

December 9, 2022

Electronic Submission only

ATTENTION:

Honourable Steve Clark, MPP
Minister of Municipal Affairs
100 Strowger Boulevard, Suite 101
Brockville, ON K6V 5J9
Steve.Clark@pc.ola.org

RE: Proposed Changes to Ontario Regulation 299/19: Additional Residential Units

Environmental Registry of Ontario Posting 019-6197

Background:

Schedule 9 of Bill 23, *More Homes Faster Act, 2022* proposes amendments to the *Planning Act, 1990* to support gentle intensification in existing residential areas. As a result of these proposed legislative changes, consequential amendments are proposed to Ontario Regulation 299/19: Additional Residential Units (O.Reg 299/19) through Environmental Registry of Ontario posting 019-6197. The proposed changes would remove barriers and incent gentle intensification in residential areas through the delivery of Additional Residential Units (ARUs).

Comments:

Overall, the changes proposed in Schedule 9 of Bill 23 and O.Reg 299/19 align with the City's commitment to bolster the creation of more housing and the delivery of housing options. This aligns with Strategic direction 1 of the City's strategic plan and the policies of the City's new Official Plan, 2020. This type of gentle intensification delivers affordable residential units as well as a source of income for home owners and in so, improves housing affordability for homeowners.

It is critical to ensure that while removing barriers to the development of Additional Residential Units, municipalities retain the ability to protect the health and safety of residents and respond to local context. Changes to the regulation should support the role of local Zoning regulations that guide development and is responsive to local planning and infrastructure context. Retaining the ability to be responsive to local context will be crucial in understanding the comprehensive and cumulative impacts of gentle densification, including the impacts on the delivery of services, stormwater management, parks and active transportation provisioning.

It is difficult to comment as a draft of the modifications to the regulation was not released. The Province is encouraged to work closely with municipalities to understand opportunities to remove barriers, smooth processes and reinforce the role of Zoning. Working together to provide clarity to municipalities also means providing clarity to residents, ultimately the creators of these new units. Please consider working more closely together to reduce the burden of study and encourage the removal of barriers to the delivery of these types of units.

Recommendations:

- Ensure that the Regulation clarifies and reinforces the role of Zoning;
- Consider requiring the principle dwelling comply with parking requirements so as not to compound parking issues;
- Consider including a regulation that identifies that servicing and infrastructure capacity (including community infrastructure) is assumed to be sufficient, but that servicing capacity is available on a first come first served basis;
- Consider implementing a Provincial ARU registry program. The registry program would support homeowners in creating ARUs and provide a reliable source of information that is consistent across the province. The program would connect homeowners to resources, provide information about costs, benefits and strengthen existing and new partnerships and would also serve to connect tenants with safe, legal housing units;
- Consider implementing a monitoring program to evaluate the success of the removal of barriers and incenting ARUs and adjust policy and regulation tools as required.

Next Steps:

Please accept this letter as the City of Burlington's submission on ERO posting 019-6197. Given the short period for consultation the attached comments have not been approved by City Council. This letter and its attachment will be shared with the City's Committee's and Council at the earliest opportunity. Should Council determine any additional comments or refinements to the attached comments are required the Province will be advised at the earliest opportunity.

Sincerely,



Mark H. Simeoni, MCIP, RPP
Director of Community Planning
Community Planning Department
City of Burlington