



April 26, 2024

Finance  
Office of the Commissioner  
1151 Bronte Road  
Oakville ON L6M 3L1

Minister Paul Calandra  
Bill 134 Consultation  
Ministry of Municipal Affairs and Housing  
Municipal Finance Policy Branch  
777 Bay Street, 13th Floor  
Toronto ON M5G 2E5

Dear Hon. Paul Calandra:

RE: Bill 185 (*Cutting Red Tape to Build More Homes Act, 2024*) – Schedule 6. changes to the *Development Charges Act, 1997* - ERO #019-8371

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Thank you for the opportunity to provide comment on some of the provisions contained in Bill 185. This letter and the enclosed Council report (CA-11-24/FN-14-24 Re: April 10 Provincial Announcements) is the Regional Municipality of Halton's ( the Region) submission to [ERO #019-8371](#) posted on the Environmental Registry of Ontario, being the proposed changes to the *Development Charges Act, 1997* (DCA).

The Region has a shared objective with the Province and its Local Municipalities to advance housing supply and support the Local Municipalities in meeting their housing pledges by proactively planning for, financing and delivering infrastructure. Regional Council has committed to support the planned growth, while protecting its taxpayers from the financial impact of growth.

On April 17, 2024, Regional Council endorsed Report No. CA-11-24/FN-14-24. A summary of the section of the report related to the changes to the DCA and the Region's submission to ERO #019-8371 are outlined below.

### **Bill 185, Schedule 6 – Regional Municipality of Halton Submission (ERO #019-8371)**

A number of the changes in Schedule 6 of Bill 185 build off the DCA changes initially introduced through Bill 23 *More Homes Built Faster, 2022*, and in some cases repeal the legislation that was introduced through Bill 23.

#### **Reinstating studies as an eligible capital cost for DCs**

Under Bill 23 the Province eliminated the ability to apply costs to undertake studies such as growth studies and background studies as a Development Charge (DC) capital

**Regional Municipality of Halton**

HEAD OFFICE: 1151 Bronte Rd, Oakville, ON L6M 3L1  
905-825-6000 | Toll free: 1-866-442-5866

expense that is chargeable. The Region is fully supportive of reinstating studies as an eligible capital cost as outlined in Bill 185.

However, Bill 23 also eliminated social housing as an eligible DC service. These DCs supported the delivery of assisted housing for the Region's most vulnerable populations. Bill 185 does *not* reinstate housing services as an eligible service. The Region continues to request that social housing be reinstated as an eligible service.

#### Repealing the mandatory 5 year phase-in of DC rates

Bill 23 introduced a mandatory 5 year phase-in of DC rates imposed in by-laws, retroactive to June 1, 2022 which impacted the Regional DC by-law 25-22.

- Year 1 (80%), Year 2 (85%), Year 3 (90%), Year 4 (95%), Year 5 (100%).

The Region fully supports repealing the 5 year phase-in of the DC rates and appreciates that the Province has listened to municipal input in this regard.

It is important to highlight however that the recently announced Canada Housing Infrastructure Fund indicates that the Province can only access that fund if they commit to key actions, including a 3-year freeze on DCs from April 2, 2024, in municipalities greater than 300,000, which includes Halton Region.

The Region is not supportive of this position. Municipalities have limited funding tools available and rely on DC's to fund growth related infrastructure. A reduction in DC's could impact the delivery of housing which is a top priority for municipalities.

Should the Province agree to these conditions, municipalities would require that the April 2, 2024 DC rate freeze would be at 100% of the rate initially calculated by the municipal DC by-law (and not at the phase-in rate at that time).

#### Streamlined process for extending DC By-laws

Under Bill 23 the DCA was amended to allow DC by-laws to be updated at least every 10 years rather than every 5 years. This timing was to reflect the phase-in provision discussed above which would reduce the DC rates for the first 5 years.

Bill 185 provides a streamlined approach for undertaking minor amendments to DC by-laws that had incorporated items that are being considered for reinstatement. This amendment does not impact Region's DC by-laws. The Region is supportive of this amendment.

#### Reduce the time limit on the DC rate freeze

Bill 108, *More Homes, More Choices Act, 2019*, included the requirement to freeze the DCs imposed on developments when a site plan application (or zoning application if no site plan application) was submitted. The DC rates for these developments are frozen at

the application date (subject to interest). Once the application is approved the frozen DC is applicable for 2 years.

Bill 185 proposes to reduce the 2 year timeframe to 18 months to incentivize developments to proceed. The Region is supportive of this amendment.

Additional comments regarding the June 1, 2024 proclamation date for section 4.1

Further, although not part of the ERO 019-8371, the pending proclamation date of section 4.1 of the DCA continues to be of concern as municipalities have not been consulted on the bulletin and should be given an opportunity to provide comments prior to it being posted.

Halton does not believe that discounting or reducing DCs is an appropriate incentive to encourage affordable housing ownership/rental particularly in a high growth municipality. These restrictions on DC collections could result in higher property taxes and/or the delay of key infrastructure thereby potentially impacting existing property owners' affordability and delivery of new housing required to achieve the housing targets.

As outlined in it's October 27, 2023 submission regarding ERO-019-7669, the Region continues to request that subsection 4.1 be removed from the DCA and that the Province provide financial assistance to promote affordability through grant/incentive/rebate programs that be administered by the municipalities. A grant program also provides flexibility to alter terms and conditions if objectives are not being met, financial capacity is too burdensome or resident's economic circumstances change.

Should the Province proceeds with the June 1, 2024 proclamation date, it is requested that consideration be given to:

1. Precluding the impact to water and wastewater DC's, which are strictly tied to capacity and infrastructure delivery and therefore should not be included in the exemption.
2. Providing exemptions only to Affordable Rental units and not Home Ownership units, which is consistent with the Federal Government GST rental rebate.
3. A guarantee on a yearly repayment from the Province to municipalities for the full shortfall in DCs the new legislation would generate.

The DCA is an important tool for Halton to recover growth-related costs in order to provide infrastructure in a timely way to support growth and more importantly support the Provincial Growth Plan.

If you have any questions or concerns regarding our submission or the DCA, the Region would be pleased to meet to review and discuss.

Sincerely,

A handwritten signature in black ink, appearing to read 'CW' followed by a stylized flourish.

Cyndy Winslow  
Commissioner of Finance and Regional Treasurer  
(905) 825-6005  
[cyndy.winslow@halton.ca](mailto:cyndy.winslow@halton.ca)

cc: Gary Carr, Regional Chair, Regional Municipality of Halton  
cc: Jane MacCaskill, CAO, Regional Municipality of Halton

Attachment: Report No. CA-11-24/FN-14-24

Report To:	Regional Chair and Members of Regional Council
From:	Jane MacCaskill, Chief Administrative Officer Cyndy Winslow, Commissioner, Finance and Regional Treasurer
Date:	April 17, 2024
Report No.:	CA-11-24/FN-14-24
Re:	April 10 Provincial Announcements

## Recommendation

1. THAT Report No. CA-11-24/FN-14-24 re: “April 10 Provincial Announcements” be received for information.
2. THAT staff be authorized to submit comments to the Province by the May 10, 2024 deadline consistent with the direction provided in Report No. CA-11-24/FN-14-24.

## Report

### **Executive Summary**

- On April 10, 2024, the Province announced proposed changes to various pieces of legislation, including an updated proposed Provincial Planning Statement and introduced the *Cutting Red Tape to Build More Homes Act, 2024*. This omnibus legislation, known as Bill 185, addresses a wide range of matters and proposes amendments to many different acts.
- A Provincial ‘Backgrounder’ outlining the range of matters addressed by Bill 185 as well as associated changes, is provided for reference as Attachment #1 to this report.
- Some of the proposed changes in Bill 185 are related to changes previously made through Bill 23, *More Homes Built Faster Act, 2022* (‘Bill 23’) and have a direct impact on the Region’s involvement in land use planning going forward. For example, as part of Bill 185, Halton Region, together with Peel and York Regions will be upper-tier municipalities without planning responsibilities as of July 1, 2024.

- The Province has also prepared changes to regulations and posted a revised draft Provincial Planning Statement that would replace the existing Provincial Policy Statement and A Place to Grow, Growth Plan for the Greater Golden Horseshoe.
- Proposed changes are posted to the Environmental Registry/Ontario Regulatory Registry of Ontario (ERO) as follows:
  - comments on changes to the *Planning Act* and *Municipal Act, 2001*, are being accepted until May 10, 2024 ([ERO #019-8369](#));
  - comments on proposed changes to the *Development Charges Act, 1997* are being accepted until May 10, 2024 ([ERO #019-8371](#));
  - comments on the proposed changes to the Regulations under the *Planning Act* and *Development Charges Act, 1997* are being accepted until May 10, 2024 ([ERO #019-8370](#)); and
  - comments are being accepted on the proposed policies for a new Provincial Planning Statement until May 10, 2024 ([ERO #019-8462](#)).
- Regional staff will prepare draft comments related to any impacts to Regional interests or functions that will remain following Proclamation and provide a response to the Province by the May 10, 2024 deadline. Staff will circulate the comments to Regional Council once finalized.
- Regional staff will continue to monitor the status of Bill 185 and the proposed Provincial Planning Statement, and will provide updates to Regional Council as required. In particular, Regional staff will report back with information on future implications or necessary actions related to the transition of planning services.

## Background

On April 10, 2024, the Province announced proposed changes to legislation and various acts, with one major component being the introduction of the *Cutting Red Tape to Build More Homes Act, 2024*, known as 'Bill 185'. This omnibus legislation proposes to make modifications to several different Acts. Of particular interest to the Region of Halton are changes to the *Planning Act* and *Development Charges Act, 1997*. Information on the full scope of Bill 185 is available in the Provincial Background, provided as Attachment #1 to this report. In addition to the changes identified in Bill 185, the Province is also proposing updates to regulations and has introduced a new Provincial Planning Statement.

Given the scope of Bill 185 and associated changes and the limited time staff have had to review the materials, this report provides initial comments on some of the key changes largely based on positions that Regional Council has taken in the past. A full review of all materials is underway and staff are proposing to submit comments only as it relates to those changes that have impacts to Regional interests for functions that will remain following the Proclamation of Bill 23 that is set for July 1, 2024. For example, any comments submitted on the PPS will be scoped to address matters related to water and wastewater infrastructure, regional transportation systems, waste management, assisted housing, etc. Regional staff will continue to monitor the release of any further information of interest and will provide draft comments to the Province through the Environmental Registry of Ontario (ERO) process by the May 10, 2024 deadline. Some of the changes that have been proposed are related to changes previously made through Bill 23 (see [Report No. LPS72-22/FN-34-22](#)). The next sections provide overviews of the changes proposed.

### ***Planning Act***

Schedule 12 to Bill 185 proposes to amend the *Planning Act*. A number of the changes in Bill 185 build off of the changes initially introduced through Bill 23, and in some cases repeal legislation that was introduced through Bill 23. The following provides a list of key changes:

#### Upper-Tier Planning Responsibilities

Bill 23 made changes to the *Planning Act* that identified Halton Region as an “upper-tier municipality without planning responsibilities”. This change had not been proclaimed; however the new proposed Bill 185 has now identified July 1, 2024 as an effective date for this change. Once in effect, planning policy and approval responsibilities of Halton Region will be removed and the Local Municipalities will be responsible for the implementation of the Regional Official Plan until their respective Official Plans are updated and/or the Regional Official Plan is repealed.

The proposed changes to the *Planning Act* include a modified version of a transition provision that relates to ongoing appeals. Where an upper-tier municipality without planning responsibilities is a party to an existing appeal, they may continue until the final disposition of the appeal, unless the appeal is dismissed as a result of other changes that limit third party appeals.

Halton Region has been advocating the Province to proclaim Bill 23 in an effort to provide some clarity and certainty around roles and responsibilities for Halton Region and our local municipal partners. Given these changes were announced in November, 2022, staff

have been working closely with the Local Municipalities based on the transition plan approved by Council in report [LPS34-23](#) to draft a memorandum of understanding (MOU) that outlines the post-Bill 23 roles and responsibilities. With the release of the July 1<sup>st</sup> proclamation date, staff will finalize the MOU with the municipalities and will report back in May for approval of the MOU. Given the changes made last year, the Region is well positioned to move forward following proclamation.

### Settlement Area Boundary Expansions

The *Planning Act* currently does not permit appeals with respect to the refusal or failure to adopt or approve an official plan amendment to alter any part of a settlement area boundary. This is modified to specify that this would only apply if the alteration to the boundary would include lands that fall within the Greenbelt Plan Area.

### “Use it or Lose it”

The proposed changes to the *Planning Act* would require Municipalities to specify a lapsing condition on all new draft subdivision and condominium approvals. A lapsing condition would also apply to new or previous site plan applications. The time period for lapsing would be set by regulation with a default of no less than three years. Additionally, changes are proposed that would lapse draft plans of subdivisions that were approved before March 27, 1995 if they are not registered within three years of Bill 185 passing. Certain exceptions would apply. This change dovetails with changes made in the *Municipal Act, 2001* that allows municipalities to reallocate services, ensuring that more homes could be built faster.

### Third Party Appeals

In an effort to reduce Ontario Land Tribunal (OLT) hearings, Bill 185 proposes to limit who can appeal official plans, official plan amendments, zoning by-laws and zoning by-law amendments. The current *Planning Act* states that any person or public body who made oral or written submissions prior to adoption has the right to appeal. The proposed wording has changed from “any person” to “a specified person” as currently defined in the *Planning Act*. To support this direction, changes are also being proposed to Ontario Regulation 543/06 – Official Plans and Amendments and Ontario Regulation 545/06 – Zoning By-Laws, Holding By-Laws and Interim Control By-Laws.

The proposed changes to the *Planning Act* also include a transition provision which would require that once Bill 185 comes into effect, any appeal by a person that does not meet the criteria listed will be dismissed unless a hearing had been scheduled before April 10, 2024 or the appeal was filed by a specified person or public body listed in the



relevant section of the *Planning Act* in respect of the same plan to which the appeal relates.

This could have implications such as the dismissal of appeals for ongoing litigation matters that Halton Region is currently a party to. For example, if a third party has appealed a Secondary Plan that the Region has recently approved, the appeal may be dismissed if a hearing date has not been scheduled.

### Other Proposed Changes to Local Planning

In addition to the key changes outlined above, Schedule 12 of Bill 185 also makes many additional changes associated with planning processes. Some of these changes are outlined at a high level below:

- Official plans and zoning by-laws would no longer be able to require minimum parking within Major Transit Station Areas and other identified areas;
- Municipalities would no longer be able to require that applicants attend a pre-consultation meeting;
- Applicants could challenge complete application requirements to the OLT at any time;
- The Community Infrastructure and Housing Accelerator process would be replaced by Ministers Zoning Orders ('MZO'), including a new [framework](#) that will be used for MZO's;
- The section in the *Planning Act* that provides direction for MZO's that are made at the request of a municipality is proposed to be removed;
- The Minister would be given authority to establish requirements and standards with respect to *any* additional residential units;
- Proposed changes would repeal existing fee refund requirements;
- Changes are proposed that would exempt certain post-secondary institutions from *Planning Act* processes, where they are located outside of the Greenbelt Plan Area; and
- A streamlined approval process is proposed for certain "community service facilities" including schools, hospitals, and long-term care facilities.

### ***Development Charges Act, 1997***

Schedule 6 to Bill 185 proposes to amend the *Development Charges Act, 1997*. A number of the changes in Bill 185 build off the changes initially introduced through Bill 23, and in some cases repeal legislation that was introduced through Bill 23.

### Reinstating studies as an eligible cost

Under Bill 23 the Province eliminated the ability to apply costs to undertake studies such as growth studies and background studies as a Development Charge (DC) capital expense that is chargeable. Halton Region is fully supportive of reinstated studies as an eligible capital cost as outlined in Bill 185.

Bill 23 also eliminated DCs to support the delivery of assisted housing for vulnerable populations. Bill 185 does *not* reinstate housing services as an eligible service and the Region will continue to request that it be reinstated.

### Repealing the mandatory 5 year phase-in of DC rates

Bill 23 introduced a mandatory five year phase-in of DC rates imposed in by-laws, retroactive to June 1, 2022 which impacted Regional DC By-Law No. 25-22 as follows:

- Year 1 (80%), Year 2 (85%), Year 3 (90%), Year 4 (95%), Year 5 (100%).

The Region fully supports Bill 185 repealing the five year phase-in of the DC rates and appreciates that the Province has listened to municipal input in this matter.

It is important to highlight however that the recently announced Canada Housing Infrastructure Fund indicates that the Province can only access that fund if they commit to key actions, including a three-year freeze on DCs from April 2, 2024, in municipalities greater than 300,000, which includes Halton Region.

Although Halton is not supportive of this position, should the Province agree to these conditions, clarification is required from the Province that the April 2, 2024 DC rate freeze would be at 100% of the rate initially calculated by the municipal DC by-law (and not at the phase-in rate at that time).

### Streamlined process for extending DC by-laws

Under Bill 23, the *Development Charges Act, 1997* was amended to allow DC by-laws to be updated at least every 10 years rather than every five years. This timing was to reflect the phase-in provision discussed above which would reduce the DC rates for the first five years.

While the update every 10 years remains, Bill 185 provides a streamlined approach for undertaking minor amendments to DC by-laws that had incorporated items that are being considered for reinstatement. This amendment does not impact Regional DC By-Law No. 25-22.

### Reduce the time limit on the DC rate freeze

Bill 108, *More Homes, More Choices Act, 2019*, included the requirement to freeze the DCs imposed on developments when a site plan application (or zoning application if no

site plan application was submitted). The DC rates for these developments are frozen at the application date (subject to interest). Once the application is approved the frozen DC is applicable for two years.

Bill 185 proposes to reduce the two year timeframe to 18 months to incentivize developments to proceed. Halton is supportive of this approach.

### Further proclamations regarding the *Development Charges Act, 1997*

In addition to the changes in Bill 185, the Province announced that Section 4.1 “Exemption for affordable and attainable residential units” of the *Development Charges Act, 1997* will be proclaimed in its entirety on June 1, 2024.

As per Report No. FN-42-23/CA-12-23 (re: Implications of Amendments to the definition of an “Affordable Residential Unit” in the *Development Charges Act, 1997* (DCA) and information on GO Transit Station Funding Act (Bill 134 and Bill 131)”). The ultimate financial impacts remain unknown as it is still unclear what methodology (e.g. data source and timing) will be used for the Affordable Residential Unit bulletin that is expected to be released by the Minister prior to proclamation.

In addition, Section 4.1 includes exemptions related to attainable housing; however, the regulations related to implementation are still unknown. There is no opportunity to provide further feedback related to this section.

### ***Proposed Provincial Planning Statement (2024)***

The Province is soliciting input on an updated version of the proposed Provincial Planning Statement (‘PPS’) (see Attachment #4). The updated PPS incorporates feedback received on the draft 2023 PPS. Halton Region provided comments to the Province on the draft 2023 PPS as outlined in [Report No. LPS43-23](#). The updated draft remains committed to amalgamating and replacing the Provincial Policy Statement, 2020, and A Place to Grow: Growth Plan for the Greater Golden Horseshoe. Attachment #3 provides an overview of new and modified policies of the proposed 2024 PPS as provided by the Province through the ERO #019-8462. It is clear that the Province has proposed changes based on feedback received including for some key highlights below:

#### Key Changes to the 2024 PPS

- Municipalities would be required to establish and implement minimum targets for the provision of housing that is affordable for low and moderate income households;

- Adds references to affordable housing back in throughout the document and includes a definition of ‘affordable’;
- Municipalities would be required to make sufficient land available to accommodate a range of housing and land uses to meet projected needs for a time horizon of at least 20-years, but not more than 30 years. This is a change from the proposed 2023 PPS where the horizon was “at least 25 years” with no upper limit;
- Adds a list of criteria that municipalities shall consider when identifying new settlement areas or when allowing a settlement area boundary expansion;
- Adds a policy requiring municipalities to demonstrate that the infrastructure and public service facilities are planned or available for new settlement areas;
- Removes the policy that prohibits OP and ZBL provisions that are more restrictive than the PPS;
- Adds policies requiring municipalities to have sufficient employment lands to accommodate projected growth before lands can be removed from employment areas;
- The proposed 2023 PPS permitted conversions of existing commercial and institutional uses to residential, this has been updated to clarify that conversions are permitted for “underutilized” commercial and institutional sites; and
- Removed previously proposed policy that would allow for additional lot creation in the prime agricultural area.

### ***Other Items***

#### Greenbelt Plan

The Province is proposing an administrative amendment to the Greenbelt Plan to ensure that the policies outlined in the current plan remain intact in the event of the revocation of the Provincial Policy Statement, 2020, and A Place to Grow. The Province has indicated that the changes to the Greenbelt Plan will maintain the existing Plan’s standards and clarifies that the existing policy connections in the Greenbelt Plan to the Provincial Policy Statement, 2020 and A Place to Grow remain in effect.

#### Ontario Regulation Changes

In response to changes being proposed through Bill 185, there are changes being proposed related to Ontario Regulations. The changes focus on three key areas:

- Modernizing Public Notice Requirements – the existing requirements for providing notice require that a municipality mail a letter to landowners within a specified distance of the subject land or publish a notice in a local newspaper. Given the challenges with providing notice by newspaper, municipalities would be permitted

to provide notice on a municipal website where no local newspaper is available. Changes are being made to six Ontario regulations under the *Planning Act*, along with Ontario Regulation 82/98 – General under the *Development Charges Act, 1997*.

- Consequential Housekeeping Amendments – related to the Bill 185 proposed changes around third party appeals, updates would be required in relevant Ontario regulations related to official plans and amendments along with zoning by-laws and amendments and interim control by-laws.
- Prescribed time period regarding new evidence introduced at the OLT – changes are being made to Ontario Regulation 549/06 that would re-establish the prescribed time period for a municipality to review new evidence introduced at the OLT.
- Consultation will be taking place on a potential regulation related to financial instruments (including pay on demand surety bonds) related to *Planning Act* requirements.

### Facilitating Standardized Housing Designs

The Province is considering the creation of a regulation-making authority that would enable the establishment of criteria to facilitate planning approvals for standardized housing. The changes would only apply on certain lands that are a minimum lot size, in the urban area on full municipal services and outside of the Greenbelt Plan Area. This would include the identification of elements of the *Planning Act* that could be overridden if certain criteria are met.

### **Discussion**

Regional staff will continue to review these changes in more detail and will provide comments to the Province by the May 10, 2024 deadline. Regional staff will circulate the comments to Regional Council.

Regional staff will continue to monitor the status of Bill 185, the Proposed Provincial Planning Statement and other related regulatory changes and provide updates to Regional Council as required.

## Financial/Program Implications

There are no financial implications associated with the drafting of this report.

Respectfully submitted by,

Matthew Buist  
Director, Capital and Development  
Financing

Cyndy Winslow  
Commissioner, Finance and Regionals  
Treasurer

Curt Benson  
Director, Strategic Initiatives & Government  
Relations and Chief Planning Official

Approved by,

Jane MacCaskill  
Chief Administrative Officer

If you have any questions about the content of this report, please contact:  
Curt Benson, Director, Strategic Initiatives & Government Relations and Chief Planning Official

### Attachments:

Attachment #1 – Provincial Backgrounder on Bill 185

Attachment #2 – Bill 185

Attachment #3 – Overview of new and modified Policies of the Proposed 2024 PPS 2024

Attachment #4 – Proposed Provincial Planning Statement, April 10, 2024,

### Additional Information:

The sources listed below are for supplemental information and reference only. Halton Region is not responsible for the currency, accuracy, or legality of the content from any external links.

### Additional Information

N/A

## BACKGROUND

# Cutting Red Tape to Build More Homes

April 10, 2024

[Red Tape Reduction](#)

[Municipal Affairs and Housing](#)

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The *Cutting Red Tape to Build More Homes Act, 2024*, part of Ontario's Spring 2024 Red Tape Reduction Package, will help build a stronger economy, keep costs down, save time and improve service delivery for businesses and Ontarians.

The proposed legislation focuses on cutting red tape where it's needed most: building homes. Red tape is one of the biggest barriers to getting shovels in the ground and the initiatives proposed today would take significant action to streamline approvals and increase housing and infrastructure development across Ontario.

The proposed legislation also includes measures to remove unnecessary burdens and foster a strong business climate while ensuring appropriate regulatory oversights that protect the public, workers and the environment.

Below is a detailed list of proposed initiatives in the *Cutting Red Tape to Build More Homes Act* and broader Spring 2024 Red Tape Reduction Package:

## Ministry of Agriculture, Food and Rural Affairs (OMAFRA)

**Amending the *Line Fences Act*:** The Ontario government is proposing to modernize legislation that provides a cost-effective tool to resolve fencing disputes between adjacent property owners. The proposed *Line Fences Act* amendments would remove outdated aspects of the legislation and reduce burden for municipalities.

## Ministry of Colleges and Universities (MCU)

**Amending the Composition of the Board in the *Université de Hearst Act, 2021*:** The Ontario government is proposing to amend the *Université de Hearst Act, 2021* to reduce the size of the university's board of governors, following a request by the institution. This change would allow the university to have a board proportionate to the size of the institution, aligning with sector best practices.

**Amendments to Redeemer Reformed Christian College:** The Ontario government is proposing to amend the *Redeemer Reformed Christian College Act, 1998* to reduce the size and simplify the composition of Redeemer University's board of governors, following a request by the institution. These changes would allow its board to operate efficiently and govern effectively, as well as aligning it with sector best practices.

#### Ministry of Education (EDU)

**Amendments to *An Act to Incorporate the Trinity College School, S.O. 1872, c. 111*:** The Ontario government is proposing to amend *An Act to Incorporate the Trinity College School, S.O. 1872, c. 111*. Specifically, the ministry is proposing to remove non-active members from the governing body of the school, such as the Chancellor of Trinity College, and the Provost of Trinity College to streamline governance and reduce administrative burden. These board members are not active in governance activities and it is not feasible to have them participate in future meetings. There are also technical amendments to clarify that the corporation has the powers of a natural person and eliminate any ambiguity related to the corporation's power to appoint successors.

#### Ministry of Energy (ENERGY)

**Modernizing Leave-to-Construct Approvals for Utility Relocation Projects:** The Ontario government is proposing a legislative amendment to allow for regulations to broaden the Ontario Energy Board exemption from Leave-to-Construct (LTC) for hydrocarbon pipeline relocations or reconstruction. This would include relocations with land requirements, if certain criteria are met, that are part of priority transit projects or projects by a road authority. It would also clarify that for pipeline relocations not needing new land, LTC is only required if pipe size increases. This proposal would help reduce unnecessary regulatory burden, delays, and costs for pipeline projects to help build roads faster.

