

May 10, 2024

Electronic Submission only**ATTENTION:**

Honourable Paul Calandra
Minister of Municipal Affairs and Housing
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Proposed Regulatory Changes under the Planning Act Relating to the Cutting Red Tape to Build More Homes Act, 2024 (Bill 185): Removing Barriers for Additional Residential Units

Ontario Regulatory Registry Posting [019-8366](#)

Background:

Through Bill 23, More Homes Built Faster Act, 2022 changes were made to the Planning Act to accelerate implementation of the province's additional residential unit (ARU) framework. These changes allow "as-of-right" (without the need to apply for a rezoning) use of up to 3 units per lot in existing residential areas. Changes were also made to remove certain barriers (i.e., development charges, parkland requirements, minimum unit sizes and parking requirements) to encourage the creation of more ARUs. To support implementation of ARUs, an enhanced regulation-making authority is proposed as part of [Bill 185, Cutting Red Tape to Build More Homes Act, 2024](#). This would provide the Minister with broader authority to remove municipal zoning by-law barriers that may be limiting the development of ARUs.

Comments:

Please find below, City Staff's response to the two questions posted for discussion in ERO requesting feedback from municipalities regarding specific zoning by-law requirements and/or standards that are a barrier to the developments of ARUs.

1. Are there specific zoning by-law barriers standards or requirements that frustrate the development of ARUs?

While Staff do not have any specific requirements to put forward in response to this question; Staff note that it will be important that the Province give regard to the critical role that local Zoning Regulations play in guiding development that reflects local context and infrastructure

requirements and needs in the preparation of any future Regulations in relation to Additional Residential Units.

2. Are there any other changes that would help support development of ARUs?

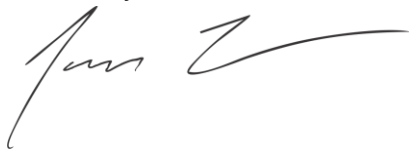
Staff recommend the following additional changes in support of ARUs:

- Extend protection from appeal to policies that permit additional residential units in excess of the three as-of-right ARUs per lot in municipal Official Plans. This would support municipalities going above and beyond provincial requirements for additional residential units.
- Encouraging ARUs is an important action (Action 11) outlined in [the City's Housing Strategy](#), the City's Housing Accelerator Fund [Action Plan](#) and a key interest of City Council. Opportunities for Provincial support for ARUs could include:
 - Implementing a monitoring program to evaluate the success of the removal of barriers to ARUs and adjust policy and regulation as required.
 - Incentivizing the development of ARUs for homeowners and developers who include ARUs in new builds.
 - Requiring a certain proportion of new developments to contain an ARU.
 - Consider implementing a Provincial ARU registry program. The program could support and work with municipalities in providing support to homeowners in creating ARUs and provide reliable source of information that is consistent across the province.

Next Steps:

Please accept this letter as the City of Burlington's submission on ERO posting 019-8366. Given the short period for consultation the comments have not been approved by City Council. This letter will be shared with the City's Committee's and Council at the earliest opportunity. Should Council determine any additional comments or refinements to these comments are required the Province will be advised at the earliest opportunity.

Sincerely,



Jamie Tellier, MCIP, RPP
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Community Planning Department
City of Burlington