is concerned with the City's approach to no longer accept concurrent development applications, as this will slow the approval process considerably.

**On behalf of our members, we strongly encourage Council to refuse to adopt staff's recommendations, and direct staff to explore valid process improvements to meet the purpose and intent of Bill 109 to encourage faster municipal decisions.**

Thank you for the opportunity to submit these comments. As your community building partner, we trust that you will take them into careful consideration as you finalize this work.

Kind regards,

A handwritten signature in black ink, appearing to read "Victoria Mortelliti". The signature is fluid and cursive.

**Victoria Mortelliti, MCIP, RPP.**  
Senior Manager, Policy & Advocacy

CC: BILD's Review Team  
Danielle Binder, MCIP, RPP – BILD  
Members of the BILD York Chapter

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*The Building Industry and Land Development Association is an advocacy and educational group representing the building, land development and professional renovation industry in the Greater Toronto Area. BILD is the largest home builders' association in Canada, and is affiliated with the Ontario Home Builders' Association and the Canadian Home Builders' Association. It's 1,300 member companies consists not only of direct industry participants but also of supporting companies such as financial and professional service organizations, trade contractors, as well as manufacturers and suppliers of home-related products.*