#### Ministry of the Environment, Conservation and Parks (MECP)

**Burden Reduction for Ontario's Producer Responsibility Framework:** The Ontario government is considering changes to the producer responsibility regulations that would reduce burden, increase flexibility and provide better ways to oversee the market. Ontario will be consulting on the following types of changes: reducing administrative burden and duplication by ensuring reporting requirements are not duplicative or onerous; clarifying rules for activities that are shared by producer responsibility organizations (PROs), such as when they share collection sites; allowing more flexibility for how producers and PROs establish and operate



collection networks while ensuring consumers continue to have convenient access to recycling; and reviewing technical details in the regulations to make it easier for regulated parties to comply while still maintaining recycling outcomes. Changes to these areas would aim to improve Ontario's competitiveness, support stronger supply chains and make it easier for producers and businesses to work with the government.

### Ministry of Health (MOH)

**Streamlining Registration for Internationally Educated Health Professionals:** The Ontario government is continuing to work with health regulatory colleges, such as the College of Nurses of Ontario, to streamline the registration process for internationally educated health professionals, while ensuring applicants can provide high quality and safe care. This work will make it faster and easier for internationally educated health professionals to start working in Ontario and provide greater access to care, choices in care providers and shorter wait times for patients and the public.

This is in addition to Ontario's "As of Right" rules making it faster and easier for out-of-province physicians, nurses, medical laboratory technologists and respiratory therapists registered in other provinces and territories to immediately start working in Ontario's public hospitals and long-term care homes, without having to first register with one of Ontario's health regulatory colleges.

### Ministry of Labour, Immigration, Training and Skills Development (MLITSD)

**Authority to Delegate for Skilled Trades Ontario's Registrar:** The Ontario government is proposing legislative amendments to the *Building Opportunities in the Skilled Trades Act, 2021* that would allow Skilled Trades Ontario's (STO) Registrar to delegate their duties and powers to one or more STO employee(s). This would help prevent delays in service and would support STO in responding to growing demand as the government continues to promote the skilled trades as a rewarding career path.

**Email Service for Notices and Documents:** The Ontario government is proposing regulatory changes under the *Building Opportunities in the Skilled Trades Act, 2021* (BOSTA) to allow notices and documents to be served via email. The proposal would allow ministry inspectors to serve certain notices and documents via email as well as offer email service as an option under BOSTA, in order to streamline processes and save time.

### Ministry of Northern Development (MND)

***Northern Services Boards Act Modernization Initiative:*** Ontario is undertaking consultation with Local Services Boards (LSBs) and the public-at-large on potential legislative and regulatory framework changes to modernize the *Northern Services Board Act* to reduce burden, streamline processes, cut red tape, and promote northern economic and community development.

### **Ministry of Public and Business Service Delivery (MPBSD)**

**Fee Waiver for Access to Services for Indigenous People:** Ontario is committed to advancing reconciliation and making it easier and more affordable for Indigenous people to access records and services. There is now a one-window process that eliminates the need to request death searches from two offices — the Archives of Ontario and ServiceOntario's Office of the Registrar General. As part of this process, fees are being permanently waived for death registration searches, death certificates, and certified copies of death registrations. Fees are also being waived to register a delayed registration of death for children who attended Indian Residential Schools. These permanent fee waivers provide ongoing financial relief for impacted Indigenous communities and families.

**Regulating Business Service Standards:** The Ontario government is introducing a regulation under the *At Your Service Act, 2022* to require ministries to develop business service standards for permits and licence services delivered to businesses, and to report publicly on the service standards. This new regulation will help businesses understand how long they can expect to wait for a decision about a permit or licence they need so they can plan their work, and in combination with Ontario's single window for business initiative, make it easier for businesses to quickly find information about and track the progress of their permit and license applications.

**Filming Fee Waiver:** Ontario will no longer be charging fees for third party vendors to film at the Archives of Ontario. Previously, third party vendors had to pay a daily \$6,300 fee to film at the Archives of Ontario. This often inhibited new and emerging artists and creators from considering the Archives as a site for their work. This reduces financial burden for businesses, organizations and artists and provides them with easier access to the historical information available at the Archives of Ontario.

**Motor Vehicle Accident Claims Fund Debtor Repayment Modernization:** The Ontario government changed a regulation to allow the government to accept credit and debit cards, and other modern forms of payment from debtors who owe

money to the Motor Vehicle Accident Claims Fund. Currently, a debtor must repay the government in cash or by certified cheque, bank draft or money order.

**Transfer Payment Modernization:** The Transfer Payment Ontario system is the Ontario Public Service's single digital enterprise-wide platform for administering transfer payments. It helps ensure a common approach to transfer payments and simplifies program administration by streamlining access to funding and reducing administrative burden for recipients. In addition, it helps the government make data-driven decisions, while making it easier for citizens and organizations to interact with government.

### **Ministry of the Solicitor General (SOLGEN)**

**Amending the *Coroners Act* for Jury Roll Information:** The Ontario government is proposing to amend the *Coroners Act* to require the Ministry of the Attorney General to provide additional information (including phone numbers, e-mail addresses and language preference) from the jury roll to help reduce the time and effort by the coroner when selecting prospective jurors. This change will improve communications with prospective jurors and ensure the Office of the Chief Coroner is able to conduct inquests efficiently and effectively.

**Repealing the *OSPCA Corporation Act, 2023*:** The Ontario government is repealing the *Ontario Society for the Prevention of Cruelty to Animals Corporation Act, 2023* by way of an Order in Council to eliminate a law that is no longer required, as it was always intended to be transitional in nature.

### **Ministry of Tourism, Culture and Sport (MTCS)**

**Legal Name Changes for Arts and Tourism Organizations:** The Ontario government is seeking to make changes that would help the Ontario Arts Council, Destination Ontario and Ontario Creates support brand awareness and remove needless complications by matching their legal names with their common, publicly recognized names: the Province of Ontario Council for the Arts to be changed to Ontario Arts Council; the Ontario Tourism Marketing Partnership Corporation to be changed to Destination Ontario; and the Ontario Media Development Corporation to be changed to Ontario Creates.

**Streamlining Board Governance for the Niagara Parks Commission:** The Ontario government is proposing amendments to the *Niagara Parks Act* to remove the requirement for an annual appointment resolution for municipal representatives to

the Niagara Parks Board of Commissioners. This change would not affect municipal representation on the board and aligns the *Niagara Parks Act* with other similar agency acts that include municipal representation on their respective boards.

### Ministry of Transportation (MTO)

**Automated Vehicle Permit Validation:** In the Spring 2022 Red Tape Reduction Package, the government eliminated licence plate renewal fees for passenger vehicles, light-duty trucks, motorcycles and mopeds, saving vehicle owners \$120 a year in southern Ontario and \$60 a year in northern Ontario. Now, the Ontario government is proposing changes to the *Highway Traffic Act* that would allow for the transition to automated renewal of licence plates for drivers in good standing (e.g., no compliance issues of insurance, fines or tolls).

**Increasing Ontario's Collision Reporting Threshold:** Given the rise in the Consumer Price Index, the Ontario government is increasing the dollar amount of damages required to report a motor vehicle collision to police. Where the collision involves damage to property only, the province is shifting the requirement from \$2,000 to \$5,000. Collisions involving personal injuries, property damage exceeding \$5,000, or the door of a motor vehicle coming into contact with a cyclist or a moving vehicle (i.e. "dooring") will still need to be reported to police. Raising the amount for damages for reporting collisions where no one is injured to the police will help reduce the administrative burden on drivers, commercial vehicle operators, and police services.

### Ministry of Municipal Affairs and Housing (MMAH)

**Supporting Municipal Incentives for Economic Growth:** Ontario is proposing changes to the *Municipal Act, 2001* and the *City of Toronto Act, 2006* that would allow the Lieutenant Governor in Council (LGIC) to make regulations to enable a municipality to provide incentives to specified businesses, if the LGIC considers the regulation necessary or desirable in the provincial interest to attract investment in Ontario. This will make it faster and easier for communities to compete for global, game-changing investments that create good-paying jobs.

**Building More Student Housing:** Ontario is proposing to exempt publicly-assisted universities from the *Planning Act* to accelerate the building of new student housing. This would provide them with similar treatment to publicly-assisted colleges, which are not subject to the *Planning Act* (e.g., rezoning and site plan requirements). This proposal could save years in approvals, avoid planning application fees and remove more barriers to building higher density student

residences. All colleges and universities would also be required to publish student housing policies to ensure students have access to and awareness of student housing options that are safe, affordable and within an easy commute to campus.

**“Use it or Lose it”:** Stalled developments can limit a municipality’s progress in meeting provincial housing targets. For example, seven municipalities have reported that 70,000 units have remained inactive for at least two years. Ontario is proposing to create a new “use it or lose it” process to enhance and expand a municipality’s ability to address this obstacle and to support the efficient allocation of housing-enabling infrastructure. If passed, the proposed changes to the *Municipal Act, 2001* and the *City of Toronto Act, 2006* would enable municipalities to adopt policies setting out how water and wastewater servicing may be allocated and reallocated so that developments ready to proceed encounter fewer barriers and delays prior to construction. Proposed changes to the *Planning Act* would also establish a three-year timeframe for conditions to be met on pre-1995 draft subdivision approvals. This is a conditional approval for a development subject to some conditions being met, such as road widenings or parkland requirements. Under this proposal, if existing conditions are not met within the timeframe, the approval would expire or lapse. The ability to impose lapsing conditions has been in place for draft approvals since 1995. Proposed changes to the *Planning Act* would require a lapsing condition on all new draft subdivision and condominium approvals. Proposed changes to the *Planning Act* and *City of Toronto Act, 2006* would also allow municipalities to apply lapsing conditions on new or previous site plan applications.

**Getting Shovels in the Ground Faster for Priority Projects:** Under the *Planning Act*, municipalities make decisions that determine the future of their communities, including making decisions on official plans, zoning by-laws, plans of subdivision, and site plan control. A new development may require many municipal planning approvals before construction begins. Some of Ontario’s priority projects have encountered delays, while navigating through the planning approvals process. Ontario is exploring options to get shovels in the ground faster for priority government projects by consulting on a new expedited approval process for community service facilities starting with K-12 public schools and potentially extending in phases to long-term care and hospitals.

### **Providing Certainty for Planning Decisions and Enhancing Consultation**

**Tools:** Ontario is proposing to enable municipalities to give notice of new planning applications and community benefits charge by-laws and development charge matters on a municipal website if there is no local newspaper so that the public is

well-informed about proposed changes in their communities. Ontario is also proposing to enhance public engagement for new planning applications by developing municipal best practices for public notice in partnership with municipalities, including multilingual notices to support culturally diverse communities.

At the same time, Ontario is proposing a change to the *Planning Act* to streamline certain third-party appeals to the Ontario Land Tribunal to help communities get quicker planning approvals for housing projects, reduce building costs and in some cases reduce project delays by up to 18 months. Between 2021 and 2023, approximately 67,000 housing units were subject to third-party appeals of official plans and rezoning. These changes will focus third-party appeals for official plans, official plan amendments, zoning by-laws and zoning by-law amendments to key participants (i.e. applicants, public bodies, First Nations and utility providers) to reduce costs and delays and help build homes faster. The proposed changes would also allow proponents to appeal to the Ontario Land Tribunal when a municipality refuses an application or does not make a decision on a settlement boundary change outside the Greenbelt Area, ensuring that decisions over boundary changes are subject to an independent and neutral process.

Taken together, these changes are intended to balance an improved and modernized public consultation system with the certainty needed to get shovels in the ground, reduce delays and remove unnecessary costs.

**Eliminating Parking Minimums:** The government is proposing to remove the requirement to have a minimum amount of parking spaces for developments in certain areas near most major transit stations. This proposed change to the *Planning Act* would apply to lands, buildings or structures located within Protected Major Transit Station Areas or other areas around subway, rail, and rapid bus stations that are designated for higher density (e.g. Major Transit Station Areas). The proposed change would let homebuyers and homebuilders decide parking spaces for new residential development near higher order transit, based on market needs. This could remove construction costs of between \$2,000-\$100,000 per parking space per project, helping to make more projects viable. Under existing requirements in some municipalities, this could save up to \$50 million for a 500-unit development and make it cheaper to build and purchase new homes near transit.

**Provincial Planning Statement Consultations:** The government will be seeking feedback on other land use planning proposals through further consultation on an updated proposed Provincial Planning Statement (PPS), responsive to feedback

received through the 2023 consultation. The PPS sets the rules for land use planning in Ontario. It covers policies about managing growth, using and managing natural resources, protecting the environment, and public health and safety. Key proposed changes would focus planning processes on housing outcomes and would include making it easier and faster to make land available for residential development, increasing intensification in areas close to transit and in strategic growth areas (including through redevelopment of underused plazas and shopping malls), supporting coordination between municipalities and school boards and promoting a range of housing options including student and senior's housing.

**Reducing Barriers to Building Additional Residential Units:** Ontario is proposing changes to the *Planning Act* that, if passed, would help create additional residential units, such as garden, laneway or basement suites, by providing authority for regulations to eliminate practical barriers to these units being built, which may include maximum lot coverage and limits on the number bedrooms allowed per lot .

**Reducing Red Tape in Planning Approvals:** After consultations with municipal and housing sector partners, Ontario is proposing to remove fee refund provisions from the *Planning Act* and *City of Toronto Act, 2006*. In 2022, changes were made that require municipalities to gradually refund zoning by-law amendment and site plan application fees if they fail to make a decision on an application within legislated timelines. In order to make these timelines, some municipalities have adopted or proposed official plan policies that impose additional pre-application requirements, ultimately lengthening the application process. The proposed changes would help speed up local decisions that support more housing.

**Standardizing Housing Designs to Build More Homes:** Ontario is proposing to create a regulation-making authority to exempt standardized housing designs (once created) from certain sections of the *Planning Act* (e.g. zoning) and from planning provisions under the *City of Toronto Act, 2006*. If passed, this would allow the province to make regulations that would speed up approvals and allow Ontario to potentially partner with British Columbia and the federal government on a catalog of housing designs that could also be delivered even faster using modular construction.

**Updating the Building Code:** Ontario will be releasing the next edition of Ontario's Building Code shortly with a focus on increasing housing supply, supporting public safety and innovation. This includes increasing harmonization with the National Construction Codes to allow for greater consistency and streamlining product manufacturing. The next edition would reduce red tape by over 1,730 provisions

and increase harmonization with the National Construction Codes to 77 per cent, up from 71 per cent. Once the new code has launched, the province intends to increase the use of [advanced wood construction like mass timber](#) and consult with fire-safety stakeholders on single-exit stair in small residential buildings as well as improved safety measures for building residents and firefighters, such as sprinklers. Along with the new code, the province will develop a new guide, identifying pathways for innovative product approvals. The Building Materials Evaluation Commission handbook will also be updated to include a pre-submission protocol for applicants. The qualification and registration system for building practitioners has been modernized, moving to a more user-friendly and efficient platform.

**Development-Related Charges on Housing:** After consultations with its municipal partners, Ontario is proposing to eliminate the five-year phase-in of development charge rates. This would apply to development charge by-laws passed on and after January 1, 2022. On June 1, 2024, Ontario will also bring into force municipal development-related charge exemptions and discounts for affordable residential units to provide incentives for the development of affordable housing across the province. Proposed changes to the *Development Charges Act* would reduce the time that the development charge rate would be frozen from two years to 18 months after approval of the relevant application. This would give homebuilders an incentive to obtain a building permit earlier and get shovels in the ground faster.

**Consulting on Financial Tools to Use in Planning Approvals:** When home builders start a project, they may be obligated to provide financial assurance that the required infrastructure to support those homes, like sidewalks, will be built. This financial assurance is commonly provided through a letter of credit or cash. Ontario will be consulting on a potential regulation that would enable landowners to specify the instruments to be used to secure municipal land-use planning approvals, including pay on demand surety bonds. Wider acceptance of surety bonds could help free up money for home builders to pursue additional home building projects and make some projects that currently can't obtain financing more viable.

**Exploring Further Opportunities to Cut Red Tape to Build Housing:** Ontario will consult with sector experts like municipal planners, building officials, engineers, industry associations and architects in a commitment to cut red tape and explore streamlining planning processes further in some of Ontario's fastest-growing regions to enable more housing.



**Increasing the Transparency of Housing Supply Data:** In an effort to remain transparent regarding the province's commitment to help municipal partners build at least 1.5 million homes by 2031, Ontario has started reporting on the total number of homes created in municipalities with assigned housing targets. In addition, Ontario is proposing changes to the Municipal Planning Data Reporting regulation (O. Reg. 73/23) under the *Planning Act* to include an additional 21 municipalities (encompassing all 50 municipalities with provincially assigned housing targets) and enhance municipal data points.

**Peel Region:** Ontario is proposing to amend the *Hazel McCallion Act, 2023*, to recalibrate the focus of the Peel Region Transition Board to consider how to make local government in Peel Region more efficient and responsive to the needs of residents and taxpayers. This includes requiring the board to provide recommendations to the Minister of Municipal Affairs and Housing on the transfer of certain services currently provided by Peel Region such as land use planning, water and wastewater, regional roads (including stormwater), and waste management. The transition board will continue to provide financial oversight of Peel and the lower-tier municipalities.

**Municipal Planning Responsibilities:** The *More Homes Built Faster Act, 2022* made changes that, once in force, will remove statutory powers under the *Planning Act* from seven upper-tier municipalities identified in the legislation: Durham, Halton, Niagara, Peel, Simcoe, Waterloo, and York. Ontario remains committed to reducing municipal duplication across the province to deliver on shared provincial-municipal priorities, all while supporting its municipal partners. Proposed amendments to the *Planning Act*, as part of this legislative package, would provide flexibility for when changes to planning responsibilities for certain upper-tier municipalities would come into force. For Peel, Halton and York Regions, upper-tier planning changes would come into effect on July 1, 2024, with others coming into effect at a later date. Once in effect, planning policy and approval responsibilities of the regional municipality will be removed and the lower-tier municipalities will assume primary responsibility for all planning in their geographies, except for matters requiring provincial approval.

**Minister's Zoning Order Framework:** The province has launched a new [go-forward framework](#) for how requests for zoning orders will be received and considered. The process will be more open and transparent while maintaining this important tool to cut through red tape to get shovels in the ground sooner. By providing the

framework, Ontario will continue to ensure that long-term care facilities and other provincial priorities can be built quickly while removing the need for a separate Community Infrastructure and Housing Accelerator.

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#### Additional Resources

- [Ontario Cutting Red Tape to Build More Homes](#)
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#### Related Topics

##### Business and Economy

Information about Ontario's economy and how to do business here. Includes economic development opportunities, research funding, tax credits for business and the Ontario Budget. [Learn more](#)

##### Home and Community

Information for families on major life events and care options, including marriage, births and child care. Also includes planning resources for municipalities. [Learn more](#)

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#### Media Contacts

##### **Kosta Zoes**

Minister of Red Tape Reduction's Office

[kosta.zoes@ontario.ca](mailto:kosta.zoes@ontario.ca)

Ministry of Red Tape Reduction

Media Relations, Communications Branch

[economy.media@ontario.ca](mailto:economy.media@ontario.ca)

##### **Bianca Meta**

Minister Municipal Affairs and Housing's Office

[Bianca.Meta@Ontario.ca](mailto:Bianca.Meta@Ontario.ca)

Ministry of Municipal Affairs and Housing

Communications Branch

[Mma.media@ontario.ca](mailto:Mma.media@ontario.ca)

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Legislative  
Assembly  
of Ontario



Assemblée  
législative  
de l'Ontario

1ST SESSION, 43RD LEGISLATURE, ONTARIO  
2 CHARLES III, 2024

# Bill 185

## An Act to amend various Acts

**The Hon. P. Calandra**  
Minister of Legislative Affairs

### Government Bill

1st Reading      April 10, 2024

2nd Reading

3rd Reading

Royal Assent





## EXPLANATORY NOTE

### **SCHEDULE 1 AN ACT TO INCORPORATE THE TRINITY COLLEGE SCHOOL**

The Schedule amends *An Act to incorporate the Trinity College School* to state that the corporation has the capacity, rights, powers and privileges of a natural person and to make certain changes to the membership of the governing body of the school.

### **SCHEDULE 2 ARTS COUNCIL ACT**

The Schedule amends the *Arts Council Act* by changing the name of the Council from the Province of Ontario Council for the Arts to the Ontario Arts Council. The Schedule also replaces the definition of Minister in section 1.

### **SCHEDULE 3 BUILDING OPPORTUNITIES IN THE SKILLED TRADES ACT, 2021**

The *Building Opportunities in the Skilled Trades Act, 2021* is amended to permit the Registrar to delegate their powers and duties to employees of the Corporation.

### **SCHEDULE 4 CITY OF TORONTO ACT, 2006**

The Schedule amends the *City of Toronto Act, 2006*. Here are some highlights:

1. A new section 69.1 provides that the City may, by by-law, adopt a policy providing for the allocation of water supply and sewage capacity. Such a policy may include a system for tracking the water supply and sewage capacity available to support approved developments as well as criteria respecting the allocation of water supply and sewage capacity to development applications.
2. A new section 82.1 provides that the Lieutenant Governor in Council may make regulations authorizing the City to grant assistance, directly or indirectly, to a specified manufacturing business or other industrial or commercial enterprise during a specified period if the Lieutenant Governor in Council considers that it is necessary or desirable in the provincial interest to attract investment in Ontario.
3. Currently, subsections 114 (4) and (4.1) set out rules respecting consultations with the City before plans and draws are submitted for approval. Those subsections are repealed and, in their place, re-enacted subsection 114 (4) requires the City to permit applicants to consult with the City before submitting plans and drawings for approval.
4. Currently, subsection 114 (4.6) permits the making of a motion, within a specified timeframe, for directions to have the Ontario Land Tribunal determine whether information and material required to be provided with an application for approval of plans and drawings under subsection 114 (5) have in fact been provided or whether a requirement to provide information or material required by the official plan is reasonable. The subsection is re-enacted to provide that a motion can be made at any time after pre-request consultation has begun or the requestor has paid the application fee. Subsection 114 (4.7), which currently provides for the extension of the timeframe under subsection 114 (4.6) in certain circumstances, is repealed.
5. A new subsection 114 (11.1) permits authorized persons referred to in subsection 114 (5.1) to provide for the lapsing of approvals of plans and drawings referred to in subsection 114 (5). A new subsection 114 (11.3) of the Act permits an authorized person to provide for the lapsing of previous approvals and, if the person does so, requires the City to notify the owner of the land. A new subsection 114 (21) of the Act authorizes certain regulations in relation to subsections 114 (11.1), (11.2) and (11.3), including providing for exemptions to those provisions.
6. Subsections 114 (14.1) to (14.3), which currently provide rules respecting when the City is required to refund fees in respect of applications under section 114, are repealed. Transitional rules are provided for in new subsections 114 (21) and (22).
7. A new section 114.2 provides that a regulation made for the purposes of section 49.3 of the *Planning Act* may provide for the non-application of section 113 or 114 of the Act, or may set out restrictions or limitations with respect to their application, to a house or structure referred to in clause 49.3 (1) (a) or (b) of the *Planning Act*.
8. A new section 114.3 provides that a regulation made for the purposes of section 62.0.3 of the *Planning Act* may provide for the non-application of section 113 or 114 of the Act, or may set out restrictions or limitations with respect to their application, to a class of community service facilities that is prescribed for the purposes of section 62.0.3 of the *Planning Act* and that meets such requirements as may be prescribed for the purposes of that section.

**SCHEDULE 5  
CORONERS ACT**

The Schedule amends the *Coroners Act*. Currently subsection 34 (2) of the Act requires the sheriff to provide the coroner with a list of jurors containing their names, ages, places of residence and occupations. The amendment requires the sheriff to also provide such information as may be prescribed.

**SCHEDULE 6  
DEVELOPMENT CHARGES ACT, 1997**

Subsection 5 (3) of the *Development Charges Act, 1997* is amended to add the costs of certain studies as capital costs for the purposes of section 5. Specified transition and special rules in section 5 are repealed and new transition rules with respect to the repeal of subsections 5 (7) and (8) are added.

New subsections 19 (1.1) to (1.3) provide that subsection 19 (1) of the Act does not apply to amendments to development charge by-laws in specified circumstances and new subsection 19 (1.4) governs notice of such amendments.

Currently, subsection 26.2 (5) of the Act provides that clauses 26.2 (1) (a) and (b) do not apply in respect of certain developments if more than the prescribed time has elapsed since certain applications were approved. This subsection is amended to replace the prescribed time with 18 months.

**SCHEDULE 7  
HAZEL MCCALLION ACT (PEEL DISSOLUTION), 2023**

The Schedule amends the *Hazel McCallion Act (Peel Dissolution), 2023*. Here are some highlights:

1. The title of the Act is changed to the *Hazel McCallion Act (Peel Restructuring), 2023*.
2. Section 2, which provides for the dissolution of The Regional Municipality of Peel and the continuation of the City of Mississauga, the City of Brampton and the Town of Caledon as single-tier municipalities, is repealed.
3. Currently, subsection 3 (5) of the Act provides for the duties of the transition board, including providing recommendations to the Minister respecting the municipal restructuring required for the purposes of section 2. Amendments are made to provide that the board must provide recommendations respecting the transfer of powers, responsibilities or jurisdiction from The Regional Municipality of Peel with respect to land use planning, water and wastewater, storm water, highways and waste management.
4. Section 5 currently requires the municipalities and their local boards, when considering entering into a transaction, commitment or agreement on or after May 18, 2023 and before January 1, 2025, to act in the public interest having regard to the municipal restructuring required for the purposes of section 2, including acting in a manner that does not unreasonably impact another municipality. The section is re-enacted to require that the municipalities and their local boards must instead have regard to the transfer of powers, responsibilities or jurisdiction from The Regional Municipality of Peel with respect to the matters set out in new subsection 3 (5.1).
5. Section 9 currently limits the compensation to which persons are entitled as a result of, among other things, the enactment of the Act. The section is re-enacted to set out additional limitations on remedies.

