

Ministry of Municipal Affairs and Housing  
777 Bay Street, 17<sup>th</sup> floor  
Toronto, Ontario M7A 2J3  
Date: December 9, 2022

**Re: ERO 019-6197**

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

The City of Ottawa is pleased to present its comments on proposed changes to Ontario Regulation 299/19 that support the recent *Planning Act* changes regarding “gentle intensification” units. In general, as mentioned in its submissions on ERO 019-6163, the City of Ottawa is generally supportive of the *Planning Act* amendments.

With Ontario Regulation 299/19 open for revision, the City would note the following:

- The City of Ottawa would like clarification, in Ontario Regulation 299/19 or elsewhere, on whether the *Planning Act* could have the effect of permitting three units on lands that are planned for significantly greater density. If it does, this is an undesirable, and likely unintentional, outcome. For instance, the wording of the new section 35.1 would prohibit municipalities from enacting a zoning by-law that would prohibit gentle intensification on a parcel of urban residential land, which would include lands planned for transit oriented development.
- The City of Ottawa recommends defining *semi-detached* and *rowhouse* in the regulation. As builders and municipalities get creative with building typologies and lot configurations, the terminology can become inconsistent across the Province. Now, with the extended permissions and associated development charge and other exemptions, clarity in the law would help municipalities plan and avoid opposing interpretations moving forward.
  - In the alternative, the City of Ottawa recommends replacing typologies with “main building” in the legislation, or similar, and providing clarification on the difference between *main/principal* and *additional*.
- The City of Ottawa would also like clarification, in Ontario Regulation 299/19 or elsewhere, on the extent to which the **maximum size or number of bedrooms** within an additional dwelling unit or a building containing same can be regulated. While the City recognizes the intent to not regulate minimum unit sizes, the ability to set a maximum number of bedrooms would give a greater degree of certainty to the level of density that is expected to be permitted by the recent *Planning Act* changes.

We look forward to continued discussions with the Province on the implementation of “gentle intensification.”

Sincerely,

**David Wise, RPP**

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