



15 MAY 2023

[VIA Electronic Submission](#)

Ministry of Municipal Affairs and Housing

RE: ERO 019 6822, Site Plan for Residential Developments of 10 or Fewer Units – Two Proposed new Minister's Regulations under the Planning Act and the City of Toronto Act, 2006

The Waterloo Region Home Builders Association (WRHBA) is over 160 members strong! We are the recognized leaders and the voice of the new residential home construction, land development, and professional renovation industries in the Waterloo Region. We are an association of knowledgeable, trusted, resourceful, and local professionals, and together we create vibrant, thriving, and sustainable communities across our three municipalities and four townships. WRHBA member companies construct over 90% of all new residential construction, making it one of the most significant economic engines driving the Region's economy, creating over 22,000 jobs, 1.5 billion in wages, and 3 billion in investment value.

As an Association, we are invested in bringing insight to public policy decision-makers at all levels of government on matters that affect the residential development and construction industry in addressing housing affordability and choice for consumers.

The WRHBA is coordinating its public policy response with regards to Bill 97, the *Helping Homebuyers Protecting Tenants Act, 2023* with input from members across Ontario. WRHBA is proudly affiliated with the Ontario Home Builders' Association and other chapters across Ontario.

In prior comments, on the *More Homes Built Faster Act*, our collective association expressed concerns with certain municipalities slowing down the approvals process with over-regulation and over-requirements related to architectural control at the stage of site plan.

A good example of which is the over regulation of architectural and landscape designs. We are strongly in favour of ending the ability of municipalities to regulate architectural controls/details, landscape design and energy modelling. The Ontario Building Code does not allow Chief Building Officials to require that homes be better than code, therefore the province should eliminate the ability for municipalities to demand "Better Than Code" standards or guidelines as part of approving site plan and/or subdivision agreements.

These additional requirements only add more cost to new home buyers. Exempting smaller developments from site plan control is a positive proposed amendment that should assist in the rate to which much needed housing supply will be delivered, especially as this proposed change will lead to greater municipal focus of true development aspects of applications.

Regarding rail and shoreline setbacks, we appreciate that there may be extremely specific circumstances where applying site plan control may be appropriate for residential developments of 10 units or less – eg, along some shorelines and/or active heavy railway lines. Although, in order to provide uniformity in requirements, we recommend that the setbacks be set at 30 metres for both shoreline and rail lines. Currently, rail companies only demand 30 metre setbacks.

There is also a danger that municipalities could utilize this avenue as a means to apply site plan control inappropriately, for example, in neighbourhoods where NIMBYism is strong or along light rail transit lines, thereby limiting housing supply, especially in terms of intensification where it should be located. It is also important to note that site plan control should not be applicable near inactive or abandoned railway lines.

Therefore, we recommend that the regulations only apply to active heavy railway lines, and not LRT lines or decommissioned/inactive railway corridors. This distinction will need to be explicitly outlined in the regulations to ensure that municipalities provide sufficient intensification opportunities. Furthermore, we emphasize the need to have a timely response from municipalities once a complete site plan is submitted. It is reasonable to expect a decision within 30 days from a complete submission of site plan as per the legislated timeline.

We thank the Ministry for the opportunity to comment on these proposals. We also recognize that there is still more work to do and our association, as a critical housing stakeholder in the housing sector, may provide further comments at a later date. We look forward to continuing engaging with the Ministry in order to ensure these proposals are aligned with the goals of improving housing attainability.

Sincerely,

WATERLOO REGION HOME BUILDERS' ASSOCIATION

A handwritten signature in black ink, consisting of several overlapping, fluid strokes that form a cursive name.

Executive Officer

cc: WRHBA Board of Directors
WRHBA Municipal Liaison Chairs
WRHBA Member Companies