**SCHEDULE 8  
LINE FENCES ACT**

The Schedule amends the *Line Fences Act* with respect to various matters, including the following:

1. The definition of “appeals division” in subsection 1 (1) is repealed and other provisions are amended to reflect this change.
2. New section 22.1 sets out the means by which any document that is required to be served or sent and any notice that is required to be given under the Act can be served, sent or given.
3. Currently, subsections 27 (2) and (3) provide respectively that the Lieutenant Governor in Council shall appoint a referee and that the Lieutenant Governor in Council may appoint one or more deputy referees for the purposes of the Act. These subsections are amended to substitute the Lieutenant Governor in Council with the Minister.
4. Various amendments are made to provide that, in cases where the adjoining owner must be notified, the occupant of the land of the adjoining owner must also be notified.
5. Other housekeeping and consequential amendments are made.

**SCHEDULE 9  
MUNICIPAL ACT, 2001**

The Schedule amends the *Municipal Act, 2001* by adding section 86.1, which provides that a municipality may, by by-law, adopt a policy providing for the allocation of water supply and sewage capacity. Such a policy may include a system for tracking

the water supply and sewage capacity available to support approved developments as well as criteria respecting the allocation of water supply and sewage capacity to development applications.

The Schedule also amends the Act by adding section 106.1. Section 106.1 provides that the Lieutenant Governor in Council may make regulations authorizing a municipality to grant assistance, directly or indirectly, to a specified manufacturing business or other industrial or commercial enterprise during a specified period if the Lieutenant Governor in Council considers that it is necessary or desirable in the provincial interest to attract investment in Ontario.

#### **SCHEDULE 10 NIAGARA PARKS ACT**

The Schedule amends the *Niagara Parks Act*. Subsection 3 (2) of the Act is amended to remove the requirement that the members of the Commission appointed by the council of a municipality be appointed annually. The new subsection 3 (3) provides that those members shall hold office for a term determined by the council that appointed them and that any such term shall not exceed the term of the council that appointed them.

#### **SCHEDULE 11 ONTARIO ENERGY BOARD ACT, 1998**

The Schedule amends the *Ontario Energy Board Act, 1998*. Currently, subsection 90 (2) of the Act provides that the requirement to obtain leave to construct does not apply to the relocation or reconstruction of a hydrocarbon line unless the size of the line is changed or the acquisition of additional land or authority to use additional land is necessary. The subsection is re-enacted to provide that the requirement to obtain leave to construct applies to the relocation or reconstruction of a hydrocarbon line only if the conditions prescribed by the regulations are met. A complementary re-enactment of subsection 92 (2) of the Act is made.

#### **SCHEDULE 12 PLANNING ACT**

The Schedule makes various amendments to the *Planning Act*. Here are some highlights:

1. Currently, the Act provides for two different classes of upper-tier municipalities, those which have planning responsibilities and those which do not. Amendments are made to provide that the Regional Municipality of Peel, the Regional Municipality of Halton and the Regional Municipality of York become upper-tier municipalities without planning responsibilities on July 1, 2024 and to provide that four other specified upper-tier municipalities will be upper-tier municipalities without planning responsibilities on dates to be named by proclamation of the Lieutenant Governor. Other related amendments are made in the Act.
2. New subsections 16 (22) to (24) limit the ability of official plans to contain policies requiring an owner to provide or maintain parking facilities within protected major transit station areas, certain other areas surrounding and including an existing or planned higher order station or stop and other prescribed areas. Related amendments are made to section 34.
3. Currently, subsection 17 (24) of the Act permits a person to appeal the adoption of an official plan if the person has, before the municipality adopted the plan, made oral submissions at a public meeting or written submissions to the municipality. Amendments are made to provide that a person must be a specified person, as currently defined in the Act. New subsections 17 (24.0.1) to (24.0.4) provide for transitional rules. Similar amendments are made to appeal rights under subsections 17 (36) and 34 (19).
4. Currently, subsection 22 (3.1) of the Act requires a council or planning board to allow applicants who wish to do so to consult with the municipality or planning board before submitting a request to amend an official plan and authorizes a council or planning board to pass a by-law requiring applicants to consult with the municipality or planning board before submitting such a request. The re-enacted subsection does not include the authority for a council or planning board to pass a by-law requiring consultation. Similar amendments are made to sections 34, 41 and 51.
5. Currently, subsection 22 (6.2) of the Act permits the making of a motion, within a specified timeframe, for directions to have the Ontario Land Tribunal determine whether information and material required to be provided with a request for an official plan amendment have in fact been provided or whether a requirement to provide information or material required by the official plan is reasonable. The subsection is re-enacted to provide that a motion can be made at any time after pre-request consultation has begun or the requestor has paid the application fee. Subsection 22 (6.3), which currently provides for the extension of the timeframe under subsection 22 (6.2) in certain circumstances, is repealed. Similar amendments are made to sections 34, 41 and 51.
6. Currently, subsection 22 (7.1) provides that there is no appeal under subsection (7) in respect of the refusal or failure to adopt or approve an official plan amendment described in subsection 22 (7.2). Clause 22 (7.2) (a) of the Act currently describes amendments that propose to alter all or any part of the boundary of an area of settlement in a municipality. The clause is re-enacted to describe an alteration of the boundary of an area of settlement in a municipality if, as a result of the alteration, any land in the Greenbelt Area would be included in the area of settlement. A similar amendment is made to clause 34 (11.0.4) (a).



7. Subsections 34 (10.12) to (10.14) of the Act, which currently provide rules respecting when municipalities are required to refund fees in respect of applications under that section, are repealed. Transitional rules are provided for in new subsections 34 (35) and (36). Similar amendments are made to section 41.
8. Section 34.1 currently provides for Minister's orders that are made at the request of a municipality. The section is repealed and re-enacted to provide a transition rule respecting orders that were previously made under the section.
9. Currently, subsection 35.1 (2) authorizes the Minister to make regulations establishing requirements and standards with respect to a second or third residential unit in a detached house, semi-detached house or rowhouse and with respect to a residential unit in a building or structure ancillary to such a house. The subsection is re-enacted to authorize regulations establishing requirements and standards with respect to any additional residential units in a detached house, semi-detached house or rowhouse, a residential unit in a building or structure ancillary to such a house, a parcel of land where such residential units are located or a building or structure within which such residential units are located.
10. A new subsection 41 (7.1) permits authorized persons referred to in subsection 41 (4.0.1) to provide for the lapsing of approvals of plans and drawings referred to in subsection 41 (4). A new subsection 41 (7.3) permits an authorized person to provide for the lapsing of previous approvals and, if the person does so, requires the municipality to notify the owner of the land. Amendments are made to subsection 70.1 (1) to authorize certain regulations in relation to subsections 41 (7.1), (7.2) and (7.3), including providing for exemptions to those provisions.
11. A new section 49.3 of the Act authorizes regulations that provide for the non-application of any provision of Part V or a regulation under section 70.2, or setting out restrictions or limitations with respect to its application, to houses and ancillary structures meeting prescribed criteria.
12. Currently, subsection 51 (32) permits an approval authority to provide for the lapsing of an approval to a draft plan of subdivision. The subsection is re-enacted to, among other things, require approval authorities to provide for the lapsing of such approvals. New subsection 51 (33.4) deals with the lapsing of approvals that were given on or before March 27, 1995. Amendments are made to subsection 70.1 (1) to authorize certain regulations in relation to subsections 51 (32), (32.1) and (33.4), including providing for exemptions to those provisions.
13. A new section 62.0.2 is added to the Act to exempt undertakings of certain classes of post-secondary institutions from the Act and sections 113 and 114 of the *City of Toronto Act, 2006*.
14. A new section 62.0.3 of the Act authorizes regulations that provide for the non-application of any provision of the Act or a regulation made under section 70.2, or setting out restrictions or limitations with respect to its application, to prescribed classes of community service facilities that meet prescribed requirements.
15. Section 70.3 of the Act currently permits the making of regulations that authorize municipalities to pass by-laws establishing a system for allocating sewage and water services to land that is subject to an application under section 51. The section is repealed.

#### **SCHEDULE 13**

#### **POET LAUREATE OF ONTARIO ACT (IN MEMORY OF GORD DOWNIE), 2019**

The Schedule amends subclause 2 (a) (iii) of the *Poet Laureate of Ontario Act (In Memory of Gord Downie), 2019* to change the reference to the Province of Ontario Council for the Arts to the Ontario Arts Council.

#### **SCHEDULE 14**

#### **REDEEMER REFORMED CHRISTIAN COLLEGE ACT, 1998**

The Schedule amends the *Redeemer Reformed Christian College Act, 1998*. Section 4 is amended to reduce the size of the board of governors to not fewer than 11 and not more than 15 persons, and other related amendments are made.

#### **SCHEDULE 15**

#### **UNIVERSITÉ DE HEARST ACT, 2021**

The Schedule amends the *Université de Hearst Act, 2021* to change the composition of the board of governors of the University.

## An Act to amend various Acts

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#### Preamble

The Government of Ontario:

Is reducing red tape and removing costly burdens in order to make government work better for the families, business owners, municipalities and workers who are building Ontario.

Understands that unnecessary red tape too often delays shovels from getting in the ground, making it more expensive and time-consuming to build badly-needed homes.

Recognizes the urgent need to tackle the housing supply crisis and get at least 1.5 million homes built by 2031 in partnership with municipalities.

Is building on its previous actions to cut red tape with a variety of measures that will save people and businesses time and money, including by improving how people and businesses access government services, streamlining municipal approvals and reducing costs to build more homes, prioritizing infrastructure for housing projects that are ready to go, providing certainty once a decision is made and building homes faster for more people.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

#### Contents of this Act

**1 This Act consists of this section, sections 2 and 3 and the Schedules to this Act.**

#### Commencement

**2 (1) Except as otherwise provided in this section, this Act comes into force on the day it receives Royal Assent.**

**(2) The Schedules to this Act come into force as provided in each Schedule.**

**(3) If a Schedule to this Act provides that any of its provisions are to come into force on a day to be named by proclamation of the Lieutenant Governor, a proclamation may apply to one or more of those provisions, and proclamations may be issued at different times with respect to any of those provisions.**

**Short title**

**3 The short title of this Act is the *Cutting Red Tape to Build More Homes Act, 2024*.**

**SCHEDULE 1**  
**AN ACT TO INCORPORATE THE TRINITY COLLEGE SCHOOL**

**1 Section 1 of *An Act to incorporate the Trinity College School, Statutes of Ontario 1872, chapter 111, as amended by the Trinity College School Act, 1932*, is amended by striking out the portion after “under the name of the corporation of “Trinity College School;”” and substituting the following:**

and the said corporation shall have perpetual succession, the capacity, rights, powers and privileges of a natural person and a common seal, and shall have power to add to the numbers and appoint the successors of the aforesaid, by election or otherwise, as may by the said corporation be determined upon.

**2 Section 3 of the Act, as amended by the *Trinity College School Act, 1932*, is repealed and the following substituted:**

**3** The governing body of the said school shall consist of such and so many persons as shall be appointed from time to time as occasion may require, in such manner and for such term as may be provided in the by-laws, rules and regulations of the said governing body.

**Commencement**

**3 This Schedule comes into force on the day the *Cutting Red Tape to Build More Homes Act, 2024* receives Royal Assent.**

**SCHEDULE 2  
ARTS COUNCIL ACT**

**1 (1) The definition of “Council” in section 1 of the *Arts Council Act* is repealed and the following substituted:**

“Council” means the Ontario Arts Council; (“Conseil”)

**(2) The definition of “Minister” in section 1 of the Act is repealed and the following substituted:**

“Minister” means the Minister of Tourism, Culture and Sport or such other member of the Executive Council to whom responsibility for the administration of this Act may be assigned or transferred under the *Executive Council Act*. (“ministre”)

**2 Section 2 of the Act is amended by striking out “the name of Province of Ontario Council for the Arts in English and under the name of Conseil des arts de la province de l’Ontario in French” at the end and substituting “the name of Ontario Arts Council in English and under the name of Conseil des arts de l’Ontario in French”.**

**Commencement**

**3 This Schedule comes into force on the day the *Cutting Red Tape to Build More Homes Act, 2024* receives Royal Assent.**

**SCHEDULE 3**  
**BUILDING OPPORTUNITIES IN THE SKILLED TRADES ACT, 2021**

**1 Section 46 of the *Building Opportunities in the Skilled Trades Act, 2021* is amended by adding the following subsection:**

**Delegation to employee**

(4) Where, under this Act or the regulations, any power or duty is granted to or vested in the Registrar, the Registrar may, in writing, delegate that power or duty from time to time to any employee in the Corporation, subject to such limitations, restrictions, conditions and requirements as the Registrar may set out in the delegation.

**Commencement**

**2 This Schedule comes into force on the day the *Cutting Red Tape to Build More Homes Act, 2024* receives Royal Assent.**

**SCHEDULE 4  
CITY OF TORONTO ACT, 2006**

**1 The *City of Toronto Act, 2006* is amended by adding the following section:**

**Water supply and sewage capacity**

**69.1** (1) Without limiting sections 7 and 8, the City may, by by-law, adopt a policy providing for the allocation of water supply and sewage capacity, which may include the following:

1. A system for tracking the water supply and sewage capacity available to support approved developments.
2. The criteria used to determine,
  - i. the circumstances for when allocation of water supply and sewage capacity is assigned to an approved development,
  - ii. the circumstances for when the allocation of water supply and sewage capacity is withdrawn, and
  - iii. the circumstances for when an approved development, after having its allocation of water supply and sewage capacity withdrawn, may be reallocated water supply and sewage capacity.

**Same**

(2) A by-law described in subsection (1) may provide that the policy set out in the by-law applies to the entire City or applies differently to different geographic areas within the City.

**Determination to be made by officer, etc.**

(3) If the City has passed a by-law described in subsection (1), the administration of the policy must be assigned to an officer, employee or agent of the City, and any decision made by that person under the policy must be final.

**Transition**

(4) Subsection (3) does not apply to a policy of a City that provides for any of the things described in paragraph 2 of subsection (1) if the by-law setting out the policy was passed before the day section 1 of Schedule 4 to the *Cutting Red Tape to Build More Homes Act, 2024* comes into force.

**Regulations, exemptions**

(5) The Minister may make regulations that exempt an approved development or a class of approved developments from any provision of a by-law described in subsection (1), or the entire by-law, that is passed by the City.

**Definition**

(6) In this section,

“approved development” means a development application which has been given approval under the *Planning Act*.

**2 The Act is amended by adding the following section:**

**Authority to grant assistance**

**82.1** (1) If the Lieutenant Governor in Council considers that, despite section 82, it is necessary or desirable in the provincial interest to attract investment in Ontario, the Lieutenant Governor in Council may make regulations authorizing the City to grant assistance, directly or indirectly, to a specified manufacturing business or other industrial or commercial enterprise during a specified period, and governing the granting of the assistance, including,

- (a) setting out the types of assistance that may be granted;
- (b) imposing restrictions, limits or conditions on the granting of the assistance, including providing that specified assistance may only be granted with respect to specified areas within the City; and
- (c) specifying conditions that must be met before the assistance may be granted.

**Regulation prevails**

(2) In the event of a conflict between a regulation made under subsection (1) and the *Development Charges Act, 1997*, the regulation prevails.

**Procedural requirements inapplicable**

(3) If the City is authorized to grant assistance by a regulation made under subsection (1), it is not required to comply with any procedural requirements that would otherwise apply under the *Building Code Act, 1992* and the *Development Charges Act, 1997* in connection with the granting of a total or partial exemption from a levy, charge or fee.

**3 (1) Subsections 114 (4) and (4.1) of the Act are repealed and the following substituted:**

### Consultations

(4) The City shall permit applicants to consult with the City before submitting plans and drawings for approval under subsection (5).

**(2) Subsections 114 (4.6) and (4.7) of the Act are repealed and the following substituted:**

#### Motion re dispute

(4.6) At any time after the applicant has begun to consult with the City before submitting plans and drawings for approval under subsection (4) or after the applicant has paid any fee required under section 69 of the *Planning Act*, the applicant or the City may make a motion for directions to have the Ontario Land Tribunal determine,

- (a) whether the plans and drawings and the information and material have in fact been provided; or
- (b) whether a requirement made under subsection (4.3) is reasonable.

**(3) Section 114 of the Act is amended by adding the following subsections:**

#### Lapse of approval

(11.1) Subject to the regulations, in approving the plans and drawings referred to in subsection (5), the authorized person referred to in subsection (5.1) may provide that the approval lapses at the expiration of the time period specified by the authorized person, in accordance with subsection (11.2), and the approval shall lapse at the expiration of the time period. However, the approval shall not lapse if, before it has lapsed, a permit is issued under section 8 of the *Building Code Act, 1992* to implement the site plan approval.

#### Same, time period

(11.2) For the purposes of subsection (11.1), the time period specified by the authorized person shall not,

- (a) be less than such prescribed time period as may be applicable to the development;
- (b) exceed such prescribed time period as may be applicable to the development; or
- (c) be less than three years, if a prescribed time period under clause (a) or (b) does not apply with respect to the development.

#### Same, approval

(11.3) Subject to the regulations, if an authorized person has approved plans or drawings referred to in subsection (5) before the day subsection 3 (3) of Schedule 4 to the *Cutting Red Tape to Build More Homes Act, 2024* comes into force, the authorized person may provide that the approval lapses in accordance with subsections (11.1) and (11.2) of this section and, if the authorized person does so, the City shall notify the owner of the land of the change to the approval.

**(4) Subsections 114 (14.1) to (14.3) of the Act are repealed.**

**(5) Section 114 of the Act is amended by adding the following subsections:**

#### Same — refund of fee

(21) Subject to subsection (22), subsections (14.1) to (14.3), as they read immediately before their repeal by subsection 3 (4) of Schedule 4 to the *Cutting Red Tape to Build More Homes Act, 2024*, continue to apply to plans and drawings referred to in subsection (5) that are received before the day subsection 3 (4) of Schedule 4 to the *Cutting Red Tape to Build More Homes Act, 2024* comes into force.

#### Same

(22) If the City has not approved the plans and drawings before the day subsection 3 (4) of Schedule 4 to the *Cutting Red Tape to Build More Homes Act, 2024* comes into force, any refund of fees required under subsection (14.1), as it read immediately before its repeal, shall be determined as though an approval had been granted on that day.

### Regulations

(23) The Minister may make regulations,

- (a) prescribing a development or one or more classes of development to which subsections (11.1) and (11.2) do not apply;
- (b) prescribing time periods for the purposes of clauses (11.2) (a) or (b), including providing for a specific time period that applies to a particular development or providing for different time periods that apply with respect to different classes of development;
- (c) prescribing a development or one or more classes of development to which subsection (11.3) does not apply.

**4 The Act is amended by adding the following sections:**



**Non-application of s. 113 or 114 — houses, etc. on a parcel of urban residential land**

**114.2** A regulation made for the purposes of section 49.3 of the *Planning Act* may provide that section 113 or 114 of this Act does not apply, or may set out restrictions or limitations with respect to their application, to a house or structure referred to in clause 49.3 (1) (a) or (b) of the *Planning Act*.

**Non-application of s. 113 or 114 — community service facilities**

**114.3** A regulation made for the purposes of section 62.0.3 of the *Planning Act* may provide that section 113 or 114 of this Act does not apply, or may set out restrictions or limitations with respect to their application, to a class of community service facilities that is prescribed for the purposes of section 62.0.3 of the *Planning Act* and that meets such requirements as may be prescribed for the purposes of that section.

**Commencement**

**5** This Schedule comes into force on the day the *Cutting Red Tape to Build More Homes Act, 2024* receives Royal Assent.

**SCHEDULE 5  
CORONERS ACT**

**1 Subsection 34 (2) of the *Coroners Act* is repealed and the following substituted:**

**Same**

(2) Upon receipt of the warrant, the sheriff shall provide the list containing names of persons in the number specified by the coroner, taken from the jury roll prepared under the *Juries Act*, together with their ages, places of residence, occupations and such other information as may be prescribed.

**2 Subsection 56 (2) of the Act is amended by adding the following clause:**

(c.1) prescribing information that shall be provided by the sheriff under subsection 34 (2);

**Commencement**

**3 This Schedule comes into force on the day the *Cutting Red Tape to Build More Homes Act, 2024* receives Royal Assent.**

**SCHEDULE 6  
DEVELOPMENT CHARGES ACT, 1997**

**1 (1) Subsection 5 (3) of the *Development Charges Act, 1997* is amended by adding the following paragraphs:**

5. Costs to undertake studies in connection with any of the matters referred to in paragraphs 1 to 4.
6. Costs of the development charge background study required under section 10.

**(2) Subsection 5 (3.1) of the Act is repealed.**

**(3) Paragraph 4 of subsection 5 (6) of the Act is repealed.**

**(4) Subsections 5 (7) to (9) of the Act are repealed and the following substituted:**

**Transition, repeal of subss. (7) and (8)**

(7) Subsections (7) and (8) as they read immediately before the day subsection 1 (4) of Schedule 6 to the *Cutting Red Tape to Build More Homes Act, 2024* came into force continue to apply to a development charge imposed on or after November 28, 2022 and before the day subsection 1 (4) of Schedule 6 to the *Cutting Red Tape to Build More Homes Act, 2024* came into force.

**Same**

(8) For the purposes of subsection (7), a development charge is deemed to be imposed on the day referred to in subsection 26.2 (1) that applies to the development charge.

**2 (1) Section 19 of the Act is amended by adding the following subsections:**

**Amendments to extend by-law**

(1.1) Subsection (1) does not apply to an amendment to a development charge by-law if the only effect of the amendment is to repeal a provision specifying the date on which the by-law expires or to amend such a provision to provide for the by-law to expire on a later date.

**Amendments re subs. 5 (3)**

(1.2) Subsection (1) does not apply to an amendment to a development charge by-law if the following conditions are satisfied:

1. The development charge by-law being amended was passed on or after November 28, 2022 and before the day subsection 1 (1) of Schedule 6 to the *Cutting Red Tape to Build More Homes Act, 2024* came into force.
2. The amendment is passed within six months after the day subsection 1 (1) of Schedule 6 to the *Cutting Red Tape to Build More Homes Act, 2024* came into force.
3. The only effect of the amendment is to impose development charges to pay for the capital costs described in paragraphs 5 and 6 of subsection 5 (3) if development charges are permitted under the Act.

**Amendments re subs. 5 (6)**

(1.3) Subsection (1) does not apply to an amendment to a development charge by-law if the following conditions are satisfied:

1. The development charge by-law being amended was passed on or after November 28, 2022 and before the day subsection 1 (3) of Schedule 6 to the *Cutting Red Tape to Build More Homes Act, 2024* came into force.
2. The amendment is passed within six months after the day subsection 1 (3) of Schedule 6 to the *Cutting Red Tape to Build More Homes Act, 2024* came into force.
3. The only effect of the amendment is to change the rules developed pursuant to paragraph 9 of subsection 5 (1) to increase a development charge imposed during the first four years that the by-law is in force to the amount that could have been charged if paragraph 4 of subsection 5 (6) had not been in force at the time the by-law was passed.

**Notice**

(1.4) The clerk of a municipality that passed an amendment referred to in subsection (1.1), (1.2) or (1.3) shall give written notice of the passing of the amendment and subsections 13 (2) to (4) apply, with necessary modifications, to the notice.

**(2) Subsections 19 (1.2) to (1.4) of the Act, as enacted by subsection 2 (1), are repealed and the following substituted:**

**Notice**

(1.2) The clerk of a municipality that passed an amendment referred to in subsection (1.1) shall give written notice of the passing of the amendment and subsections 13 (2) to (4) apply, with necessary modifications, to the notice.

**3 (1) Subsection 26.2 (5) of the Act is amended by striking out “the prescribed amount of time” wherever it appears and substituting in each case “18 months”.**

**(2) Section 26.2 of the Act is amended by adding the following subsection:**

**Same, transition**

(5.1) Subsection (5) as it read before the day subsection 3 (1) of Schedule 6 to the *Cutting Red Tape to Build More Homes Act, 2024* came into force continues to apply to a development in respect of which the application referred to in clause (1) (a) or (b) was approved before the day subsection 3 (1) of Schedule 6 to the *Cutting Red Tape to Build More Homes Act, 2024* came into force.

**Commencement**

**4 (1) Except as otherwise provided in this section, this Schedule comes into force on the day the *Cutting Red Tape to Build More Homes Act, 2024* receives Royal Assent.**

**(2) Subsection 2 (2) comes into force on the day that is 7 months after the day the *Cutting Red Tape to Build More Homes Act, 2024* receives Royal Assent.**

**SCHEDULE 7  
HAZEL MCCALLION ACT (PEEL DISSOLUTION), 2023**

**1 The title of the *Hazel McCallion Act (Peel Dissolution), 2023* is repealed and the following substituted:**

**Hazel McCallion Act (Peel Restructuring), 2023**

**2 Section 2 of the Act is repealed.**

**3 (1) Paragraph 1 of subsection 3 (5) of the Act is repealed and the following substituted:**

1. Provide recommendations to the Minister, by the date or dates directed by the Minister, respecting the transfer of powers, responsibilities or jurisdiction from The Regional Municipality of Peel with respect to the matters set out in subsection (5.1), including recommendations with respect to,
  - i. transferring assets of The Regional Municipality of Peel,
  - ii. assigning liabilities, debt and other financial obligations of The Regional Municipality of Peel,
  - iii. employment matters, including pension and benefit obligations,
  - iv. the allocation, governance, use and control of the powers, responsibilities or jurisdiction that may be transferred, including whether other entities should be established or other shared servicing arrangements would be advisable,
  - v. the impact on any municipality that may be affected, and
  - vi. any other matters that the board considers advisable or that the Minister may direct.

**(2) Section 3 of the Act is amended by adding the following subsection:**

**Same**

(5.1) The following are the matters for the purposes of paragraph 1 of subsection (5);

1. Land use planning.
2. Water and wastewater.
3. Storm water.
4. Highways.
5. Waste management.

**(3) Subsection 3 (7) of the Act is amended by striking out “The members of the council” at the beginning of the portion before clause (a) and substituting “The members of the councils”.**

**(4) Subsection 3 (13) of the Act is amended by adding “earlier or” before “later date”.**

**4 Section 5 of the Act is repealed and the following substituted:**

**Requirement to consider public interest**

**5** The Regional Municipality of Peel, the City of Mississauga, the City of Brampton, the Town of Caledon and their local boards shall, when considering entering into any transaction, commitment or agreement before such date as may be specified by the regulations, act in the public interest having regard to the transfer of powers, responsibilities or jurisdiction from The Regional Municipality of Peel with respect to the matters set out in subsection 3 (5.1), including acting in a manner that does not unreasonably impact another municipality.

