# Memo

To: Ministry of Municipal Affairs and Housing

From: Planning, Development and Building Services, Legal and Finance Departments and Economic Development, Town of Oakville

Date: May 19, 2023

Subject: ERO number 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

**Comments**

The Town of Oakville is aligned with the province’s goal of building 1.5 million homes over the next 10 years. The town also supports the purpose and intent sustaining the province’s land use planning framework exemplified in the *Planning Act* and its implementing framework.

The town welcomes the opportunity to provide comments to the Ministry of Municipal Affairs and Housing on the Minister’s proposed regulations through Bill 97, the *Helping Homebuyers, Protecting Tenants Act, 2023.*

The proposed changes in the regulations would now permit the use of site plan control for parcels of land where:

* 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.

The town offers the following context to the proposed changes in Bill 97:

* Under Bill 23, the *More Homes Built Faster Act, 2022*, the province amended section 41 of the *Planning Act* to exempt residential development with 10 units or less on a lot from site plan control.
* The town commented to the province that these exemptions could result in grading, drainage and flooding risks for adjacent and downstream properties and could result in public safety issues with respect to inappropriate and unregulated driveway locations.
* The town also indicated that there could be impacts to the natural environment and transportation systems from the inability of the municipality to use site plan control to acquire environmental hazard lands and associated buffers as well as securing lands required for road improvements and right-of way widenings.
* The cumulative impacts from these new provincial restrictions could diminish and undermine environmental mitigation and flood protection as well as negatively impact pedestrian and traffic safety.
* Bill 23 further restricts the municipality from requiring robust landscaping through site plan control which undermines municipal tree canopy objectives and vegetation buffering from adjacent properties.

Regarding Bill 97, the town offers the following comments:

* The town’s previously submitted comments on changes to provincial legislation remain valid.
* The town has been working to refine process changes required by Bill 23, including grading, drainage, driveway and tree protection impacts. This includes process reviews, gap analysis, communications, template/resource development, and stakeholder engagement.
* The new impacts of Bill 97, including the impacts of reintroducing site plan control within 300 meters of a railway line and 120 metres of a shoreline (and what the shoreline constitutes), will need to be considered going forward.

The Town of Oakville will continue to adapt to the changes enacted by the province. With respect to housing, the town will keep increasing housing supply through improved processes and efficiencies. The town looks forward to ongoing and future consultation with the province in delivering an appropriate range and mix of housing.

Should there be any questions or follow-up from this Memo, please contact Planning Services at the Town of Oakville.