



Greater Ottawa Home Builders' Association  
Association des constructeurs d'habitations d'Ottawa

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May 19, 2023

The Hon. Steve Clark  
Ministry of Municipal Affairs and Housing  
777 Bay Street, 17th floor  
Toronto, Ontario M7A 2J3

**Re: ERO 019-6822 - Site Plan for Residential Developments of 10 or Fewer Units**

Dear Minister Clark,

Please accept the below from the Greater Ottawa Home Builders' Association (GOHBA) and its members as a submission to the government's request for feedback on 'Site Plan for Residential Developments of 10 or Fewer Units' (ERO 019-6822).

GOHBA warmly welcomed the government's previous actions to limit Site Plan Control to projects of more than ten units; ensure that a proposed site plan control area be shown or described in a municipality's Official Plan; and that municipal staff must have delegated authority.

These changes were necessary as Site Plan Control had morphed from its intended use as a technical review to a zoning review where often concessions were demanded by the respective Ward Councillor in order to obtain approval.

We understand that the Ministry has heard that municipalities require more flexibility to use site plan control under certain circumstances. Our comments on the proposed circumstances follow.

**Set out the conditions under which municipalities could use site plan control for residential developments of 10 or fewer units on a single lot**

*The regulations being proposed would, if Bill 97: the proposed Helping Homebuyers, Protecting Tenants Act, 2023 is passed and the regulations are made, specifically permit the use of site plan for parcels of land:*

- *Any part of which is located within 120 metres of a shoreline; and*
- *Any part of which is located within 300 metres of a railway line.*

GOHBA appreciates 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.

In order to provide uniformity in requirements, GOHBA recommends 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 abuse this loophole to apply site plan control inappropriately – eg, in neighbourhoods where NIMBYism is strong or along light rail lines, thereby limiting housing supply, especially in terms of intensification where it should be located.

The City of Ottawa has made Light Rail Transit (LRT) the critical spine of its existing mass transportation system, as well as the foundation for future service in the suburbs. As LRT will connect critical high density and mixed-use hubs, as well as travel adjacent to neighbourhoods and employment and commercial zones, it is critical that residential intensification not be unduly limited along LRT lines.

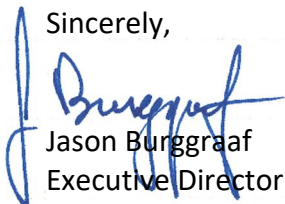
As well, site plan control should not be applicable near inactive or abandoned railway lines. The City of Ottawa generally enforces rail line setbacks for former rail lines, limiting the potential for residential units. As well, currently GOHBA members are still being requested to provide Noise and Vibration Studies for sites that abut or are near a "railway line", even if the railway line has been decommissioned / inactive, with some not even having tracks anymore.

Therefore, we recommend that the regulations only apply to active heavy railway lines, and not mass transit 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.

Thank you for the opportunity to provide comments on this issue.

We are pleased to answer questions or provide further information as requested.

Sincerely,



Jason Burggraaf  
Executive Director