**5 Section 9 of the Act is repealed and the following substituted:**

**Limitation on remedies**

**9** (1) No cause of action arises against the Crown, the transition board, The Regional Municipality of Peel, the City of Mississauga, the City of Brampton, the Town of Caledon, any current or former member of the Executive Council or any current or former employee, officer or agent of or advisor to the Crown, the transition board or The Regional Municipality of Peel, the City of Mississauga, the City of Brampton or the Town of Caledon, as a direct or indirect result of,

- (a) the enactment, amendment or repeal of any provision of this Act;
- (b) the making, amendment or revocation of any provision of a regulation, order, direction or recommendation or other instrument under this Act;
- (c) the provision of any advice or report provided under this Act;
- (d) anything done or not done in accordance with this Act, or a regulation, order, direction or recommendation or other instrument under this Act;

- (e) any modification, revocation, cessation or termination of rights in real property, contractual rights or other rights resulting from anything referred to in clauses (a) to (d); or
- (f) any representation or other conduct that is related, directly or indirectly, to anything referred to in clauses (a) to (d), whether the representation or other conduct occurred before or after this subsection came into force.

**No remedy**

(2) Except as otherwise provided under this Act, no costs, compensation or damages, including for loss of revenues or loss of profit, are owing or payable to any person and no remedy, including but not limited to a remedy in contract, restitution, tort, misfeasance, bad faith, trust or fiduciary obligation, any equitable remedy or any remedy under any statute, is available to any person in connection with anything referred to in subsection (1) against any person referred to in that subsection.

**Proceedings barred**

(3) No proceeding that is directly or indirectly based on or related to anything referred to in subsection (1) may be brought or maintained against any person referred to in that subsection.

**Application**

(4) Subsection (3) does not apply with respect to an application for judicial review, but does apply with respect to any other court, administrative or arbitral proceeding claiming any remedy or relief, including specific performance, injunction, declaratory relief or the enforcement of a judgment, order or award made outside Ontario.

**Retrospective effect**

(5) Subsections (1) to (3) apply regardless of whether the cause of action on which a proceeding is purportedly based arose before, on or after the day section 5 of Schedule 7 to the *Cutting Red Tape to Build More Homes Act, 2024* comes into force.

**No costs awarded**

(6) No costs shall be awarded against any person in respect of a proceeding that cannot be brought or maintained under subsection (3).

**Aboriginal or treaty rights**

(7) This section does not apply to a cause of action that arises from any aboriginal or treaty right that is recognized and affirmed by section 35 of the *Constitution Act, 1982*.

**No expropriation or injurious affection**

(8) Nothing referred to in subsection (1) constitutes an expropriation or injurious affection for the purposes of the *Expropriations Act* or otherwise at law.

**Proceedings by Crown not prevented**

(9) This section does not apply with respect to proceedings brought by the Crown.

**6 Subsection 10 (1) of the Act is amended by adding the following clause:**

- (d) specifying a date for the purposes of section 5 or specifying different dates that apply in different circumstances.

**7 Sections 11 and 12 and subsection 13 (2) of the Act are repealed.**

**Commencement**

**8 This Schedule comes into force on the day the *Cutting Red Tape to Build More Homes Act, 2024* receives Royal Assent.**

**SCHEDULE 8  
LINE FENCES ACT**

**1 (1) The definition of “appeals division” in subsection 1 (1) of the *Line Fences Act* is repealed.**

**(2) The definition of “Minister” in subsection 1 (1) of the Act is amended by striking out “Minister of Municipal Affairs and Housing” and substituting “Minister of Agriculture, Food and Rural Affairs or such other member of the Executive Council to whom responsibility for the administration of this Act is assigned or transferred under the *Executive Council Act*”.**

**(3) The definition of “fence-viewers” in subsection 1 (2) of the Act is amended by striking out “the owner or occupant” and substituting “the owner and occupant”.**

**(4) Subsection 1 (2) of the Act is amended by adding the following definition:**

“in which the land is situated” means in which is situated the land of the owner and occupant notified under section 4. (“où est situé le bien-fonds”)

**(5) The definition of “in which the land is situate” or “in which the land lies” in subsection 1 (2) of the Act is repealed.**

**2 Section 3 of the Act is amended by striking out “construct and maintain” and substituting “construct, maintain and keep up”.**

**3 Section 4 of the Act is repealed and the following substituted:**

**Owner may request fence-viewers to view and arbitrate**

**4 (1) If the owner of any land wishes to have a fence that marks the boundary between their land and the land of an adjoining owner constructed, repaired or reconstructed, the owner of the land may, using the prescribed form, notify the clerk of the local municipality in which the land is situated that the owner wishes fence-viewers to view and arbitrate what portion of the fence each owner shall construct, reconstruct or repair and maintain and keep up.**

**Service of notice**

**(2) When the clerk of a municipality is notified under subsection (1), the clerk shall serve notice, in the prescribed form,**

- (a) on the owner mentioned in subsection (1), the adjoining owner and the occupant of the land of the adjoining owner, that three fence-viewers will meet to arbitrate on the day and at the location set out in the notice; and**
- (b) on the fence viewers, that they are required to meet to arbitrate on the day and location set out in the notice.**

**Same**

**(3) A notice served under subsection (2) shall specify the following:**

- 1. The day of the arbitration which shall be not more than 30 days after the day the clerk is deemed to have received notice under subsection (1) and at least one week after the notice is deemed to be served under subsection (2).**
- 2. The location for the meeting for the arbitration.**

**4 Section 6 of the Act is repealed.**

**5 Section 7 of the Act is amended by striking out “The fence-viewers” and substituting “Three fence-viewers”.**

**6 (1) Clause 8 (1) (d) of the Act is amended by striking out “shall be commenced and the date by which such work”.**

**(2) Subsection 8 (2) of the Act is amended by striking out “locality” and substituting “area”.**

**7 Section 9 of the Act is repealed and the following substituted:**

**Deposit of award, etc.**

**9 (1) The award of the fence-viewers shall be deposited in the office of the clerk of the local municipality in which the land is situated and may be proved by a copy certified by the clerk, and the clerk shall send a copy of the certified award to the owners and occupants of the adjoining lands.**

**Where land situated in different municipalities**

**(2) Where the lands of the adjoining owners are situated in different local municipalities, a clerk under subsection (1) shall, immediately upon the deposit of an award in their office, send a copy which they have certified to the clerks of all other municipalities in which the lands are situated.**

**8 (1) Subsection 10 (1) of the Act is amended by striking out “may appeal therefrom to the referee for the appeals division” and substituting “may appeal to the referee”, by striking out “in which the land is situate” and by striking out “the owner or occupant” and substituting “the owner and occupant”.**

**(2) Subsection 10 (2) of the Act is repealed.**

(3) Subsection 10 (3) of the Act is amended by striking out “forthwith notify the referee for the appeals division of the appeal and the referee shall forthwith” and substituting “immediately notify the referee and the referee shall immediately”.

(4) Subsection 10 (4) of the Act is amended by striking out “and a notice under this subsection shall be served in the same manner as a notice under section 4”.

(5) Subsections 10 (7) and (8) of the Act are repealed.

(6) Subsection 10 (9) of the Act is amended by striking out “by registered mail”.

(7) Subsection 10 (10) of the Act is amended by striking out “Treasurer of Ontario” and substituting “Minister of Finance”.

9(1) Subsection 11 (1) of the Act is amended by striking out “the first adjoining owner or the occupant” and substituting “the first adjoining owner and the occupant”.

(2) Subsection 11 (2) of the Act is repealed.

(3) Subsection 11 (6) of the Act is repealed and the following substituted:

**Service of notice of amount owing**

(6) If the award specifies that one adjoining owner shall pay to the designated adjoining owner a portion of the costs of the work under subclause 8 (1) (b) (ii), the designated adjoining owner shall serve notice of the amount owing in accordance with the award on the other adjoining owner and the occupant of that owner’s land, and if the amount is not paid within 28 days following the day on which the service is deemed to be made, the designated adjoining owner may institute proceedings to recover the amount and the costs of the proceedings from the other adjoining owner.

(4) Subsection 11 (8) of the Act is repealed and the following substituted:

**Notice by clerk**

(8) When the clerk of a municipality is notified by an owner under subsection (7), the clerk shall,

- (a) immediately serve notice, in the prescribed form, on the owner and on the owner and any occupant of the adjoining land that the fence-viewers will reattend at the premises; and
- (b) serve notice, in the prescribed form, on the fence-viewers at least one week before their services are required.

(5) Subsection 11 (9) of the Act is repealed and the following substituted:

**Same**

(9) A notice served under subsection (8) shall specify the following:

- 1. The day the fence-viewers are required to reattend which shall be at least one week after the notice is deemed to be served.
- 2. The location for the reconvening of the fence-viewers.

10 (1) Subsection 12 (1) of the Act is amended by striking out “that the adjoining owner or the occupant of the land of the adjoining owner was duly notified under subsection 11 (1) or (6), as the case may be, and has failed” and substituting “that the adjoining owner and the occupant of the land of the adjoining owner were duly notified under subsection 11 (1) or (6), as the case may be, and have failed” in the portion before clause (a).

(2) Clause 12 (1) (a) of the Act is amended by striking out “where the adjoining owner or the occupant of the land of the adjoining owner was notified” and substituting “where the adjoining owner and the occupant of the land of the adjoining owner were notified”.

(3) Clause 12 (1) (b) of the Act is amended by striking out “where the adjoining owner or the occupant of the land of the adjoining owner was notified” and substituting “where the adjoining owner and the occupant of the land of the adjoining owner were notified”.

(4) Subsection 12 (9) of the Act is amended by striking out “division” and substituting “territorial division”.

11 (1) Subsection 13 (2) of the Act is amended by striking out “on the adjoining owner or occupant” and substituting “on the adjoining owner and occupant”.

(2) Subsection 13 (3) of the Act is amended by striking out “and shall be served by an owner in the same manner as a notice to an owner or occupant is served by the clerk under section 4”.

(3) Subsection 13 (6) of the Act is amended by striking out “the date by which such action shall commence, and”.

(4) Subsection 13 (7) of the Act is amended by striking out “to the adjoining owner or the occupant” and substituting “to the adjoining owner and occupant”.



**12 The English version of subsection 19 (1) of the Act is amended by striking out “construct, keep up and maintain” and substituting “construct, maintain and keep up”.**

**13 Clause 21 (1) (a) of the Act is repealed and the following substituted:**

- (a) without giving at least six months previous notice of the owner’s intention to the owner and occupant of the adjacent land unless the owner or occupant, after demand made upon the owner and occupant in writing by the owner of the fence, refuses to pay therefor the sum determined as provided by section 8; or

**14 The Act is amended by adding the following section:**

**Service, notification, etc.**

**22.1 (1)** Anything that is required to be served or sent and any notice that is required to be given may be served, sent or given,

- (a) by prepaid mail, certified mail, registered mail or commercial courier at the last known address of the person who is to be served or sent a notice or document or who is to be given notice; or
- (b) by fax or electronic means, including email, at the last known number or electronic address of the person who is to be served or sent a notice or document or who is to be given notice.

**Service, notification, etc. by mail**

(2) If anything is served or sent and if any notice is given pursuant to clause (1) (a), it is deemed to be served, sent or given on the fifth business day after the day of mailing or on the third business day after the commercial courier received the notice or document.

**Service, notification, etc. by fax or electronic means**

(3) If anything is served or sent and if any notice is given pursuant to clause (1) (b) after 4 p.m., it is deemed to be served, sent or given on the following business day.

**15 Section 26 of the Act is repealed and the following substituted:**

**Non-application**

**26** This Act, except section 20, does not apply to land in an area that is subject to a by-law passed under subsection 98 (1) of the *Municipal Act, 2001* or subsection 109 (1) of the *City of Toronto Act, 2006*, as the case may be.

**16 (1) Subsection 27 (1) of the Act is repealed.**

**(2) Subsection 27 (2) of the Act is repealed and the following substituted:**

**Appointment of referee**

(2) The Minister shall appoint a referee for the purposes of this Act.

**(3) Subsection 27 (3) of the Act is repealed and the following substituted:**

**Deputy referees**

(3) The Minister may appoint one or more deputy referees for the purposes of this Act and a deputy referee has the same powers and duties as a referee.

**(4) Subsection 27 (4) of the Act is repealed.**

**(5) Subsection 27 (5) of the Act is repealed and the following substituted:**

**Assignment of hearings**

(5) A deputy referee shall hear the appeals that are assigned to the deputy referee by a referee.

**17 Subsection 28 (2) of the Act is amended by striking out “stenographic and other”.**

**18 Clause 30 (b) of the Act is repealed.**

**19 Section 31 of the Act is amended by striking out “or a person designated by the council under this Act for the purpose of giving notices”.**

**20 (1) The English version of the Act is amended by striking out “situate” wherever it appears and substituting in each case “situated”.**

**(2) The English version of the Act is amended by striking out “forthwith” wherever it appears and substituting in each case “immediately”.**

**Commencement**

**21 This Schedule comes into force on the day the *Cutting Red Tape to Build More Homes Act, 2024* receives Royal Assent.**

**SCHEDULE 9  
MUNICIPAL ACT, 2001**

**1 The *Municipal Act, 2001* is amended by adding the following section:**

**Water supply and sewage capacity**

**86.1** (1) Without limiting sections 9, 10 and 11, a municipality may, by by-law, adopt a policy providing for the allocation of water supply and sewage capacity, which may include the following:

1. A system for tracking the water supply and sewage capacity available to support approved developments.
2. The criteria used to determine,
  - i. the circumstances for when allocation of water supply and sewage capacity is assigned to an approved development,
  - ii. the circumstances for when the allocation of water supply and sewage capacity is withdrawn, and
  - iii. the circumstances for when an approved development, after having its allocation of water supply and sewage capacity withdrawn, may be reallocated water supply and sewage capacity.

**Same**

(2) A by-law described in subsection (1) may provide that the policy set out in the by-law applies to the entire municipality or applies differently to different geographic areas within the municipality.

**Determination to be made by officer, etc.**

(3) If a municipality has passed a by-law described in subsection (1), the administration of the policy must be assigned to an officer, employee or agent of the municipality, and any decision made by that person under the policy must be final.

**Transition**

(4) Subsection (3) does not apply to a policy of a municipality that provides for any of the things described in paragraph 2 of subsection (1) if the by-law setting out the policy was passed before the day section 1 of Schedule 9 to the *Cutting Red Tape to Build More Homes Act, 2024* comes into force.

**Regulations, exemptions**

(5) The Minister may make regulations that exempt an approved development or a class of approved developments from any provision of a by-law described in subsection (1), or the entire by-law, that is passed by a municipality.

**Definition**

(6) In this section,

“approved development” means a development application which has been given approval under the *Planning Act*.

**2 The Act is amended by adding the following section:**

**Authority to grant assistance**

**106.1** (1) If the Lieutenant Governor in Council considers that, despite section 106, it is necessary or desirable in the provincial interest to attract investment in Ontario, the Lieutenant Governor in Council may make regulations authorizing a municipality to grant assistance, directly or indirectly, to a specified manufacturing business or other industrial or commercial enterprise during a specified period, and governing the granting of the assistance, including,

- (a) setting out the types of assistance that may be granted;
- (b) imposing restrictions, limits or conditions on the granting of the assistance, including providing that specified assistance may only be granted with respect to specified areas within the municipality; and
- (c) specifying conditions that must be met before the assistance may be granted.

**Regulation prevails**

(2) In the event of a conflict between a regulation made under subsection (1) and the *Development Charges Act, 1997*, the regulation prevails.

**Procedural requirements inapplicable**

(3) If a municipality is authorized to grant assistance by a regulation made under subsection (1), it is not required to comply with any procedural requirements that would otherwise apply under the *Building Code Act, 1992* and the *Development Charges Act, 1997* in connection with the granting of a total or partial exemption from a levy, charge or fee.

**Commencement**

**3 This Schedule comes into force on the day the *Cutting Red Tape to Build More Homes Act, 2024* receives Royal Assent.**

**SCHEDULE 10  
NIAGARA PARKS ACT**

**1 (1) Subsection 3 (2) of the *Niagara Parks Act* is amended by striking out “annually” wherever it appears.**

**(2) Section 3 of the Act is amended by adding the following subsection:**

**Term of office**

(3) The members appointed under clauses (2) (b) to (e) shall hold office for a term determined by the council that appointed them and any such term shall not exceed the term of the council that appointed them.

**Commencement**

**2 This Schedule comes into force on the day the *Cutting Red Tape to Build More Homes Act, 2024* receives Royal Assent.**

**SCHEDULE 11**  
**ONTARIO ENERGY BOARD ACT, 1998**

**1 Subsection 90 (2) of the *Ontario Energy Board Act, 1998* is repealed and the following substituted:**

**Exception**

(2) Subsection (1) applies to the relocation or reconstruction of a hydrocarbon line only if the conditions prescribed by the regulations are met.

**2 Subsection 92 (2) of the Act is repealed and the following substituted:**

**Exception**

(2) Subsection (1) applies to the relocation or reconstruction of an existing electricity transmission line or electricity distribution line or interconnection where no expansion or reinforcement is involved only if the acquisition of additional land or authority to use additional land is necessary.

**Commencement**

**3 This Schedule comes into force on a day to be named by proclamation of the Lieutenant Governor.**

**SCHEDULE 12  
PLANNING ACT**

**1 (1) The definition of “upper-tier municipality without planning responsibilities” in subsection 1 (1) of the *Planning Act* is repealed and the following substituted:**

“upper-tier municipality without planning responsibilities” means any of the following upper-tier municipalities:

1. The Regional Municipality of Halton.
2. The Regional Municipality of Peel.
3. The Regional Municipality of York.
4. Any other upper-tier municipality that is prescribed under subsection (6); (“municipalité de palier supérieur sans responsabilités en matière d’aménagement”)

**(2) The definition of “upper-tier municipality without planning responsibilities” in subsection 1 (1) of the Act, as re-enacted by subsection (1), is amended by adding the following paragraph:**

- 0.1 The County of Simcoe.

**(3) The definition of “upper-tier municipality without planning responsibilities” in subsection 1 (1) of the Act, as re-enacted by subsection (1), is amended by adding the following paragraph:**

- 0.2 The Regional Municipality of Durham.

**(4) The definition of “upper-tier municipality without planning responsibilities” in subsection 1 (1) of the Act, as re-enacted by subsection (1), is amended by adding the following paragraph:**

- 1.1 The Regional Municipality of Niagara.

**(5) The definition of “upper-tier municipality without planning responsibilities” in subsection 1 (1) of the Act, as re-enacted by subsection (1), is amended by adding the following paragraph:**

- 2.1 The Regional Municipality of Waterloo.

**(6) Paragraphs 1 and 2 of subsection 1 (4.1) of the Act are amended by striking out “Paragraph 1” wherever it appears and substituting “Paragraph 1.1”.**

**(7) Paragraph 5 of subsection 1 (4.1) of the Act is amended by striking out “Paragraph 2” at the beginning and substituting “Paragraph 2.1”.**

**(8) Subsection 1 (4.4) of the Act is repealed and the following substituted:**

**Transition**

(4.4) Despite subsection (4.3), an upper-tier municipality without planning responsibilities that was a party to an appeal under a provision listed in subsection (4.3) on the day before the effective date, as defined in subsection 70.13 (1) in respect of the municipality, may continue as a party to the appeal after that date until the final disposition of the appeal, unless the appeal is deemed to be dismissed by application of subsection 17 (24.0.2) or (36.0.2), 34 (19.0.2), 45 (1.2) or 53 (19.2) or (27.0.2).

**2 Section 16 of the Act is amended by adding the following subsections:**

**Restriction, parking facilities**

(22) No official plan may contain any policy that has the effect of requiring an owner or occupant of a building or structure to provide and maintain parking facilities, other than parking facilities for bicycles, on land that is not part of a highway and that is located within,

- (a) a protected major transit station area identified in accordance with subsection (15) or (16);
- (b) an area delineated in the official plan of the municipality surrounding and including an existing or planned higher order transit station or stop, within which area the official plan policies identify the minimum number of residents and jobs, collectively, per hectare that are planned to be accommodated, but only if those policies are required to be included in the official plan to conform with a provincial plan or be consistent with a policy statement issued under subsection 3 (1);  
or
- (c) any other area prescribed for the purposes of this clause.

**Policy of no effect**

(23) A policy in an official plan is of no effect to the extent that it contravenes subsection (22).

**Same**

(24) No official plan may contain any policy that has the effect of requiring an owner or occupant of a building or structure to provide and maintain parking facilities, other than parking facilities for bicycles, containing more than the prescribed number

of parking spaces on land that is not part of a highway and that is located within an area prescribed for the purposes of this subsection, and if a policy does so, the official plan is deemed to be amended to be consistent with this subsection.

**3 (1) Paragraph 1 of subsection 17 (24) of the Act is repealed and the following substituted:**

1. A specified person who, before the plan was adopted, made oral submissions at a public meeting or written submissions to the council.
- 1.1 A public body that, before the plan was adopted, made oral submissions at a public meeting or written submissions to the council.

**(2) Section 17 of the Act is amended by adding the following subsections:**

**Transition**

(24.0.1) For greater certainty, subsection (24), as it reads on the day subsection 3 (1) of Schedule 12 to the *Cutting Red Tape to Build More Homes Act, 2024* comes into force, applies to an appeal on and after that day even if the giving of notice under subsection (23) of this section is completed before that day.

**Same, retroactive effect**

(24.0.2) An appeal under subsection (24) made before the day subsection 3 (1) of Schedule 12 to the *Cutting Red Tape to Build More Homes Act, 2024* comes into force by a person or public body not described in paragraph 1, 1.1, 2, 3 or 4 of subsection (24) of this section as it reads on the day subsection 3 (1) of Schedule 12 to the *Cutting Red Tape to Build More Homes Act, 2024* comes into force shall be deemed to have been dismissed on that day unless,

- (a) a hearing on the merits of the appeal had been scheduled before April 10, 2024; or
- (b) a notice of appeal was filed by a person or public body listed in paragraph 1, 1.1, 2, 3 or 4 of subsection (24) in respect of the same plan to which the appeal relates.

**Same, hearing on the merits**

(24.0.3) For the purposes of clause (24.0.2) (a), a hearing on the merits of an appeal is considered to be scheduled on the date on which the Tribunal first orders the hearing to be scheduled, and is not affected by an adjournment or rescheduling of the hearing.

**Same**

(24.0.4) For greater certainty, a hearing on the merits of an appeal does not include mediation or any other dispute resolution process, settlement negotiations, a case management conference or any other step in the appeal that precedes such a hearing.

**(3) Paragraph 1 of subsection 17 (36) of the Act is repealed and the following substituted:**

1. A specified person who, before the plan was adopted, made oral submissions at a public meeting or written submissions to the council.
- 1.1 A public body that, before the plan was adopted, made oral submissions at a public meeting or written submissions to the council.

**(4) Section 17 of the Act is amended by adding the following subsections:**

**Transition**

(36.0.1) For greater certainty, subsection (36), as it reads on the day subsection 3 (3) of Schedule 12 to the *Cutting Red Tape to Build More Homes Act, 2024* comes into force, applies to an appeal on and after that day even if the giving of notice under subsection (35) of this section is completed before that day.

**Same, retroactive effect**

(36.0.2) An appeal under subsection (36) made before the day subsection 3 (3) of Schedule 12 to the *Cutting Red Tape to Build More Homes Act, 2024* comes into force by a person or public body not described in paragraph 1, 1.1, 2 or 3 of subsection (36) of this section as it reads on the day subsection 3 (3) of Schedule 12 to the *Cutting Red Tape to Build More Homes Act, 2024* comes into force shall be deemed to have been dismissed on that day unless,

- (a) a hearing on the merits of the appeal had been scheduled before April 10, 2024; or
- (b) a notice of appeal was filed by a person or public body listed in paragraph 1, 1.1, 2 or 3 of subsection (36) in respect of the same decision to which the appeal relates.

**Same, hearing on the merits**

(36.0.3) For the purposes of clause (36.0.2) (a), a hearing on the merits of an appeal is considered to be scheduled on the date on which the Tribunal first orders the hearing to be scheduled, and is not affected by an adjournment or rescheduling of the hearing.

**Same**

(36.0.4) For greater certainty, a hearing on the merits of an appeal does not include mediation or any other dispute resolution process, settlement negotiations, a case management conference or any other step in the appeal that precedes such a hearing.

**4 (1) Subsection 22 (2.1.3) of the Act is repealed and the following substituted:****No request for amendment re protected major transit station area policies**

(2.1.3) Subject to subsection (2.1.4), if a protected major transit station area is identified in an official plan in accordance with subsection 16 (15) or (16), no person or public body shall request an amendment in respect of any of the policies described in that subsection in respect of that area.

**Exception**

(2.1.4) Subsection (2.1.3) does not apply in respect of the policies described in clause 16 (15) (b) or in subclause 16 (16) (b) (i).

**(2) Subsection 22 (3.1) of the Act is repealed and the following substituted:****Consultation**

(3.1) The council or planning board shall permit applicants to consult with the municipality or planning board, as the case may be, before submitting requests under subsection (1) or (2).

**(3) Subsections 22 (6.2) and (6.3) of the Act are repealed and the following substituted:****Motion re dispute**

(6.2) At any time after the person or public body has begun to consult with the municipality or planning board before submitting a request under subsection (1) or (2) or after the person or public body has paid any fee required under section 69, the person or public body or the council or planning board may make a motion for directions to have the Tribunal determine,

- (a) whether the information and material have in fact been provided; or
- (b) whether a requirement made under subsection (5) is reasonable.

**(4) Clause 22 (7.2) (a) of the Act is repealed and the following substituted:**

- (a) alter all or any part of the boundary of an area of settlement in a municipality if, as a result of the alteration, any land in the Greenbelt Area, within the meaning of the *Greenbelt Act, 2005*, would be included in the area of settlement;

**5 (1) Paragraph 6 of subsection 34 (1) of the Act is amended by striking out “For requiring” at the beginning and substituting “Subject to subsection (1.1), for requiring”.****(2) Section 34 of the Act is amended by adding the following subsections:****Restriction, parking facilities**

(1.1) Despite paragraph 6 of subsection (1), a zoning by-law may not require an owner or occupant of a building or structure to provide and maintain parking facilities, other than parking facilities for bicycles, on land that is not part of a highway and that is located within,

- (a) a protected major transit station identified in accordance with subsection 16 (15) or (16);
- (b) an area delineated in the official plan of the municipality surrounding and including an existing or planned higher order transit station or stop, within which area the official plan policies identify the minimum number of residents and jobs, collectively, per hectare that are planned to be accommodated, but only if those policies are required to be included in the official plan to conform with a provincial plan or be consistent with a policy statement issued under subsection 3 (1); or
- (c) any other area prescribed for the purposes of clause 16 (22) (c).

**Provisions of no effect**

(1.2) A provision of a by-law passed under this section or an order made under clause 47 (1) (a) is of no effect to the extent that it contravenes a restriction described in subsection (1.1) of this section.

**Same**

(1.3) Despite paragraph 6 of subsection (1), a zoning by-law may not require an owner or occupant of a building or structure to provide and maintain parking facilities, other than parking facilities for bicycles, containing more than the number of parking spaces prescribed for the purposes of subsection 16 (24) on land that is not part of a highway and that is located within an area prescribed for the purposes of that subsection, and if a by-law does so, the by-law is deemed to be amended to be consistent with this subsection.

**(3) Subsection 34 (10.0.1) of the Act is repealed and the following substituted:**

## Consultation

(10.0.1) The council shall permit applicants to consult with the municipality before submitting applications to amend by-laws passed under this section.

### **(4) Subsections 34 (10.5) and (10.6) of the Act are repealed and the following substituted:**

#### **Motion re dispute**

(10.5) At any time after the person or public body has begun to consult with the municipality before submitting an application to amend a by-law passed under this section or after the person or public body has paid any fee required under section 69, the person or public body or the council may make a motion for directions to have the Tribunal determine,

- (a) whether the information and material have in fact been provided; or
- (b) whether a requirement made under subsection (10.2) is reasonable.

### **(5) Subsections 34 (10.12) to (10.14) of the Act are repealed.**

### **(6) Clause 34 (11.0.4) (a) of the Act is repealed and the following substituted:**

- (a) an alteration to all or any part of the boundary of an area of settlement if, as a result of the alteration, any land in the Greenbelt Area within the meaning of the *Greenbelt Act, 2005*, is or would be included in the area of settlement; or

### **(7) Paragraph 2 of subsection 34 (19) of the Act is repealed and the following substituted:**

- 2. A specified person who, before the by-law was passed, made oral submissions at a public meeting or written submissions to the council.
  - 2.1 A public body that, before the by-law was passed, made oral submissions at a public meeting or written submissions to the council.

### **(8) Section 34 of the Act is amended by adding the following subsections:**

#### **Transition**

(19.0.0.1) For greater certainty, subsection (19), as it reads on the day subsection 5 (7) of Schedule 12 to the *Cutting Red Tape to Build More Homes Act, 2024* comes into force, applies to an appeal on and after that day even if the giving of notice under subsection (18) of this section is completed before that day.

#### **Same, retroactive effect**

(19.0.0.2) An appeal under subsection (19) made before the day subsection 5 (7) of Schedule 12 to the *Cutting Red Tape to Build More Homes Act, 2024* comes into force by a person or public body not described in paragraph 1, 2, 2.1 or 3 of subsection (19) of this section as it reads on the day subsection 5 (7) of Schedule 12 to the *Cutting Red Tape to Build More Homes Act, 2024* comes into force shall be deemed to have been dismissed on that day unless,

- (a) a hearing on the merits of the appeal had been scheduled before April 10, 2024; or
- (b) a notice of appeal was filed by a person or public body listed in paragraph 1, 2, 2.1 or 3 of subsection (19) of this section in respect of the same by-law to which the appeal relates.

#### **Same, hearing on the merits**

(19.0.0.3) For the purposes of clause (19.0.0.2) (a), a hearing on the merits of an appeal is considered to be scheduled on the date on which the Tribunal first orders the hearing to be scheduled, and is not affected by an adjournment or rescheduling of the hearing.

#### **Same**

(19.0.0.4) For greater certainty, a hearing on the merits of an appeal does not include mediation or any other dispute resolution process, settlement negotiations, a case management conference or any other step in the appeal that precedes such a hearing.

### **(9) Section 34 of the Act is amended by adding the following subsections:**

#### **Transition — refund of fees**

(35) Subject to subsection (36), subsections (10.12) to (10.14), as they read immediately before their repeal by subsection 5 (5) of Schedule 12 to the *Cutting Red Tape to Build More Homes Act, 2024*, continue to apply to an application received before the day subsection 5 (5) of Schedule 12 to the *Cutting Red Tape to Build More Homes Act, 2024* comes into force.

#### **Same**

(36) If a decision in respect of an application has not been made by the municipality before the day subsection 5 (5) of Schedule 12 to the *Cutting Red Tape to Build More Homes Act, 2024* comes into force, any refund of fees required under subsection (10.12) of this section, as it read immediately before its repeal, shall be determined as though a decision had been made on that day.



**6 Section 34.1 of the Act is repealed and the following substituted:**

**Transition, orders under former s. 34.1**

**34.1** An order made by the Minister under subsection 34.1 (9), as it read immediately before the day section 6 of Schedule 12 to the *Cutting Red Tape to Build More Homes Act, 2024* comes into force, shall be deemed for all purposes, except for the purposes of section 24 of this Act, to be and to always have been a by-law passed by the council of the municipality in which the land is situate.

**7 Subsection 35.1 (2) of the Act is repealed and the following substituted:**

**Regulations**

(2) The Minister may make regulations establishing requirements and standards with respect to,

- (a) a residential unit in a detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, which residential unit is not the primary residential unit;
- (b) a residential unit in a building or structure ancillary to a detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted;
- (c) a parcel of land on which a residential unit described in clause (a) or (b) is located; or
- (d) a building or structure within which a residential unit described in clause (a) or (b) is located.

**Same**

(2.1) A regulation made under clause (2) (c) ceases to apply to a parcel of land if, after alteration or demolition of a building or structure on the parcel, no units described in clause (2) (a) or (b) remain on the parcel.

**Same**

(2.2) A regulation under clause (2) (d) ceases to apply to a building or structure if, after alteration of the building or structure, no units described in clause (2) (a) or (b) remain within the building or structure.

**8 (1) Subsections 41 (3.1) and (3.2) of the Act are repealed and the following substituted:**

**Consultation**

(3.1) The municipality shall permit applicants to consult with the municipality before submitting plans and drawings for approval under subsection (4).

**(2) Subsections 41 (3.7) and (3.8) of the Act are repealed and the following substituted:**

**Motion re dispute**

(3.7) At any time after the applicant has begun to consult with the municipality before submitting plans and drawings for approval under subsection (4) or after the applicant has paid any fee required under section 69, the applicant or municipality may make a motion for directions to have the Tribunal determine,

- (a) whether the plans and drawings and the information and material have in fact been provided; or
- (b) whether a requirement made under subsection (3.4) is reasonable.

**(3) Section 41 of the Act is amended by adding the following subsections:**

**Lapse of approval**

(7.1) Subject to the regulations, in approving the plans and drawings referred to in subsection (4), the authorized person referred to in subsection (4.0.1) may provide that the approval lapses at the expiration of the time period specified by the authorized person, in accordance with subsection (7.2), and the approval shall lapse at the expiration of the time period. However, the approval shall not lapse if, before it has lapsed, a permit is issued under section 8 of the *Building Code Act, 1992* to implement the site plan approval.

**Same, time period**

(7.2) For the purposes of subsection (7.1), the time period specified by the authorized person shall not,

- (a) be less than such prescribed time period as may be applicable to the development;
- (b) exceed such prescribed time period as may applicable to the development; or
- (c) be less than three years, if a prescribed time period under clause (a) or (b) does not apply with respect to the development.

**Same, approval**

(7.3) Subject to the regulations, if an authorized person has approved plans or drawings referred to in subsection (4) before the day subsection 8 (3) of Schedule 12 to the *Cutting Red Tape to Build More Homes Act, 2024* comes into force, the authorized

person may provide that the approval lapses in accordance with subsections (7.1) and (7.2) of this section and, if the authorized person does so, the municipality shall notify the owner of the land of the change to the approval.

**(4) Subsections 41 (11.1) to (11.3) of the Act are repealed.**

**(5) Section 41 of the Act is amended by adding the following subsections:**

**Same — refund of fee**

(15.4) Subject to subsection (15.5), subsections (11.1) to (11.3), as they read immediately before their repeal by subsection 8 (4) of Schedule 12 to the *Cutting Red Tape to Build More Homes Act, 2024*, continue to apply to plans and drawings referred to in subsection (4) that are received before the day subsection 8 (4) of Schedule 12 to the *Cutting Red Tape to Build More Homes Act, 2024* comes into force.

**Same**

(15.5) If the municipality has not approved the plans and drawings before the day subsection 8 (4) of Schedule 12 to the *Cutting Red Tape to Build More Homes Act, 2024* comes into force, any refund of fees required under subsection (11.1) of this section, as it read immediately before its repeal, shall be determined as though an approval had been granted on that day.

**9 The Act is amended by adding the following section:**

**Non-application of Part V, etc.**

**49.3** (1) The regulations may provide that any provision of this Part or of a regulation made under section 70.2 does not apply, or may set out restrictions or limitations with respect to its application, to a,

- (a) detached house, semi-detached house or rowhouse, including a detached house, semi-detached house or rowhouse containing an additional residential unit, that is located on a parcel of urban residential land and that meets such criteria as may be prescribed; or
- (b) structure ancillary to a detached house, semi-detached house or rowhouse referred to in clause (a) that meets such criteria as may be prescribed.

**Conflicts**

(2) A regulation made for the purposes of this section prevails over the provisions of any other Act that are specified in the regulation.

**10 (1) Subsection 51 (16.1) of the Act is repealed and the following substituted:**

**Consultation**

(16.1) The approval authority shall permit applicants to consult with it before submitting applications under subsection (16).

**(2) Subsections 51 (19.2) and (19.3) of the Act are repealed and the following substituted:**

**Motion re dispute**

(19.2) At any time after the applicant has begun to consult with the approval authority before submitting an application under subsection (16) or after the applicant has paid any fee required under section 69, the applicant or the approval authority may make a motion for directions to have the Tribunal determine,

- (a) whether the information and material have in fact been provided; or
- (b) whether a requirement made under subsection (18) is reasonable.

**(3) Subsection 51 (32) of the Act is repealed and the following substituted:**

**Lapse of approval**

(32) Subject to the regulations, in giving approval to a draft plan of subdivision, the approval authority shall provide that the approval lapses at the expiration of the time period specified by the approval authority, in accordance with subsection (32.1), and the approval shall lapse at the expiration of the time period, but, if there is an appeal under subsection (39), the time period specified for the lapsing of approval does not begin until the date the Tribunal's decision is issued in respect of the appeal or from the date of a notice issued by the Tribunal under subsection (51).

**Same, time period**

(32.1) For the purposes of subsection (32), the time period specified by the approval authority shall not,

- (a) be less than such prescribed time period as may be applicable to the development;
- (b) exceed such prescribed time period as may be applicable to the development; or
- (c) be less than three years, if a prescribed time period under clause (a) or (b) does not apply with respect to the development.

**(4) Section 51 of the Act is amended by adding the following subsections:**

### **Approvals given on or before March 27, 1995**

(33.4) If an approval to a draft plan of subdivision was given on or before March 27, 1995, the approval lapses at the expiration of the third anniversary of the day subsection 10 (4) of Schedule 12 to the *Cutting Red Tape to Build More Homes Act, 2024* comes into force. However, if there is an outstanding appeal under subsection (43) or (48) of this section in respect of a condition to the approval of the plan on the day subsection 10 (4) of Schedule 12 to the *Cutting Red Tape to Build More Homes Act, 2024* comes into force, or such an appeal is commenced after that day and before the third anniversary of that day, the approval lapses on the third anniversary of the day that all appeals are withdrawn or the Tribunal has finally disposed of all of those appeals.

### **Same**

(33.5) For clarity, subsections (33), (33.1) and (39) do not apply in respect of the lapsing of an approval described in subsection (33.4).

### **11 The Act is amended by adding the following sections:**

#### **Undertakings of post-secondary institutions**

**62.0.2** (1) Except as otherwise prescribed, an undertaking of a post-secondary institution described in subsection (2) for the objects of the institution is not subject to this Act or to section 113 or 114 of the *City of Toronto Act, 2006*.

### **Same**

(2) Subsection (1) applies to the following post-secondary institutions:

1. Publicly-assisted universities, as defined in section 1 of the *Ministry of Training, Colleges and Universities Act*, except as otherwise prescribed.
2. Colleges and universities federated or affiliated with a publicly-assisted university referred to in paragraph 1, except as otherwise prescribed.

#### **Exception, Greenbelt Area**

(3) Subsection (1) does not apply to an undertaking on any land in the Greenbelt Area.

#### **Non-application of Act — community service facilities**

#### **Interpretation**

**62.0.3** (1) In this section,

“community service facility” includes,

- (a) an undertaking of a board, as defined in subsection 1 (1) of the *Education Act*;
- (b) a long-term care home as defined in subsection 2 (1) of the *Fixing Long-Term Care Act, 2021*; and
- (c) a hospital as defined in section 1 of the *Public Hospitals Act*.

#### **Non-application to community service facilities**

(2) The regulations may provide that any provision of this Act or a regulation made under section 70.2 does not apply, or may set out restrictions or limitations with respect to its application, to a prescribed class of community service facilities that meets such requirements as may be prescribed.

#### **Conflicts**

(3) A regulation made for the purposes of this section prevails over the provisions of any other Act that are specified in the regulation.

### **12 (1) Section 70 of the Act is amended by adding the following clause:**

- (i) for the purposes of section 49.3,
  - (i) prescribing any provision of Part V or of a regulation made under section 70.2,
  - (ii) setting out restrictions or limitations with respect to the application of a provision referred to in subclause (i),
  - (iii) prescribing criteria in respect of a detached house, semi-detached house, rowhouse or ancillary structure.

### **(2) Section 70 of the Act is amended by adding the following clause:**

- (j) for the purposes of subsection 62.0.3 (2),
  - (i) prescribing a class of community service facilities,
  - (ii) prescribing any provision of this Act or of a regulation made under section 70.2,
  - (iii) setting out restrictions or limitations with respect to the application of a provision referred to in subclause (i),

(iv) prescribing requirements that a class of community service facilities must meet.

**(3) Section 70 of the Act is amended by adding the following subsection:**

(2) A regulation under clause 70 (i) does not apply to any land in the Greenbelt Area within the meaning of the *Greenbelt Act, 2005*.

**13 (1) Paragraph 23.2 of subsection 70.1 (1) of the Act is repealed.**

**(2) Subsection 70.1 (1) of the Act is amended by adding the following paragraphs:**

24.2 prescribing a development or one or more classes of development to which subsections 41 (7.1) and (7.2) do not apply;

24.3 prescribing time periods for the purposes of clauses 41 (7.2) (a) and (b), including providing for a specific time period that applies to a particular development or providing for different time periods that apply with respect to different classes of development;

24.4 prescribing a development or one or more classes of development to which subsection 41 (7.3) does not apply;

. . . . .

26.1 prescribing a development or one or more classes of development to which subsections 51 (32) and (32.1) do not apply;

26.2 prescribing a development or one or more classes of development to which an approval authority is not permitted to provide for the lapsing of an approval under subsection 51 (32);

26.3 prescribing time periods for the purposes of clauses 51 (32.1) (a) and (b), including providing for a specific time period that applies to a particular development or providing for different time periods that apply with respect to different classes of development;

26.4 prescribing a development or one or more classes of development to which subsection 51 (33.4) does not apply;

**14 Section 70.3 of the Act is repealed.**

**15 (1) The definition of “effective date” in subsection 70.13 (1) of the Act is repealed and the following substituted:**

“effective date” means,

(a) in respect of an upper-tier municipality referred to in paragraphs 1, 2 and 3 of the definition of “upper-tier municipality without planning responsibilities” in subsection 1 (1), the day on which subsection 15 (1) of Schedule 12 to the *Cutting Red Tape to Build More Homes Act, 2024* comes into force, and

(b) in respect of an upper-tier municipality prescribed under subsection 1 (6) as an upper-tier municipality without planning responsibilities, the day on which the regulation prescribing the upper-tier municipality as such comes into force.

**(2) The definition of “effective date” in subsection 70.13 (1) of the Act, as re-enacted by subsection (1), is amended by adding the following clause:**

(a.1) in respect of an upper-tier municipality referred to in paragraph 0.1 of the definition of “upper-tier municipality without planning responsibilities” in subsection 1 (1), the day on which subsection 15 (2) of Schedule 12 of the *Cutting Red Tape to Build More Homes Act, 2024* comes into force,

**(3) The definition of “effective date” in subsection 70.13 (1) of the Act, as re-enacted by subsection (1), is amended by adding the following clause:**

(a.2) in respect of an upper-tier municipality referred to in paragraph 0.2 of the definition of “upper-tier municipality without planning responsibilities” in subsection 1 (1), the day on which subsection 15 (3) of Schedule 12 of the *Cutting Red Tape to Build More Homes Act, 2024* comes into force,

**(4) The definition of “effective date” in subsection 70.13 (1) of the Act, as re-enacted by subsection (1), is amended by adding the following clause:**

(a.3) in respect of an upper-tier municipality referred to in paragraph 1.1 of the definition of “upper-tier municipality without planning responsibilities” in subsection 1 (1), the day on which subsection 15 (4) of Schedule 12 of the *Cutting Red Tape to Build More Homes Act, 2024* comes into force,

**(5) The definition of “effective date” in subsection 70.13 (1) of the Act, as re-enacted by subsection (1), is amended by adding the following clause:**

(a.4) in respect of an upper-tier municipality referred to in paragraph 2.1 of the definition of “upper-tier municipality without planning responsibilities” in subsection 1 (1), the day on which subsection 15 (5) of Schedule 12 of the *Cutting Red Tape to Build More Homes Act, 2024* comes into force,

*Conservation Authorities Act*

16 (1) Clause 28.1.2 (1) (a) of the *Conservation Authorities Act* is amended by striking out “under section 34.1 or 47” and substituting “under section 47”.

(2) Subsection 28.1.2 (20) of the Act is amended by striking out “under section 34.1 or 47” and substituting “under section 47”.

*Helping Homebuyers, Protecting Tenants Act, 2023*

17 Subsections 1 (8) to (10) of Schedule 6 to the *Helping Homebuyers, Protecting Tenants Act, 2023* are repealed.

*More Homes Built Faster Act, 2022*

18 Subsection 25 (2) of Schedule 9 to the *More Homes Built Faster Act, 2022* is repealed and the following substituted:

(2) Section 7, subsections 10 (2) and (4), 12 (2), (3), (9) and (15) and 18 (2), (3) and (7) and section 22 come into force on a day to be named by proclamation of the Lieutenant Governor.

(2.1) Subsections 1 (2), (5) and (6), sections 2 and 3, subsections 4 (2) and (3), 5 (1) to (5), 8 (4), 11 (5) and (6), 16 (2) and (3) and 17 (2) and (3) and sections 20, 21 and 23 come into force on the later of July 1, 2024 and the day the *Cutting Red Tape to Build More Homes Act, 2024* receives Royal Assent.

**Commencement**

19 (1) Except as otherwise provided in this section, this Schedule comes into force on the day the *Cutting Red Tape to Build More Homes Act, 2024* receives Royal Assent.

(2) Subsections 1 (1) and (8) and 15 (1) come into force on the later of July 1, 2024 and the day the *Cutting Red Tape to Build More Homes Act, 2024* receives Royal Assent.

(3) Subsections 1 (2) to (5), section 9 and subsections 12 (1) and (3) and 15 (2) to (5) come into force on a day to be named by proclamation of the Lieutenant Governor.

**SCHEDULE 13**  
**POET LAUREATE OF ONTARIO ACT (IN MEMORY OF GORD DOWNIE), 2019**

**1** Subclause 2 (a) (iii) of the *Poet Laureate of Ontario Act (In Memory of Gord Downie), 2019* is amended by striking out “the Province of Ontario Council for the Arts” and substituting “the Ontario Arts Council”.

**Commencement**

**2** This Schedule comes into force on the day the *Cutting Red Tape to Build More Homes Act, 2024* receives Royal Assent.

**SCHEDULE 14**  
**REDEEMER REFORMED CHRISTIAN COLLEGE ACT, 1998**

**1 (1) Subsection 4 (2) of the *Redeemer Reformed Christian College Act, 1998* is repealed and the following substituted:**

(2) The board shall be composed of not fewer than 11 and not more than 15 persons, as determined by the supporting members, who shall be elected by the supporting members from among the supporting members.

**(2) Subsection 4 (12) of the Act is repealed and the following substituted:**

(12) Where a vacancy occurs for any reason among the members of the board, the board in its sole discretion shall determine whether the vacancy is to be filled and the board shall elect a supporting member to fill the vacancy until the next annual meeting of the supporting members.

**2 The Act is amended by adding the following section:**

**Existing elected members continue**

**6.1** (1) Any person who was a member of the board immediately before the day the *Cutting Red Tape to Build More Homes Act, 2024* receives Royal Assent shall continue as a member of the board until the expiration of the term for which they were elected or until the office otherwise becomes vacant.

(2) Despite subsection 4 (12), if there are more than 15 members of the board who continue as members of the board under subsection (1), no vacancy shall be filled until the total number of elected members is fewer than 15.

**3 Subsection 5 (2) of the Act is amended by adding the following clause:**

(a.1) subject to subsections 4 (2), (7), (8) and (9), set additional requirements by by-law with respect to the composition of the board;

**4 Subsection 6 (2) of the Act is repealed and the following substituted:**

(2) The board shall send the annual report of the University, including an audited annual financial statement, in the form and manner determined by the board, to the supporting members.

**5 (1) Clause 8 (1) (f) of the Act is repealed and the following substituted:**

(f) elect the board members under subsection 4 (2);

**(2) Clause 8 (3) (b) of the Act is repealed and the following substituted:**

(b) determine the number of persons to be elected to the board under subsection 4 (2).

**(3) Subsection 8 (4) of the Act is repealed and the following substituted:**

(4) The board shall, by by-law, set the percentage of supporting members required to constitute a quorum at a meeting of the supporting members.

**Commencement**

**6 This Schedule comes into force on the day the *Cutting Red Tape to Build More Homes Act, 2024* receives Royal Assent.**

**SCHEDULE 15**  
**UNIVERSITÉ DE HEARST ACT, 2021**

**1 Paragraphs 3 to 8 of subsection 6 (1) of the *Université de Hearst Act, 2021* are repealed and the following substituted:**

3. One person elected by the teaching staff of the University from among themselves.
4. One person elected by the students of the University from among themselves.
5. One person elected by the non-teaching employees of the University from among themselves.
6. Three persons appointed by the Lieutenant Governor in Council, who shall not be students, members of the teaching staff or non-teaching employees of the University.
7. Seven other persons who shall be appointed by the board, who shall not be students, members of the teaching staff or non-teaching employees of the University.

**2 (1) Subsection 17 (1) of the Act is amended by adding “and (3)” after “subsection (2)”.**

**(2) Section 17 of the Act is amended by adding the following subsection:**

**Same**

(3) A person who was a member of the board of governors on the day immediately before the day section 1 of Schedule 15 of the *Cutting Red Tape to Build More Homes Act, 2024* came into force shall continue in office until the expiry of their term or until their office otherwise becomes vacant.

**Commencement**

**3 This Schedule comes into force on a day to be named by proclamation of the Lieutenant Governor.**



## **Overview of New and Updated Policies of the Proposed Provincial Planning Statement (PPS) 2024**

### Housing Policies

- Require municipalities to provide a range and mix of housing options with an expanded definition to include multi-unit types (laneway, garden suites, low and mid-rise apartments) and typologies (affordable, multi-generational, seniors, student housing) (*updated*)
- Require municipalities to support general intensification (e.g., added “redevelopment of plazas and shopping malls for mixed-use residential development” to the definition of ‘intensification’) (*updated*)
- Encourage municipalities to establish and implement minimum targets for intensification in built-up areas (*new*)
- Identify large and fast-growing municipalities and encourage them to plan for 50 people and jobs per hectare in designated growth areas (*updated; 2023 PPS only referred to new settlement areas or expansion lands, now it replaces with “designated growth areas” as areas to focus density*)
- Encourage municipalities to establish phasing strategies to align growth with infrastructure needs in designated growth areas (*new*)
- Direct municipalities to meet minimum density targets for all major transit station areas with encouragement to promote supportive land uses and built forms, including affordable, accessible and equitable housing (*updated*)
- Require municipalities to plan for intensification on lands that are adjacent to existing and planned frequent transit corridors (*new*)
- Encourage all municipalities to focus growth and development in strategic growth areas to achieve higher density outcomes (*updated*)
  - Remove the requirement for large and fast-growing municipalities to identify and set out density targets (*updated*)
  - Remove direction for planning for urban growth centres, with simplified direction to plan for downtowns as strategic growth areas (*updated*)
- Require municipalities to establish local targets for affordable housing based on reinstated definitions for affordable housing and low- and moderate-income households (*updated*)
- Require municipalities to collaborate with publicly supported post-secondary institutions on early and integrated planning for student housing and encourage collaboration on the development of student housing strategies (*new*)

### Agricultural Policies

In response to the 2023 consultations on the PPS and concerns related to changes that would impact agricultural land, the following has been proposed to protect agricultural viability:

- Do not continue with the proposed policies permitting lot creation in prime agricultural areas (*updated*)

- Require municipalities to direct development to rural settlement areas and provide more flexibility for municipalities to service residential development in rural settlement areas (*updated*)
- Permit more housing on farms to support farmers, farm families and farm workers, without creating new lots, through enhanced policy and criteria supporting additional residential units (*updated*)

### Growth/Development Policies

- Require municipalities to base growth forecasts on Ministry of Finance population projections (*new; 2023 PPS did not specify the Ministry of Finance forecasts*), with transition for municipalities in the Greater Golden Horseshoe to continue to use forecasts issued by the Province through Schedule 3 of A Place to Grow until more current forecasts are available to 2051, as informed by guidance provided by the Province (*updated*)
- Require municipalities to plan for a minimum 20-year horizon but not more than 30 years (*updated; 2023 PPS proposed at least 25 years*), maintain a 15-year residential land supply and maintain land with servicing capacity for a three-year supply of residential units (*no change from 2023 PPS version*)
- Provide an approach for municipalities to undertake settlement area boundary changes at any time, with requirements for municipalities to consider additional criteria related to the need for the expansion to accommodate growth, infrastructure capacity, phasing of growth, achievement of housing objectives, consideration of alternative locations to prime agricultural areas, and impacts on agricultural systems (*updated by adding criteria; 2023 PPS did not contain criteria*)
- Permit municipalities to identify a new settlement area only where it has been demonstrated that the infrastructure and public service facilities needed to support development are planned or available (*new*)
- Require municipalities to address transition and land use compatibility between employment areas and sensitive land uses (*updated*)
- Discontinue provincially-significant employment zones issued under A Place to Grow and require municipalities to use the policies in the proposed PPS to provide protection for employment areas (*no change from proposed 2023 PPS*)
- Require municipalities to protect airports from land uses that may cause a potential aviation safety hazard (*updated*)
- Encourage municipalities to preserve employment areas close to goods movement corridors, coordinating across administrative boundaries (*no change from proposed 2023 PPS*)
- Allow municipalities to consider employment area conversions at any time to support the forms of development and job creation that suit the local context under the condition that sufficient employment land is available to accommodate employment growth (*updated*)

## Infrastructure Policies

- Require municipalities to plan for water and wastewater infrastructure and waste management systems, and require large and fast-growing municipalities and encourage others to undertake watershed planning (*updated*)
- Require municipalities to ensure that development in unincorporated areas is appropriate to planned or available infrastructure and public service facilities and does not place undue strain on infrastructure and public service facilities provided by municipalities, the Province, agencies, boards and/or service managers (*updated*)
- Require all municipalities and to consider allocation or reallocation of unused servicing capacity to accommodate projected needs for housing (*updated*)
- Require municipalities to protect corridors for major infrastructure, such as highways, transit and transmission systems, and encourage municipalities to provide opportunities for the development of energy supply and storage to accommodate current and projected needs (*updated*)
- Require municipalities to integrate land use planning and transportation planning and encourage freight-supportive and transit-supportive development to move goods and people (*no change from proposed 2023 PPS*)
- Require municipalities and school boards to integrate planning for schools with planning for growth, and promote opportunities to locate schools near parks and open space (*updated*)

## Resources Policies

- Require municipalities to use an agricultural systems approach (*updated*) and to designate specialty crop areas and prime agricultural areas
- Require municipalities to maintain minimum separation distances between livestock operations and houses (*no change from proposed 2023 PPS*)
- Require municipalities in central and southern Ontario to identify natural heritage systems and require municipalities across the province to protect provincially-significant natural heritage features and areas (*no change from proposed 2023 PPS*)
- Require municipalities to protect water resources and features and require large and fast-growing municipalities (*updated*) and encourage others, to undertake watershed planning in collaboration with conservation authorities (*updated*)
- Require municipalities to conserve cultural and archaeological resources, and promote proactive strategies for conserving built heritage resources (*no change from proposed 2023 PPS*)
- Require municipalities to direct development outside of hazardous lands and sites in collaboration with conservation authorities (*updated*)
- Require municipalities to prepare for the impacts of a changing climate through land use planning, develop approaches to reduce greenhouse gas emissions, and improve air quality (*no change from proposed 2023 PPS*)

- Require municipalities to facilitate access to aggregate resources close to market and to protect minerals, petroleum and mineral aggregate resources (*no change from proposed 2023 PPS*)

### Implementation Policies

- Align with recent legislative amendments (*no change from proposed 2023 PPS*)
- Require municipalities to undertake early engagement with Indigenous Communities and coordinate with them on land use planning matters to facilitate knowledge-sharing, support consideration of Indigenous interests in land use decision-making and support the identification of potential impacts of decisions on the exercise of Aboriginal or treaty rights (*no change from proposed 2023 PPS*)
- Affirm that efficient land-use patterns contribute to increased equitable access to housing in strategic growth areas (*updated*), employment, and transportation, and encourage municipalities to apply an equity lens on planning matters and engage stakeholders early in the process
- Encourage coordination, particularly on intermunicipal topics (*updated*)

# **PROPOSED PROVINCIAL PLANNING STATEMENT, 2024**

April 10, 2024

Environmental Registry of Ontario Posting #019-8462

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**PROPOSED  
PROVINCIAL PLANNING STATEMENT  
APRIL 2024**

Environmental Registry of Ontario  
Posting #019-8462

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# Preface

## Proposed Provincial Planning Statement

**April 2024**

The Provincial Policy Statement is issued under the *Planning Act* and is the primary provincial land use planning policy document, applying across Ontario. A Place to Grow is a growth plan issued under the *Places to Grow Act, 2005*. It provides a more detailed framework for where and how growth should be accommodated in the Greater Golden Horseshoe and it works with the Greenbelt Plan, Oak Ridges Moraine Conservation Plan, and the Niagara Escarpment Plan. All provincial plans are to be read in conjunction with the Provincial Policy Statement.

Under the *Planning Act*, planning decisions shall be consistent with policy statements such as the Provincial Policy Statement and shall conform with provincial plans like A Place to Grow.

In 2022, the Province initiated a review on approaches for leveraging the housing supportive policies of the Provincial Policy Statement and A Place to Grow, removing barriers and continuing to protect the environment through a streamlined province-wide land use planning policy framework ([ERO #019-6177](#)).

The feedback received from this review contributed to the development of a proposed Provincial Planning Statement. From April 6 to August 4, 2023, the Province undertook a review of consultation on a draft of the proposed Provincial Planning Statement ([ERO #019-6813](#)) seeking input on a streamlined province-wide land use planning policy framework that incorporated the housing-focused policies of the Provincial Policy Statement, 2020 (Provincial Policy Statement) and A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019 (A Place to Grow).

The Province is now seeking input on an updated proposed Provincial Planning Statement, with new and updated policies supporting increased intensification (e.g., around transit and, redevelopment of low-density commercial plazas and strip malls), scoping protections for employment areas, and promoting a range and mix of housing options, including housing for students and seniors ([ERO #019-8462](#)).

### Seeking Feedback

Please submit written comments on the [Environmental Registry of Ontario](#) (ERO) in response to posting [#019-8462](#).

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# Chapter 1: Introduction

## Preamble

The proposed Provincial Planning Statement (or “Policy Statement”) provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario’s policy-led planning system, this Policy Statement sets the policy foundation for regulating the development and use of land. It also supports the provincial goal to enhance the quality of life for all Ontarians.

The proposed Provincial Planning Statement provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment. This Policy Statement supports improved land use planning and management, which contributes to a more effective and efficient land use planning system.

The proposed Provincial Planning Statement also provides policy direction on matters applying only to Ontario’s largest and fastest growing municipalities with the greatest need for housing. *Large and fast-growing municipalities* is a defined term and the list of these municipalities is identified in Schedule 1 of this Policy Statement.

The policies of this Policy Statement may be complemented by provincial plans or by locally-generated policies regarding matters of municipal interest. Provincial plans and municipal official plans provide a framework for comprehensive, integrated, place-based and long-term planning that supports and integrates the principles of strong communities, a clean and healthy environment and economic growth, for the long term.

Municipal official plans are the most important vehicle for implementation of this Policy Statement and for achieving comprehensive, integrated and long-term planning. Official plans should coordinate cross-boundary matters to complement the actions of other planning authorities and promote mutually beneficial solutions.

Zoning and development permit by-laws are also important for the implementation of this Policy Statement. Zoning and development permit by-laws should be forward-looking and facilitate opportunities for an appropriate range and mix of *housing options* for all Ontarians.

Land use planning is only one of the tools for implementing provincial interests. A wide range of legislation, regulations, policies and programs may apply to decisions with respect to *Planning Act* applications and affect planning matters, and assist in implementing these interests.

Within the Great Lakes – St. Lawrence River Basin, there may be circumstances where planning authorities should consider agreements related to the protection or restoration of the Great Lakes – St. Lawrence River Basin. Examples of these agreements include Great Lakes agreements between Ontario and Canada, between Ontario and Quebec and the Great Lakes States of the United States of America, and between Canada and the United States of America.

The Province’s rich cultural diversity is one of its distinctive and defining features. Indigenous communities have a unique relationship with the land and its resources, which continues to shape the history and economy of the Province today. Ontario recognizes the unique role Indigenous communities have in land use planning and development, and the contribution of

Indigenous communities’ perspectives and traditional knowledge to land use planning decisions. The Province recognizes the importance of consulting with Aboriginal communities on planning matters that may affect their section 35 Aboriginal or treaty rights.

## Legislative Authority

The proposed Provincial Planning Statement is issued under the authority of section 3 of the *Planning Act* and came into effect on [effective date]. This Policy Statement applies to all decisions in respect of the exercise of any authority that affects a planning matter made on or after [effective date].

In respect of the exercise of any authority that affects a planning matter, section 3 of the *Planning Act* requires that decisions affecting planning matters shall be consistent with policy statements issued under the Act.

Comments, submissions or advice that affect a planning matter that are provided by the council of a municipality, a local board, a planning board, a minister or ministry, board, commission or agency of the government shall be consistent with this Policy Statement.

## How to Read this Policy Statement

The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. This Policy Statement supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

### Read the Entire Policy Statement

This Policy Statement is more than a set of individual policies. It is to be read in its entirety and the relevant policies are to be applied to each situation. When more than one policy is relevant, a decision-maker should consider all of the relevant policies to understand how they work together. The language of each policy, including the Implementation and Interpretation policies, will assist decision-makers in understanding how the policies are to be implemented.

While specific policies sometimes refer to other policies for ease of use, these cross-references do not take away from the need to read this Policy Statement as a whole.

There is no implied priority in the order in which the policies appear.

### Consider Specific Policy Language

When applying this Policy Statement it is important to consider the specific language of the policies. Each policy provides direction on how it is to be implemented, how it is situated within the broader Policy Statement, and how it relates to other policies.

Some policies set out positive directives, such as “settlement areas shall be the focus of growth and development.” Other policies set out limitations and prohibitions, such as “development and site alteration shall not be permitted.” Other policies use enabling or supportive language, such as “should,” “promote” and “encourage.”

The choice of language is intended to distinguish between the types of policies and the nature of implementation. There is some discretion when applying a policy with enabling or supportive language in contrast to a policy with a directive, limitation or prohibition.

### **Geographic Scale of Policies**

This Policy Statement recognizes the diversity of Ontario and that local context is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld.

While this Policy Statement is to be read as a whole, not all policies will be applicable to every site, feature or area. This Policy Statement applies at a range of geographic scales.

Some of the policies refer to specific areas or features and can only be applied where these features or areas exist. Other policies refer to planning objectives that need to be considered in the context of the municipality or planning area as a whole, and are not necessarily applicable to a specific site or development proposal.

### **Policies Represent Minimum Standards**

The policies of this Policy Statement represent minimum standards.

Within the framework of the provincial policy-led planning system, planning authorities and decision-makers may go beyond these minimum standards to address matters of importance to a specific community, unless doing so would conflict with any policy of this Policy Statement.

### **Defined Terms and Meanings**

Except for references to legislation which are italicized, other italicized terms in this Policy Statement are defined in the Definitions chapter. For non-italicized terms, the normal meaning of the word applies. Terms may be italicized only in specific policies; for these terms, the defined meaning applies where they are italicized and the normal meaning applies where they are not italicized. Defined terms in the Definitions chapter are intended to capture both singular and plural forms of these terms in the policies.

### **Provincial Guidance**

Provincial guidance, including guidance material, guidelines and technical criteria may be issued from time to time to assist planning authorities and decision-makers with implementing the policies of this Policy Statement. Information, technical criteria and approaches outlined in provincial guidance are meant to support implementation but not add to or detract from the policies of this Policy Statement.

### **Relationship with Provincial Plans**

This Policy Statement provides overall policy directions on matters of provincial interest related to land use planning and development in Ontario, and applies province-wide, except where this policy statement or another provincial plan provides otherwise.

Provincial plans, such as the Greenbelt Plan and the Growth Plan for Northern Ontario, build upon the policy foundation provided by this Policy Statement. They provide additional land use planning policies to address issues facing specific geographic areas in Ontario.

Provincial plans are to be read in conjunction with this Policy Statement. They take precedence over the policies of this Policy Statement to the extent of any conflict, except where the relevant legislation provides otherwise.

Where the policies of provincial plans address the same, similar, related, or overlapping matters as the policies of this Policy Statement, applying the more specific policies of the provincial plan satisfies the more general requirements of this Policy Statement. In contrast, where matters addressed in this Policy Statement do not overlap with policies in provincial plans, the policies in this Policy Statement must be independently satisfied.

Land use planning decisions made by municipalities, planning boards, the Province, or a commission or agency of the government must be consistent with this Policy Statement. Where provincial plans are in effect, planning decisions must conform or not conflict with them, as the case may be.

## Vision

Ontario is a vast province with a diversity of urban, rural and northern communities that is distinguished by different populations, economic activity, pace of growth, and physical and natural conditions.

The long-term prosperity and social well-being of Ontario depends on celebrating these differences and planning for complete communities for people of all ages, abilities and incomes. More than anything, a prosperous Ontario will see the building of more homes for all Ontarians. In addition, a prosperous Ontario will support a strong and competitive economy, and a clean and healthy environment.

Ontario will increase the supply and mix of housing options and address the full range of housing affordability needs. Every community will build homes that respond to changing market needs, and local needs and demand. Providing a sufficient supply with the necessary range and mix of housing options will support a diverse and growing population and workforce, now, and for many years to come.

A successful Ontario will also be one with a competitive advantage of being investment-ready and celebrated for its influence, innovation and cultural diversity. The Ontario economy will continue to mature into a centre of industry and commerce of global significance. Central to this success will be the people who live and work in this Province.

Ontario's land use planning framework, and the decisions that are made, shape how our communities grow and prosper. While progress has been made, equity-deserving groups still face a complex range of challenges. Municipalities will work with the Province to design complete communities with increased access to housing, employment, schools, transportation options, recreation and public spaces, and services that are equitable and sustainable for all Ontarians.



Land use will be managed to accommodate appropriate development to meet the full range of current and future needs. Efficient land use and development patterns will contribute to achieving equitable outcomes for all Ontarians by design. Downtowns, main streets and rural areas will be vital and viable. Cultural heritage and archaeology in Ontario will provide people with a sense of place. Prioritizing compact and transit-supportive design, where locally appropriate, and optimizing investments in infrastructure and public service facilities will support convenient access to housing, quality employment, services and recreation for all Ontarians.

Housing must be built in the right places so that Ontario's vibrant agricultural sector and sensitive areas will continue to form part of the Province's economic prosperity and overall identity. Growth and development will be focused within urban and rural settlements that will, in turn, support and protect the long-term viability of rural areas, local food production and the agri-food network.

The wise use and management of resources will be encouraged including natural areas, agricultural lands and the Great Lakes while providing attention to appropriate housing supply and public health and safety. Potential risks to public health or safety or of property damage from natural hazards and human-made hazards, including the risks associated with the impacts of climate change will be mitigated. This will require the Province, planning authorities, and conservation authorities to work together.

Across rural Ontario, local circumstances vary by region. Northern Ontario's natural environment and vast geography offer different opportunities than the predominately agricultural areas of the southern regions of the Province. The Province will continue to ensure northern communities are supported and economic growth is promoted so that the region remains strong, while protecting its natural features.

Ontario will continue to recognize the unique role Indigenous communities have in land use planning and development, and the contribution of Indigenous communities' perspectives and traditional knowledge to land use planning decisions. Meaningful early engagement and constructive, cooperative relationship-building between planning authorities and Indigenous communities will facilitate knowledge-sharing and inform decision-making in land use planning.

Above all, Ontario will continue to be a great place to live, work and visit where all Ontarians enjoy a high standard of living and an exceptional quality of life.

# Chapter 2: Building Homes, Sustaining Strong and Competitive Communities

## 2.1 Planning for People and Homes

1. As informed by provincial guidance, planning authorities shall base population and employment growth forecasts on Ministry of Finance 25-year projections and may modify projections, as appropriate.
2. Notwithstanding policy 2.1.1, municipalities may continue to forecast growth using population and employment forecasts previously issued by the Province for the purposes of land use planning.
3. At the time of creating a new official plan and each official plan update, sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of at least 20 years, but not more than 30 years, informed by provincial guidance. Planning for *infrastructure, public service facilities, strategic growth areas* and *employment areas* may extend beyond this time horizon.

Where the Minister of Municipal Affairs and Housing has made a zoning order, the resulting development potential shall be in addition to projected needs over the planning horizon established in the official plan. At the time of the municipality’s next official plan update, this additional growth shall be incorporated into the official plan and related infrastructure plans.

4. To provide for an appropriate range and mix of *housing options* and densities required to meet projected requirements of current and future residents of the *regional market area*, planning authorities shall:
  - a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through lands which are *designated and available* for residential development; and
  - b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned, including units in draft approved or registered plans.
5. Where planning is conducted by an upper-tier municipality, the land and unit supply maintained by the lower-tier municipality identified in policy 2.1.4 shall be based on and reflect the allocation of population and units by the upper-tier municipality.

6. Planning authorities should support the achievement of *complete communities* by:
  - a) accommodating an appropriate range and mix of land uses, *housing options*, transportation options with *multimodal* access, employment, *public service facilities* and other institutional uses (including, schools and associated child care facilities, long-term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;
  - b) improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and
  - c) improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups.

## 2.2 Housing

1. Planning authorities shall provide for an appropriate range and mix of *housing options* and densities to meet projected needs of current and future residents of the *regional market area* by:
  - a) establishing and implementing minimum targets for the provision of housing that is *affordable to low and moderate income households*, and coordinating land use planning and planning for housing with Service Managers to address the full range of *housing options* including *affordable* housing needs;
  - b) permitting and facilitating:
    1. all *housing options* required to meet the social, health, economic and well-being requirements of current and future residents, including *additional needs housing* and needs arising from demographic changes and employment opportunities; and
    2. all types of residential *intensification*, including the *development* and *redevelopment* of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new *housing options* within previously developed areas, and *redevelopment* which results in a net increase in residential units in accordance with policy 2.3.1.3;
  - c) promoting densities for new housing which efficiently use land, resources, *infrastructure* and *public service facilities*, and support the use of *active transportation*; and
  - d) requiring *transit-supportive* development and prioritizing *intensification*, including potential air rights development, in proximity to transit, including corridors and stations.

## 2.3 Settlement Areas and Settlement Area Boundary Expansions

### 2.3.1 General Policies for Settlement Areas

1. *Settlement areas* shall be the focus of growth and development. Within *settlement areas*, growth should be focused in, where applicable, *strategic growth areas*, including *major transit station areas*.

2. Land use patterns within *settlement areas* should be based on densities and a mix of land uses which:
  - a) efficiently use land and resources;
  - b) optimize existing and planned *infrastructure* and *public service facilities*;
  - c) support *active transportation*;
  - d) are *transit-supportive*, as appropriate; and
  - e) are *freight-supportive*.
3. Planning authorities shall support general *intensification* and *redevelopment* to support the achievement of *complete communities*, including by planning for a range and mix of *housing options* and prioritizing planning and investment in the necessary *infrastructure* and *public service facilities*.
4. Planning authorities are encouraged to establish and implement minimum targets for *intensification* and *redevelopment* within built-up areas, based on local conditions.
5. Planning authorities are encouraged to establish density targets for *designated growth areas*, based on local conditions. *Large and fast-growing municipalities* are encouraged to plan for a target of 50 residents and jobs per gross hectare in *designated growth areas*.
6. Planning authorities should establish and implement phasing policies, where appropriate, to ensure that development within *designated growth areas* is orderly and aligns with the timely provision of the *infrastructure* and *public service facilities*.

### 2.3.2 New Settlement Areas and Settlement Area Boundary Expansions

1. In identifying a new *settlement area* or allowing a *settlement area* boundary expansion, planning authorities shall consider the following:
  - a) the need to designate and plan for additional land to accommodate an appropriate range and mix of land uses;
  - b) if there is sufficient capacity in existing or planned *infrastructure* and *public service facilities*;
  - c) whether the applicable lands comprise *specialty crop areas*;
  - d) the evaluation of alternative locations which avoid *prime agricultural areas* and, where avoidance is not possible, consider reasonable alternatives on lower priority agricultural lands in *prime agricultural areas*;
  - e) whether the new or expanded *settlement area* complies with the *minimum distance separation formulae*;
  - f) whether impacts on the *agricultural system* are avoided, or where avoidance is not possible, minimized and mitigated to the extent feasible as determined through an *agricultural impact assessment* or equivalent analysis, based on provincial guidance; and
  - g) the new or expanded *settlement area* provides for the phased progression of urban development.
2. Notwithstanding 2.3.2.1.b), planning authorities may identify a new *settlement area* only where it has been demonstrated that the *infrastructure* and *public service facilities* to support development are planned or available.

## 2.4 Strategic Growth Areas

### 2.4.1 General Policies for Strategic Growth Areas

1. Planning authorities are encouraged to identify and focus growth and development in *strategic growth areas*.
2. To support the achievement of *complete communities*, a range and mix of *housing options*, *intensification* and more mixed-use development, *strategic growth areas* should be planned:
  - a) to accommodate significant population and employment growth;
  - b) as focal areas for education, commercial, recreational, and cultural uses;
  - c) to accommodate and support the transit network and provide connection points for inter-and intra-regional transit; and
  - d) to support *affordable*, accessible, and equitable housing.
3. Planning Authorities should:
  - a) prioritize planning and investment for *infrastructure* and *public service facilities* in *strategic growth areas*;
  - b) identify the appropriate type and scale of development in *strategic growth areas* and the transition of built form to adjacent areas;
  - c) permit *development* and *intensification* in *strategic growth areas* to support the achievement of *complete communities* and a *compact built form*;
  - d) consider a student housing strategy when planning for *strategic growth areas*; and
  - e) support redevelopment of commercially-designated retail lands (e.g., underutilized shopping malls and plazas), to support mixed-use residential.

### 2.4.2 Major Transit Station Areas

1. Planning authorities shall delineate the boundaries of *major transit station areas* on *higher order transit corridors* through a new official plan or official plan amendment adopted under section 26 of the *Planning Act*. The delineation shall define an area within an approximately 500 to 800-metre radius of a transit station and that maximizes the number of potential transit users that are within walking distance of the station.
2. Within *major transit station areas* on *higher order transit corridors*, planning authorities shall plan for a minimum density target of:
  - a) 200 residents and jobs combined per hectare for those that are served by subways;
  - b) 160 residents and jobs combined per hectare for those that are served by light rail or bus rapid transit; or
  - c) 150 residents and jobs combined per hectare for those that are served by commuter or regional rail.

3. Planning authorities are encouraged to promote *development* and *intensification* within *major transit station areas*, where appropriate, by:
  - a) planning for land uses and built form that supports the achievement of minimum density targets; and
  - b) supporting the redevelopment of surface parking lots within *major transit station areas*, including commuter parking lots, to be *transit supportive* and promote *complete communities*.
4. For any particular *major transit station area*, planning authorities may request the Minister to approve an official plan or official plan amendment with a target that is lower than the applicable target established in policy 2.4.2.2, where it has been demonstrated that this target cannot be achieved because:
  - a) *development* is prohibited by provincial policy or severely restricted on a significant portion of the lands within the delineated area; or
  - b) there are a limited number of residents and jobs associated with the built form, but a *major trip generator* or feeder service will sustain high ridership at the station or stop.
5. Planning authorities may plan for *major transit station areas* that are not on *higher order transit corridors* by delineating boundaries and establishing minimum density targets.
6. All *major transit station areas* should be planned and designed to be *transit-supportive* and to achieve *multimodal* access to stations and connections to nearby *major trip generators* by providing, where feasible:
  - a) connections to local and regional transit services to support *transit service integration*;
  - b) *infrastructure* that accommodates a range of mobility needs and supports *active transportation*, including sidewalks, bicycle lanes, and secure bicycle parking; and
  - c) commuter pick-up/drop-off areas.
7. All *major transit station areas* should be planned and designed to be *transit-supportive* and to achieve *multimodal* access to stations and connections to nearby *major trip generators* by providing, where feasible:
  - a) connections to local and regional transit services to support *transit service integration*;
  - b) *infrastructure* that accommodates a range of mobility needs and supports *active transportation*, including sidewalks, bicycle lanes, and secure bicycle parking; and
  - c) commuter pick-up/drop-off areas.

### 2.4.3 Frequent Transit Corridors

1. Planning authorities shall plan for *intensification* on lands that are adjacent to existing and planned *frequent transit corridors*, where appropriate.

## 2.5 Rural Areas in Municipalities

1. Healthy, integrated and viable *rural areas* should be supported by:
  - a) building upon rural character, and leveraging rural amenities and assets;
  - b) promoting regeneration, including the *redevelopment of brownfield sites*;
  - c) accommodating an appropriate range and mix of housing in rural *settlement areas*;
  - d) using rural *infrastructure* and *public service facilities* efficiently;
  - e) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;
  - f) providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets;
  - g) conserving biodiversity and considering the ecological benefits provided by nature; and
  - h) providing opportunities for economic activities in *prime agricultural areas*, in accordance with policy 4.3.
2. In *rural areas*, rural *settlement areas* shall be the focus of growth and development and their vitality and regeneration shall be promoted.
3. When directing development in rural *settlement areas* in accordance with policy 2.3, planning authorities shall give consideration to locally appropriate rural characteristics, the scale of development and the provision of appropriate service levels.

Growth and development may be directed to *rural lands* in accordance with policy 2.6, including where a municipality does not have a *settlement area*.

## 2.6 Rural Lands in Municipalities

1. On *rural lands* located in municipalities, permitted uses are:
  - a) the management or use of resources;
  - b) resource-based recreational uses (including recreational dwellings not intended as permanent residences);
  - c) residential development, including lot creation, where site conditions are suitable for the provision of appropriate *sewage and water services*;
  - d) *agricultural uses, agriculture-related uses, on-farm diversified uses* and *normal farm practices*, in accordance with provincial standards;
  - e) home occupations and home industries;
  - f) cemeteries; and
  - g) other rural land uses.
2. Development that can be sustained by rural service levels should be promoted.
3. Development shall be appropriate to the *infrastructure* which is planned or available, and avoid the need for the uneconomical expansion of this *infrastructure*.

4. Planning authorities should support a diversified rural economy by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.
5. New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the *minimum distance separation formulae*.

## 2.7 Territory Without Municipal Organization

1. On *rural lands* located in territory without municipal organization, the focus of development activity shall be related to the sustainable management or use of resources and resource-based recreational uses (including recreational dwellings not intended as permanent residences).
2. Development shall be appropriate to the *infrastructure* which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this *infrastructure*.
3. The establishment of new permanent townsites shall not be permitted.
4. In areas adjacent to and surrounding municipalities, only development that is related to the sustainable management or use of resources and resource-based recreational uses (including recreational dwellings not intended as permanent residences) shall be permitted. Other uses may only be permitted if:
  - a) the area forms part of a planning area;
  - b) the necessary *infrastructure* and *public service facilities* are planned or available to support the development and are financially viable over their life cycle; and
  - c) it has been determined that the impacts of development will not place an undue strain on the *public service facilities* and *infrastructure* provided by adjacent municipalities, regions and/or the Province.



## 2.8 Employment

### 2.8.1 Supporting a Modern Economy

1. Planning authorities shall promote economic development and competitiveness by:
  - a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;
  - b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
  - c) identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;
  - d) encouraging *intensification* of employment uses and compatible, compact, mixed-use development to support the achievement of *complete communities*; and
  - e) addressing land use compatibility adjacent to *employment areas* by providing an appropriate transition to *sensitive land uses*.
2. Industrial, manufacturing and small-scale warehousing uses that could be located adjacent to *sensitive land uses* without *adverse effects* are encouraged in *strategic growth areas* and other mixed-use areas where *frequent transit* service is available, outside of *employment areas*.
3. On lands for employment outside of *employment areas*, including on lands that provide for an appropriate transition of uses to prevent *adverse effects*, a diverse mix of land uses, including residential, employment, *public service facilities* and other institutional uses shall be permitted, in accordance with policy 3.5, to support the achievement of *complete communities*.
4. Major office and major institutional development should be directed to *major transit station areas* or other *strategic growth areas* where *frequent transit* service is available.

### 2.8.2 Employment Areas

1. Planning authorities shall plan for, protect and preserve *employment areas* for current and future uses and ensure that the necessary *infrastructure* is provided to support current and projected needs.
2. Planning authorities shall protect *employment areas* that are located in proximity to *major goods movement facilities and corridors*, including facilities and corridors identified in provincial transportation plans, for the *employment area* uses that require those locations.

3. Planning authorities shall designate, protect and plan for all *employment areas* in *settlement areas* by:
  - a) planning for *employment area* uses over the long-term that require those locations including manufacturing, research and development in connection with manufacturing, warehousing and goods movement, and associated retail and office uses and ancillary facilities;
  - b) prohibiting residential uses, commercial uses, *public service facilities* and other institutional uses;
  - c) prohibiting retail and office uses that are not associated with the primary employment use;
  - d) prohibiting other *sensitive land uses* that are not ancillary to uses permitted in the *employment area*; and
  - e) including an appropriate transition to adjacent non-*employment areas* to ensure land use compatibility and economic viability.
4. Planning authorities shall assess and update *employment areas* identified in official plans to ensure that this designation is appropriate to the planned function of *employment areas*. In planning for *employment areas*, planning authorities shall maintain land use compatibility between *sensitive land uses* and *employment areas* in accordance with policy 3.5.1 to maintain the long-term operational and economic viability of the planned uses and function of these areas.
5. Planning authorities may remove lands from *employment areas* only where it has been demonstrated that:
  - a) there is an identified need for the removal and the land is not required for *employment area* uses over the long term;
  - b) the proposed uses would not negatively impact the overall viability of the *employment area* by:
    1. avoiding, or where avoidance is not possible, minimizing and mitigating potential impacts to existing or planned *employment area* uses in accordance with policy 3.5;
    2. maintaining access to *major goods movement facilities and corridors*;
  - c) existing or planned *infrastructure* and *public service facilities* are available to accommodate the proposed uses; and
  - d) the municipality has sufficient employment lands to accommodate projected employment growth to the horizon of the approved official plan.

## 2.9 Energy Conservation, Air Quality and Climate Change

1. Planning authorities shall plan to reduce greenhouse gas emissions and prepare for the *impacts of a changing climate* through approaches that:
  - a) support the achievement of compact, *transit-supportive*, and *complete communities*;
  - b) incorporate climate change considerations in planning for and the development of *infrastructure*, including stormwater management systems, and *public service facilities*;
  - c) support energy conservation and efficiency;
  - d) promote *green infrastructure*, *low impact development*, and *active transportation*, protect the environment and improve air quality; and
  - e) take into consideration any additional approaches that help reduce greenhouse gas emissions and build community resilience to the *impacts of a changing climate*.

## Chapter 3: Infrastructure and Facilities

### 3.1 General Policies for Infrastructure and Public Service Facilities

1. *Infrastructure and public service facilities* shall be provided in an efficient manner while accommodating projected needs.

Planning for *infrastructure and public service facilities* shall be coordinated and integrated with land use planning and growth management so that they:

- a) are financially viable over their life cycle, which may be demonstrated through asset management planning;
  - b) leverage the capacity of development proponents, where appropriate; and
  - c) are available to meet current and projected needs.
2. Before consideration is given to developing new *infrastructure and public service facilities*:
    - a) the use of existing *infrastructure and public service facilities* should be optimized; and
    - b) opportunities for adaptive re-use should be considered, wherever feasible.
  3. *Infrastructure and public service facilities* should be strategically located to support the effective and efficient delivery of emergency management services, and to ensure the protection of public health and safety in accordance with the policies in Chapter 5: Protecting Public Health and Safety.
  4. *Public service facilities* should be planned and co-located with one another, along with parks and open space where appropriate, to promote cost-effectiveness and facilitate service integration, access to transit and *active transportation*.
  5. Planning authorities, in consultation with school boards, should consider and encourage innovative approaches in the design of schools and associated child care facilities, such as schools integrated in high-rise developments, in *strategic growth areas*, and other areas with a *compact built form*.

### 3.2 Transportation Systems

1. *Transportation systems* should be provided which are safe, energy efficient, facilitate the movement of people and goods, are appropriate to address projected needs, and support the use of zero- and low- emission vehicles.
2. Efficient use should be made of existing and planned *infrastructure*, including through the use of *transportation demand management* strategies, where feasible.
3. As part of a *multimodal* transportation system, connectivity within and among *transportation systems* and modes should be planned for, maintained and, where possible, improved including connections which cross jurisdictional boundaries.

### 3.3 Transportation and Infrastructure Corridors

1. Planning authorities shall plan for and protect corridors and rights-of-way for *infrastructure*, including transportation, transit and electricity generation facilities and transmission systems to meet current and projected needs.
2. *Major goods movement facilities and corridors* shall be protected for the long term.
3. Planning authorities shall not permit *development* in *planned corridors* that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified.

New *development* proposed on *adjacent lands* to existing or *planned corridors* and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, or where avoidance is not possible, minimize and mitigate negative impacts on and *adverse effects* from the corridor and transportation facilities.

4. The preservation and reuse of abandoned corridors for purposes that maintain the corridor's integrity and continuous linear characteristics should be encouraged, wherever feasible.
5. The co-location of linear *infrastructure* should be promoted, where appropriate.

### 3.4 Airports, Rail and Marine Facilities

1. Planning for land uses in the vicinity of *airports*, *rail facilities* and *marine facilities* shall be undertaken so that:
  - a) their long-term operation and economic role is protected; and
  - b) *airports*, *rail facilities* and *marine facilities* and *sensitive land uses* are appropriately designed, buffered and/or separated from each other, in accordance with policy 3.5.
2. *Airports* shall be protected from incompatible land uses and development by:
  - a) prohibiting new residential *development* and other sensitive land uses in areas near *airports* above 30 NEF/NEP;
  - b) considering redevelopment of existing residential uses and other sensitive land uses or infilling of residential and other sensitive land uses in areas above 30 NEF/NEP only if it has been demonstrated that there will be no negative impacts on the long-term function of the *airport*; and
  - c) prohibiting land uses which may cause a potential aviation safety hazard.

### 3.5 Land Use Compatibility

1. *Major facilities* and *sensitive land uses* shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential *adverse effects* from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of *major facilities* in accordance with provincial guidelines, standards and procedures.
2. Where avoidance is not possible in accordance with policy 3.5.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other *major facilities* that are vulnerable to encroachment by ensuring that proposed adjacent *sensitive land uses* are only permitted if potential impacts to industrial, manufacturing or other *major facilities* are minimized and mitigated in accordance with provincial guidelines, standards and procedures.

### 3.6 Sewage, Water and Stormwater

1. Planning for *sewage and water services* shall:
  - a) accommodate forecasted growth in a timely manner that promotes the efficient use and optimization of existing *municipal sewage services* and *municipal water services* and existing *private communal sewage services* and *private communal water services*;
  - b) ensure that these services are provided in a manner that:
    1. can be sustained by the water resources upon which such services rely;
    2. is feasible and financially viable over their life cycle;
    3. protects human health and safety, and the natural environment, including the *quality and quantity of water*; and
    4. aligns with comprehensive municipal planning for these services, where applicable.
  - c) promote water and energy conservation and efficiency;
  - d) integrate servicing and land use considerations at all stages of the planning process, including consideration of opportunities to allocate, and re-allocate if necessary, the unused system capacity of *municipal water services* and *municipal sewage services* to meet current and projected needs for increased housing supply;
  - e) be in accordance with the servicing options outlined through policies 3.6.2, 3.6.3, 3.6.4 and 3.6.5; and
  - f) integrate with source protection planning.
2. *Municipal sewage services* and *municipal water services* are the preferred form of servicing for *settlement areas* to support protection of the environment and minimize potential risks to human health and safety. For clarity, *municipal sewage services* and *municipal water services* include both centralized servicing systems and decentralized servicing systems.

3. Where *municipal sewage services* and *municipal water services* are not available, planned or feasible, *private communal sewage services* and *private communal water services* are the preferred form of servicing for multi-unit/lot *development* to support protection of the environment and minimize potential risks to human health and safety.
4. Where *municipal sewage services* and *municipal water services* or *private communal sewage services* and *private communal water services* are not available, planned or feasible, *individual on-site sewage services* and *individual on-site water services* may be used provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*.

At the time of the official plan review or update, planning authorities should assess the long-term impacts of *individual on-site sewage services* and *individual on-site water services* on environmental health and the financial viability or feasibility of other forms of servicing set out in policies 3.6.2 and 3.6.3.

5. *Partial services* shall only be permitted in the following circumstances:
  - a) where they are necessary to address failed *individual on-site sewage services* and *individual on-site water services* in existing development; or
  - b) within *settlement areas*, to allow for infilling and minor rounding out of existing development on *partial services* provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*.
  - c) within rural *settlement areas* where new development will be serviced by *individual on-site water services* in combination with *municipal sewage services* or *private communal sewage services*.
6. In rural areas, where *partial services* have been provided to address failed services in accordance with policy 3.6.5.a), infilling on existing lots of record may be permitted where this would represent a logical and financially viable connection to the existing *partial service* and provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*.
7. Planning authorities may allow lot creation where there is confirmation of sufficient *reserve sewage system capacity* and *reserve water system capacity*.

8. Planning for stormwater management shall:
  - a) be integrated with planning for *sewage and water services* and ensure that systems are optimized, retrofitted as appropriate, feasible and financially viable over their full life cycle;
  - b) minimize, or, where possible, prevent or reduce increases in stormwater volumes and contaminant loads;
  - c) minimize erosion and changes in water balance including through the use of *green infrastructure*;
  - d) mitigate risks to human health, safety, property and the environment;
  - e) maximize the extent and function of vegetative and pervious surfaces;
  - f) promote best practices, including stormwater attenuation and re-use, water conservation and efficiency, and *low impact development*; and
  - g) align with any comprehensive municipal plans for stormwater management that consider cumulative impacts of stormwater from development on a *watershed* scale.

### 3.7 Waste Management

1. *Waste management systems* need to be planned for and provided that are of an appropriate size, type, and location to accommodate present and future requirements, and facilitate integrated waste management.

### 3.8 Energy Supply

1. Planning authorities should provide opportunities for the development of energy supply including electricity generation facilities and transmission and distribution systems, *energy storage systems*, district energy, and *renewable energy systems* and *alternative energy systems*, to accommodate current and projected needs.

### 3.9 Public Spaces, Recreation, Parks, Trails and Open Space

1. Healthy, active, and inclusive communities should be promoted by:
  - a) planning public streets, spaces and facilities to be safe, meet the needs of persons of all ages and abilities, including pedestrians, foster social interaction and facilitate *active transportation* and community connectivity;
  - b) planning and providing for the needs of persons of all ages and abilities in the distribution of a full range of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources;
  - c) providing opportunities for public access to shorelines; and
  - d) recognizing provincial parks, conservation reserves, and other protected areas, and minimizing negative impacts on these areas.



# Chapter 4: Wise Use and Management of Resources

## 4.1 Natural Heritage

1. Natural features and areas shall be protected for the long term.
2. The diversity and connectivity of natural features in an area, and the long-term *ecological function* and biodiversity of *natural heritage systems*, should be maintained, restored or, where possible, improved, recognizing linkages between and among *natural heritage features and areas, surface water features and ground water features*.
3. *Natural heritage systems* shall be identified in Ecoregions 6E & 7E<sup>1</sup>, recognizing that *natural heritage systems* will vary in size and form in *settlement areas, rural areas, and prime agricultural areas*.
4. *Development and site alteration* shall not be permitted in:
  - a) *significant wetlands* in Ecoregions 5E, 6E and 7E<sup>1</sup>; and
  - b) *significant coastal wetlands*.
5. *Development and site alteration* shall not be permitted in:
  - a) *significant wetlands* in the Canadian Shield north of Ecoregions 5E, 6E and 7E<sup>1</sup>;
  - b) *significant woodlands* in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)<sup>1</sup>;
  - c) *significant valleylands* in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)<sup>1</sup>;
  - d) *significant wildlife habitat*;
  - e) *significant areas of natural and scientific interest*; and
  - f) *coastal wetlands* in Ecoregions 5E, 6E and 7E<sup>1</sup> that are not subject to policy 4.1.4.b)

unless it has been demonstrated that there will be no *negative impacts* on the natural features or their *ecological functions*.

6. *Development and site alteration* shall not be permitted in *fish habitat* except in accordance with *provincial and federal requirements*.
7. *Development and site alteration* shall not be permitted in *habitat of endangered species and threatened species*, except in accordance with *provincial and federal requirements*.
8. *Development and site alteration* shall not be permitted on *adjacent lands* to the *natural heritage features and areas* identified in policies 4.1.4, 4.1.5, and 4.1.6 unless the *ecological function* of the *adjacent lands* has been evaluated and it has been demonstrated that there will be no *negative impacts* on the natural features or on their *ecological functions*.
9. Nothing in policy 4.1 is intended to limit the ability of *agricultural uses* to continue.

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<sup>1</sup> Ecoregions 5E, 6E and 7E are shown on Figure 1.

## 4.2 Water

1. Planning authorities shall protect, improve or restore the *quality and quantity of water* by:
  - a) using the *watershed* as the ecologically meaningful scale for integrated and long-term planning, which can be a foundation for considering cumulative impacts of development;
  - b) minimizing potential *negative impacts*, including cross-jurisdictional and cross-*watershed* impacts;
  - c) identifying *water resource systems*;
  - d) maintaining linkages and functions of *water resource systems*;
  - e) implementing necessary restrictions on *development* and *site alteration* to:
    1. protect drinking water supplies and *designated vulnerable areas*; and
    2. protect, improve or restore *vulnerable* surface and ground water, and their *hydrologic functions*;
  - f) planning for efficient and sustainable use of water resources, through practices for water conservation and sustaining water quality; and
  - g) ensuring consideration of environmental lake capacity, where applicable.
2. *Development* and *site alteration* shall be restricted in or near *sensitive surface water features* and *sensitive ground water features* such that these features and their related *hydrologic functions* will be protected, improved or restored, which may require mitigative measures and/or alternative development approaches.
3. Municipalities are encouraged to undertake, and *large and fast-growing municipalities* shall undertake *watershed planning* to inform planning for *sewage and water services* and stormwater management, including *low impact development*, and the protection, improvement or restoration of the *quality and quantity of water*.
4. Despite policy 4.2.3, where planning is conducted by an upper-tier municipality that includes one or more lower-tier *large and fast-growing municipalities*, the upper-tier municipality shall undertake *watershed planning* in partnership with lower-tier municipalities, including lower-tier *large and fast-growing municipalities*.
5. All municipalities undertaking *watershed planning* are encouraged to collaborate with applicable conservation authorities.

## 4.3 Agriculture

### 4.3.1 General Policies for Agriculture

1. Planning authorities are required to use an *agricultural system* approach, based on provincial guidance, to maintain and enhance a geographically continuous agricultural land base and support and foster the long-term economic prosperity and productive capacity of the *agri-food network*.
2. As part of the agricultural land base, *prime agricultural areas*, including *specialty crop areas*, shall be designated and protected for long-term use for agriculture.
3. *Specialty crop areas* shall be given the highest priority for protection, followed by Canada Land Inventory Class 1, 2, and 3 lands, and any associated Class 4 through 7 lands within the *prime agricultural area*, in this order of priority.

### 4.3.2 Permitted Uses

1. In *prime agricultural areas*, permitted uses and activities are: *agricultural uses*, *agriculture-related uses* and *on-farm diversified uses* based on provincial guidance.

Proposed *agriculture-related uses* and *on-farm diversified uses* shall be compatible with, and shall not hinder, surrounding agricultural operations. Criteria for these uses may be based on provincial guidance or municipal approaches, as set out in municipal planning documents, which achieve the same objectives.

2. In *prime agricultural areas*, all types, sizes and intensities of *agricultural uses* and *normal farm practices* shall be promoted and protected in accordance with provincial standards.
3. New land uses in *prime agricultural areas*, including the creation of lots and new or expanding livestock facilities, shall comply with the *minimum distance separation formulae*.
4. A principal dwelling associated with an agricultural operation shall be permitted in *prime agricultural areas* as an *agricultural use*, in accordance with provincial guidance, except where prohibited in accordance with policy 4.3.3.1.c).
5. Where a residential dwelling is permitted on a lot in a *prime agricultural area*, up to two additional residential units shall be permitted in accordance with provincial guidance, provided that any additional residential units:
  - a) comply with the *minimum distance separation formulae*;
  - b) are compatible with, and would not hinder, surrounding agricultural operations;
  - c) have appropriate *sewage and water services*;
  - d) address any public health and safety concerns;
  - e) are of limited scale and are located within, attached, or in close proximity to the principal dwelling or farm building cluster; and
  - f) minimize land taken out of agricultural production.

Additional residential units may only be severed in accordance with policy 4.3.3.1.c).

### 4.3.3 Lot Creation and Lot Adjustments

1. Lot creation in *prime agricultural areas* is discouraged and may only be permitted in accordance with provincial guidance for:
  - a) *agricultural uses*, provided that the lots are of a size appropriate for the type of *agricultural use(s)* common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations;
  - b) *agriculture-related uses*, provided that any new lot will be limited to a minimum size needed to accommodate the use and appropriate *sewage and water services*;
  - c) up to one *residence surplus to an agricultural operation* per farm consolidation, provided that:
    1. the new lot will be limited to a minimum size needed to accommodate the use and appropriate *sewage and water services*; and
    2. the planning authority ensures that new dwellings and additional residential units are prohibited on any remnant parcel of farmland created by the severance. The approach used to ensure that no new dwellings or additional residential units are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches that achieve the same objective; and
  - d) *infrastructure*, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way.
2. Lot adjustments in *prime agricultural areas* may be permitted for *legal or technical reasons*.
3. The creation of new residential lots in *prime agricultural areas* shall not be permitted, except in accordance with policy 4.3.3.1.c).

### 4.3.4 Removal of Land from Prime Agricultural Areas

1. Planning authorities may only exclude land from *prime agricultural areas* for expansions of or identification of *settlement areas* in accordance with policy 2.3.2.

#### 4.3.5 Non-Agricultural Uses in Prime Agricultural Areas

1. Planning authorities may only permit non-agricultural uses in *prime agricultural areas* for:
  - a) extraction of *minerals, petroleum resources* and *mineral aggregate resources*; or
  - b) limited non-residential uses, provided that all of the following are demonstrated:
    1. the land does not comprise a *specialty crop area*;
    2. the proposed use complies with the *minimum distance separation formulae*;
    3. there is an identified need within the planning horizon provided for in policy 2.1.3 for additional land to accommodate the proposed use; and
    4. alternative locations have been evaluated, and
      - i. there are no reasonable alternative locations which avoid *prime agricultural areas*; and
      - ii. there are no reasonable alternative locations in *prime agricultural areas* with lower priority agricultural lands.
2. Impacts from any new or expanding non-agricultural uses on the *agricultural system* are to be avoided, or where avoidance is not possible, minimized and mitigated as determined through an *agricultural impact assessment* or equivalent analysis, based on provincial guidance.

#### 4.3.6 Supporting Local Food and the Agri-food Network

1. Planning authorities are encouraged to support local food, facilitate near-urban and *urban agriculture*, and foster a robust *agri-food network*.

## 4.4 Minerals and Petroleum

### 4.4.1 General Policies for Minerals and Petroleum

1. *Minerals* and *petroleum resources* shall be protected for long-term use.

### 4.4.2 Protection of Long-Term Resource Supply

1. *Mineral mining operations* and *petroleum resource operations* shall be identified and protected from *development* and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact.
2. Known *mineral deposits*, known *petroleum resources* and *significant areas of mineral potential* shall be identified and *development* and activities in these resources or on *adjacent lands* which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:
  - a) resource use would not be feasible; or
  - b) the proposed land use or development serves a greater long-term public interest; and
  - c) issues of public health, public safety and environmental impact are addressed.

### 4.4.3 Rehabilitation

1. Rehabilitation to accommodate subsequent land uses shall be required after extraction and other related activities have ceased. Progressive rehabilitation should be undertaken wherever feasible.

### 4.4.4 Extraction in Prime Agricultural Areas

1. Extraction of *minerals* and *petroleum resources* is permitted in *prime agricultural areas* provided that the site will be rehabilitated.

## 4.5 Mineral Aggregate Resources

### 4.5.1 General Policies for Mineral Aggregate Resources

1. *Mineral aggregate resources* shall be protected for long-term use and, where provincial information is available, *deposits of mineral aggregate resources* shall be identified.

### 4.5.2 Protection of Long-Term Resource Supply

1. As much of the *mineral aggregate resources* as is realistically possible shall be made available as close to markets as possible.

Demonstration of need for *mineral aggregate resources*, including any type of supply/demand analysis, shall not be required, notwithstanding the availability, designation or licensing for extraction of *mineral aggregate resources* locally or elsewhere.

2. Extraction shall be undertaken in a manner which minimizes social, economic and environmental impacts.
3. *Mineral aggregate resource conservation* shall be undertaken, including through the use of accessory aggregate recycling facilities within operations, wherever feasible.
4. *Mineral aggregate operations* shall be protected from *development* and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact. Existing *mineral aggregate operations* shall be permitted to continue without the need for official plan amendment, rezoning or development permit under the *Planning Act*. Where the *Aggregate Resources Act* applies, only processes under the *Aggregate Resources Act* shall address the depth of extraction of new or existing *mineral aggregate operations*. When a license for extraction or operation ceases to exist, policy 4.5.2.5 continues to apply.
5. In known *deposits of mineral aggregate resources* and on *adjacent lands*, *development* and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:
  - a) resource use would not be feasible; or
  - b) the proposed land use or development serves a greater long-term public interest;  
and
  - c) issues of public health, public safety and environmental impact are addressed.

### 4.5.3 Rehabilitation

1. Progressive and final rehabilitation shall be required to accommodate subsequent land uses, to promote land use compatibility, to recognize the interim nature of extraction, and to mitigate negative impacts to the extent possible. Final rehabilitation shall take surrounding land use and approved land use designations into consideration.
2. *Comprehensive rehabilitation* planning is encouraged where there is a concentration of mineral aggregate operations.
3. In parts of the Province not designated under the *Aggregate Resources Act*, rehabilitation standards that are compatible with those under the Act should be adopted for extraction operations on private lands.

### 4.5.4 Extraction in Prime Agricultural Areas

1. In *prime agricultural areas*, on *prime agricultural land*, extraction of *mineral aggregate resources* is permitted as an interim use provided that:
  - a) impacts to the *prime agricultural areas* are addressed, in accordance with policy 4.3.5.2; and
  - b) the site will be rehabilitated back to an *agricultural condition*.
2. Despite policy 4.5.4.1.b), complete rehabilitation to an *agricultural condition* is not required if:
  - a) the depth of planned extraction makes restoration of pre-extraction agricultural capability unfeasible; and
  - b) agricultural rehabilitation in remaining areas is maximized.

### 4.5.5 Wayside Pits and Quarries, Portable Asphalt Plants and Portable Concrete Plants

1. *Wayside pits and quarries, portable asphalt plants and portable concrete plants* used on public authority contracts shall be permitted, without the need for an official plan amendment, rezoning, or development permit under the *Planning Act* in all areas, except those areas of existing development or particular environmental sensitivity which have been determined to be incompatible with extraction and associated activities.



## 4.6 Cultural Heritage and Archaeology

1. *Protected heritage property, which may contain built heritage resources or cultural heritage landscapes, shall be conserved.*
2. Planning authorities shall not permit *development and site alteration* on lands containing *archaeological resources or areas of archaeological potential* unless the *archaeological resources* have been *conserved*.
3. Planning authorities shall not permit *development and site alteration* on *adjacent lands to protected heritage property* unless the *heritage attributes* of the *protected heritage property* will be *conserved*.
4. Planning authorities are encouraged to develop and implement:
  - a) archaeological management plans for conserving *archaeological resources*; and
  - b) proactive strategies for identifying properties for evaluation under the *Ontario Heritage Act*.
5. Planning authorities shall engage early with Indigenous communities and ensure their interests are considered when identifying, protecting and managing *archaeological resources, built heritage resources and cultural heritage landscapes*.

## Chapter 5: Protecting Public Health and Safety

### 5.1 General Policies for Natural and Human-Made Hazards

1. Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards.

### 5.2 Natural Hazards

1. Planning authorities shall, in collaboration with conservation authorities where they exist, identify *hazardous lands* and *hazardous sites* and manage development in these areas, in accordance with provincial guidance.
2. Development shall generally be directed to areas outside of:
  - a) *hazardous lands* adjacent to the shorelines of the *Great Lakes - St. Lawrence River System* and *large inland lakes* which are impacted by *flooding hazards, erosion hazards* and/or *dynamic beach hazards*;
  - b) *hazardous lands* adjacent to *river, stream and small inland lake systems* which are impacted by *flooding hazards* and/or *erosion hazards*; and
  - c) *hazardous sites*.
3. *Development* and *site alteration* shall not be permitted within:
  - a) the *dynamic beach hazard*;
  - b) *defined portions of the flooding hazard along connecting channels* (the St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers);
  - c) areas that would be rendered inaccessible to people and vehicles during times of *flooding hazards, erosion hazards* and/or *dynamic beach hazards*, unless it has been demonstrated that the site has safe access appropriate for the nature of the *development* and the natural hazard; and
  - d) a *floodway* regardless of whether the area of inundation contains high points of land not subject to flooding.
4. Planning authorities shall prepare for the *impacts of a changing climate* that may increase the risk associated with natural hazards.

5. Despite policy 5.2.3, *development* and *site alteration* may be permitted in certain areas associated with the *flooding hazard* along *river, stream and small inland lake systems*:
  - a) in those exceptional situations where a *Special Policy Area* has been approved. The designation of a *Special Policy Area*, and any change or modification to the official plan policies, land use designations or boundaries applying to *Special Policy Area* lands, must be approved by the Ministers of Municipal Affairs and Housing and Natural Resources and Forestry prior to the approval authority approving such changes or modifications; or
  - b) where the *development* is limited to uses which by their nature must locate within the *floodway*, including flood and/or erosion control works or minor additions or passive non-structural uses which do not affect flood flows.
6. *Development* shall not be permitted to locate in *hazardous lands* and *hazardous sites* where the use is:
  - a) an *institutional use* including hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools;
  - b) an *essential emergency service* such as that provided by fire, police and ambulance stations and electrical substations; or
  - c) uses associated with the disposal, manufacture, treatment or storage of *hazardous substances*.
7. Where the *two zone concept for flood plains* is applied, *development* and *site alteration* may be permitted in the *flood fringe*, subject to appropriate floodproofing to the *flooding hazard* elevation or another *flooding hazard* standard approved by the Minister of Natural Resources and Forestry.
8. Further to policy 5.2.7, and except as prohibited in policies 5.2.3 and 5.2.6, *development* and *site alteration* may be permitted in those portions of *hazardous lands* and *hazardous sites* where the effects and risk to public safety are minor, could be mitigated in accordance with provincial standards, and where all of the following are demonstrated and achieved:
  - a) *development* and *site alteration* is carried out in accordance with *floodproofing standards, protection works standards, and access standards*;
  - b) vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;
  - c) new hazards are not created and existing hazards are not aggravated; and
  - d) no adverse environmental impacts will result.
9. *Development* shall generally be directed to areas outside of lands that are unsafe for development due to the presence of *hazardous forest types for wildland fire*.

*Development* may however be permitted in lands with *hazardous forest types for wildland fire* where the risk is mitigated in accordance with *wildland fire assessment and mitigation standards*.

## 5.3 Human-Made Hazards

1. Development on, abutting or adjacent to lands affected by *mine hazards; oil, gas and salt hazards; or former mineral mining operations, mineral aggregate operations or petroleum resource operations* may be permitted only if rehabilitation or other measures to address and mitigate known or suspected hazards are under way or have been completed.
2. Sites with contaminants in land or water shall be assessed and remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no *adverse effects*.

## Chapter 6: Implementation and Interpretation

### 6.1 General Policies for Implementation and Interpretation

1. This Policy Statement shall be read in its entirety and all relevant policies are to be applied to each situation.
2. This Policy Statement shall be implemented in a manner that is consistent with the recognition and affirmation of existing Aboriginal and treaty rights in section 35 of the *Constitution Act, 1982*.
3. This Policy Statement shall be implemented in a manner that is consistent with *Ontario Human Rights Code* and the *Canadian Charter of Rights and Freedoms*.
4. When implementing this Policy Statement, the Minister of Municipal Affairs and Housing may make decisions that take into account other considerations to balance government priorities.
5. Official plans shall identify provincial interests and set out appropriate land use designations and policies. Official plans shall provide clear, reasonable and attainable policies to protect provincial interests and facilitate development in suitable areas.

In order to protect provincial interests, planning authorities shall keep their official plans up-to-date with this Policy Statement. The policies of this Policy Statement continue to apply after adoption and approval of an official plan.

6. Planning authorities shall keep their zoning and development permit by-laws up-to-date with their official plans and this Policy Statement by establishing permitted uses, minimum densities, heights and other development standards to accommodate growth and development.
7. Where a planning authority must decide on a planning matter before their official plan has been updated to be consistent with this Policy Statement, or before other applicable planning instruments have been updated accordingly, it must still make a decision that is consistent with this Policy Statement.
8. In addition to land use approvals under the *Planning Act*, *infrastructure* may also have requirements under other legislation and regulations. For example, an environmental assessment process may be required for new *infrastructure* and modifications to existing *infrastructure* under applicable legislation.

Wherever possible and practical, approvals under the *Planning Act* and other legislation or regulations should be integrated provided the intent and requirements of both processes are met.

9. To assess progress on implementation of this Policy Statement, the Province may:
  - a) identify key indicators to measure the outcomes, relevance and efficiency of the policies in this Policy Statement in consultation with municipalities, Indigenous communities, other public bodies and stakeholders;
  - b) monitor and assess the implementation of this Policy Statement through the collection and analysis of data under each indicator; and
  - c) consider the resulting assessment in each review of this Policy Statement.
10. Municipalities are encouraged to monitor and report on the implementation of the policies in their official plans, in accordance with any requirements for reporting planning information to the Province, and data standards and including through any other guidelines that may be issued by the Minister.
11. *Strategic growth areas* and *designated growth areas* are not land use designations and their delineation does not confer any new land use designations, nor alter existing land use designations. Any development on lands within the boundary of these identified areas is still subject to the relevant provincial and municipal land use planning policies and approval processes.
12. Density targets represent minimum standards and planning authorities are encouraged to go beyond these minimum targets, where appropriate, except where doing so would conflict with any policy of this Policy Statement or any other provincial plan.
13. Minimum density targets will be revisited at the time of each official plan update to ensure the target is appropriate.

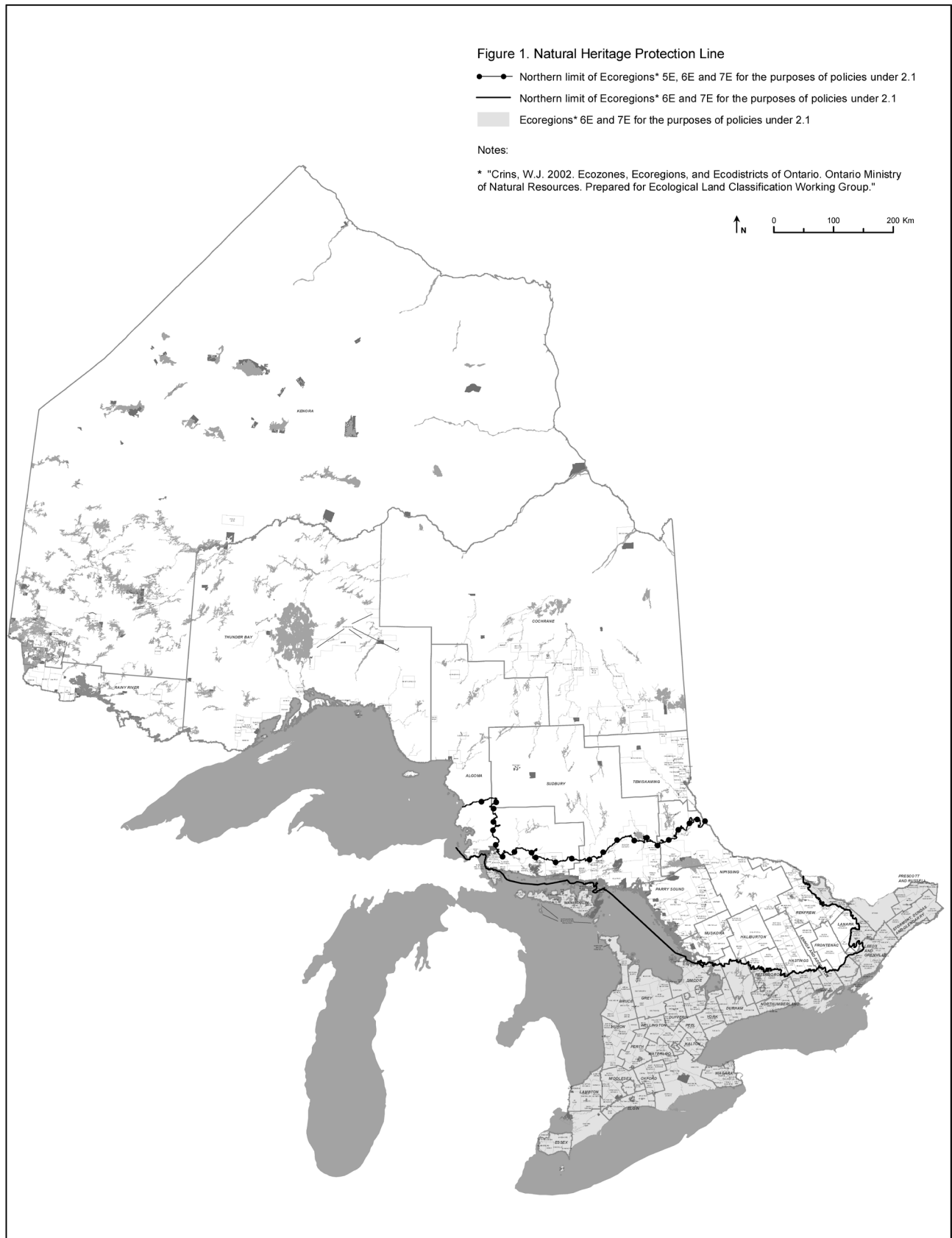
## 6.2 Coordination

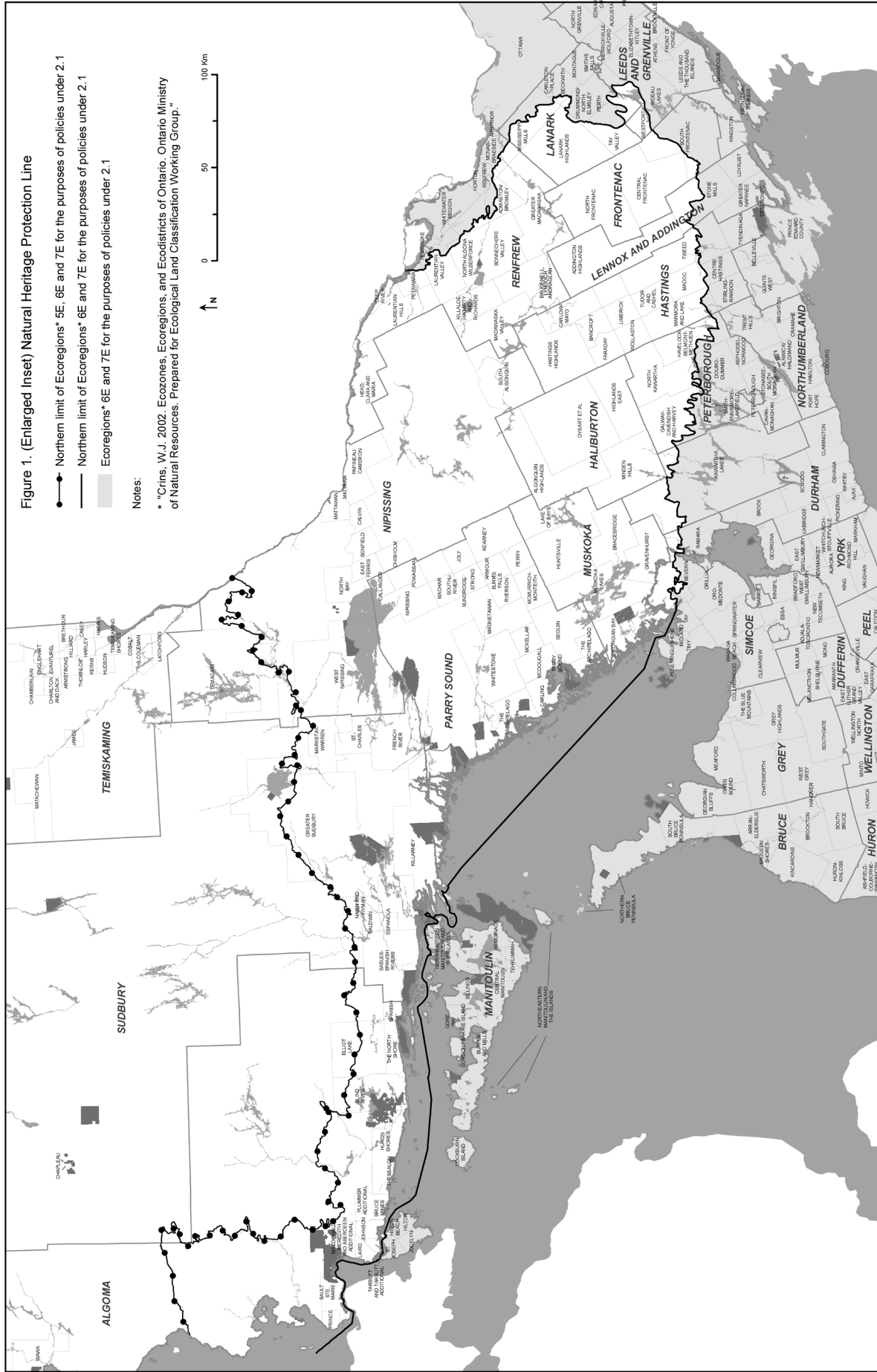
1. A coordinated, integrated and comprehensive approach should be used when dealing with planning matters within municipalities, across lower, single and/or upper-tier municipal boundaries, and with other orders of government, agencies, boards, and Service Managers including:
  - a) managing and/or promoting growth and development that is integrated with planning for *infrastructure* and *public service facilities*, including schools and associated child care facilities;
  - b) economic development strategies;
  - c) managing natural heritage, water, agricultural, mineral, and cultural heritage and archaeological resources;
  - d) *infrastructure, multimodal* transportation systems, *public service facilities* and *waste management systems*;
  - e) ecosystem, shoreline, watershed, and Great Lakes related issues;
  - f) natural and human-made hazards;
  - g) population, housing and employment projections, based on *regional market areas*, as appropriate; and
  - h) addressing housing needs in accordance with provincial housing policies and plans, including those that address homelessness.
2. Planning authorities shall undertake early engagement with Indigenous communities and coordinate on land use planning matters to facilitate knowledge-sharing, support consideration of Indigenous interests in land use decision-making and support the identification of potential impacts of decisions on the exercise of Aboriginal or treaty rights.
3. Planning authorities are encouraged to engage the public and stakeholders early in local efforts to implement this Policy Statement, and to provide the necessary information to ensure the informed involvement of local citizens, including equity-deserving groups.
4. Planning authorities and school boards shall collaborate to facilitate early and integrated planning for schools and associated child care facilities to meet current and future needs.
5. Planning authorities shall collaborate with publicly-assisted post-secondary institutions, where they exist, to facilitate early and integrated planning for student housing that considers the full range of *housing options* near existing and planned post-secondary institutions to meet current and future needs.
6. Further to policy 6.2.5, planning authorities should collaborate with publicly-assisted post-secondary institutions on the development of a student housing strategy that includes consideration of off-campus housing targeted to students.
7. Planning authorities should coordinate emergency management and other economic, environmental and social planning considerations to support efficient and resilient communities.
8. Municipalities, the Province, and other appropriate stakeholders are encouraged to undertake a coordinated approach to planning for large areas with high concentrations of employment uses that cross municipal boundaries.

9. Where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with lower-tier municipalities shall:
  - a) identify and allocate population, housing and employment projections for lower-tier municipalities;
  - b) identify areas where growth and development will be focused, including *strategic growth areas*, and establish any applicable minimum density targets;
  - c) identify minimum density targets for growth and development taking place in new or expanded *settlement areas*, where applicable; and
  - d) provide policy direction for the lower-tier municipalities on matters that cross municipal boundaries.
  
10. Where there is no upper-tier municipality or where planning is not conducted by an upper-tier municipality, planning authorities shall ensure that policy 6.2.9 is addressed as part of the planning process, and should coordinate these matters with adjacent planning authorities.



# 7: Figure 1 – Natural Heritage Protection Line





## 8: Definitions

**Access standards:** means methods or procedures to ensure safe vehicular and pedestrian movement, and access for the maintenance and repair of protection works, during times of *flooding hazards, erosion hazards and/or other water-related hazards*.

**Active transportation:** means human-powered travel, including but not limited to, walking, cycling, inline skating and travel with the use of mobility aids, including motorized wheelchairs and other power-assisted devices moving at a comparable speed.

**Additional needs housing:** means any housing, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living. Examples of *additional needs housing* may include, but are not limited to long-term care homes, adaptable and accessible housing, and housing for persons with disabilities such as physical, sensory or mental health disabilities, and housing for older persons.

**Adjacent lands:** means

- a) for the purposes of policy 3.3.3, those lands contiguous to existing or *planned corridors* and transportation facilities where *development* would have a negative impact on the corridor or facility. The extent of the *adjacent lands* may be recommended in provincial guidance or based on municipal approaches that achieve the same objectives;
- b) for the purposes of policy 4.1.8, those lands contiguous to a specific *natural heritage feature or area* where it is likely that *development or site alteration* would have a *negative impact* on the feature or area. The extent of the *adjacent lands* may be recommended by the Province or based on municipal approaches which achieve the same objectives;

- c) for the purposes of policies 4.4.2.2 and 4.5.2.5, those lands contiguous to lands on the surface of known *petroleum resources, mineral deposits, or deposits of mineral aggregate resources* where it is likely that *development* would constrain future access to the resources. The extent of the *adjacent lands* may be recommended by the Province; and
- d) for the purposes of policy 4.6.3, those lands contiguous to a *protected heritage property*.

**Adverse effect:** as defined in the *Environmental Protection Act*, means one or more of:

- a) impairment of the quality of the natural environment for any use that can be made of it;
- b) injury or damage to property or plant or animal life;
- c) harm or material discomfort to any person;
- d) an adverse effect on the health of any person;
- e) impairment of the safety of any person;
- f) rendering any property or plant or animal life unfit for human use;
- g) loss of enjoyment of normal use of property; and
- h) interference with normal conduct of business.

**Affordable:** means

- a) in the case of ownership housing, the least expensive of:
  - 1. housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for *low and moderate income households*; or
  - 2. housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the municipality;
- b) in the case of rental housing, the least expensive of:
  - 1. a unit for which the rent does not exceed 30 percent of gross annual household income for *low and moderate income households*; or
  - 2. a unit for which the rent is at or below the average market rent of a unit in the municipality.

**Agricultural condition:** means

- a) in regard to *specialty crop areas*, a condition in which substantially the same areas and same average soil capability for agriculture are restored, the same range and productivity of specialty crops common in the area can be achieved, and, where applicable, the microclimate on which the site and surrounding area may be dependent for specialty crop production will be maintained, restored or enhanced; and
- b) in regard to *prime agricultural land* outside of *specialty crop areas*, a condition in which substantially the same areas and same average soil capability for agriculture will be maintained, restored or enhanced.

**Agricultural impact assessment:** means the evaluation of potential impacts of non-*agricultural uses* on agricultural lands and operations and, where applicable, the *agricultural system*. An assessment recommends ways to avoid or if avoidance is not possible, minimize and mitigate adverse impacts.

**Agricultural system:** A system comprised of a group of inter-connected elements that collectively create a viable, thriving agri-food sector. It has two components:

- a) An agricultural land base comprised of *prime agricultural areas*, including *specialty crop areas*. It may also include *rural lands* that help to create a continuous productive land base for agriculture; and
- b) An *agri-food network* which includes *infrastructure*, services, and assets important to the viability of the agri-food sector.

**Agricultural uses:** means the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and housing for farm workers, when the size and nature of the operation requires additional employment.

**Agri-food network:** Within the *agricultural system*, a network that includes elements important to the viability of the agri-food sector such as regional *infrastructure* and transportation networks; on-farm buildings and infrastructure; agricultural services, farm markets, distributors, and primary processing; and vibrant, agriculture-supportive communities.

**Agri-tourism uses:** means those farm-related tourism uses, including limited accommodation such as a bed and breakfast, that promote the enjoyment, education or activities related to the farm operation.

**Agriculture-related uses:** means those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.

**Airports:** means all Ontario airports, including designated lands for future airports, with Noise Exposure Forecast (NEF)/Noise Exposure Projection (NEP) mapping.

**Alternative energy system:** means a system that uses sources of energy or energy conversion processes to produce power, heat and/or cooling that significantly reduces the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems.

**Archaeological resources:** includes artifacts, archaeological sites and marine archaeological sites, as defined under the *Ontario Heritage Act*. The identification and evaluation of such resources are based upon archaeological assessments carried out by archaeologists licensed under the *Ontario Heritage Act*.

**Areas of archaeological potential:** means areas with the likelihood to contain *archaeological resources*, as evaluated using the processes and criteria that are established under the *Ontario Heritage Act*.

**Areas of mineral potential:** means areas favourable to the discovery of *mineral deposits* due to geology, the presence of known *mineral deposits* or other technical evidence.

**Areas of natural and scientific interest:** means areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education.

**Brownfield sites:** means undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant.

**Built heritage resource:** means a building, structure, monument, installation or any manufactured or constructed part or remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Indigenous community.

**Coastal wetland:** means

- a) any *wetland* that is located on one of the Great Lakes or their connecting channels (Lake St. Clair, St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers); or
- b) any other *wetland* that is on a tributary to any of the above-specified water bodies and lies, either wholly or in part, downstream of a line located 2 kilometres upstream of the 1:100 year floodline (plus wave run-up) of the large water body to which the tributary is connected.

**Compact built form:** means a land use pattern that encourages the efficient use of land, walkable neighbourhoods, mixed land uses (residential, retail, workplace, and institutional) all within one neighbourhood, proximity to transit and reduced need for *infrastructure*. *Compact built form* can include detached and semi-detached houses on small lots as well as townhouses, duplexes, triplexes and walk-up apartments, multi-storey commercial developments, and apartments or offices above retail. Walkable neighbourhoods can be characterized by roads laid out in a well-connected network, destinations that are easily accessible by transit and *active transportation*, sidewalks with minimal interruptions for vehicle access, and a pedestrian-friendly environment along roads.

**Comprehensive rehabilitation:** means rehabilitation of land from which *mineral aggregate resources* have been extracted that is coordinated and complementary, to the extent possible, with the rehabilitation of other sites in an area where there is a high concentration of *mineral aggregate operations*.

**Complete communities:** means places such as mixed-use neighbourhoods or other areas within cities, towns, and *settlement areas* that offer and support opportunities for equitable access to many necessities for daily living for people of all ages and abilities, including an appropriate mix of jobs, a full range of housing, transportation options, *public service facilities*, local stores and services. *Complete communities* are inclusive and may take different shapes and forms appropriate to their contexts to meet the diverse needs of their populations.

**Conserved:** means the identification, protection, management and use of *built heritage resources, cultural heritage landscapes* and *archaeological resources* in a manner that ensures their cultural heritage value or interest is retained. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment that has been approved, accepted or adopted by the relevant planning authority and/or decision-maker. Mitigative measures and/or alternative development approaches should be included in these plans and assessments.

**Cultural heritage landscape:** means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Indigenous community. The area may include features such as buildings, structures, spaces, views, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association.

**Defined portions of the flooding hazard along connecting channels:** means those areas which are critical to the conveyance of the flows associated with the *one hundred year flood level* along the St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers, where *development* or *site alteration* will create *flooding hazards*, cause updrift and/or downdrift impacts and/or cause adverse environmental impacts.

**Deposits of mineral aggregate resources:** means an area of identified *mineral aggregate resources*, as delineated in Aggregate Resource Inventory Papers or comprehensive studies prepared using provincial guidance for surficial and bedrock resources, as amended from time to time, that has a sufficient quantity and quality to warrant present or future extraction.

**Designated and available:** means lands designated in the official plan for urban residential use. For municipalities where more detailed official plan policies (e.g. secondary plans) are required before development applications can be considered for approval,

only lands that have commenced the more detailed planning process are considered to be *designated and available* for the purposes of this definition.

**Designated growth areas:** means lands within *settlement areas* designated for growth or lands added to *settlement areas* that have not yet been fully developed. *Designated growth areas* include lands which are *designated and available* for residential growth in accordance with policy 2.1.4.a), as well as lands required for employment and other uses.

**Designated vulnerable area:** means areas defined as vulnerable, in accordance with provincial standards, by virtue of their importance as a drinking water source.

**Development:** means the creation of a new lot, a change in land use, or the construction of buildings and structures requiring approval under the *Planning Act*, but does not include:

- a) activities that create or maintain *infrastructure* authorized under an environmental assessment process; or
- b) works subject to the *Drainage Act*; or
- c) for the purposes of policy 4.1.4.a), underground or surface mining of *minerals* or advanced exploration on mining lands in *significant areas of mineral potential* in Ecoregion 5E, where advanced exploration has the same meaning as under the *Mining Act*. Instead, those matters shall be subject to policy 4.1.5.a).

**Dynamic beach hazard:** means areas of inherently unstable accumulations of shoreline sediments along the *Great Lakes - St. Lawrence River System* and *large inland lakes*, as identified by provincial standards, as amended from time to time. The *dynamic beach hazard* limit consists of the *flooding hazard* limit plus a dynamic beach allowance.

**Ecological function:** means the natural processes, products or services that living and non-living environments provide or perform within or between species, ecosystems and landscapes. These may include biological, physical and socio-economic interactions.

**Employment area:** means those areas designated in an official plan for clusters of business and economic activities including manufacturing, research and development in connection with manufacturing, warehousing, goods movement, associated retail and office, and ancillary facilities. An *employment area* also includes areas of land described by subsection 1(1.1) of the *Planning Act*. Uses that are excluded from *employment areas* are institutional and commercial, including retail and office not associated with the primary employment use listed above.

**Endangered species:** means a species that is classified as “Endangered Species” on the Species at Risk in Ontario List, as updated and amended from time to time.

**Energy storage system:** means a system or facility that captures energy produced at one time for use at a later time to reduce imbalances between energy demand and energy production, including for example, flywheels, pumped hydro storage, hydrogen storage, fuels storage, compressed air storage, and battery storage.

**Erosion hazard:** means the loss of land, due to human or natural processes, that poses a threat to life and property. The *erosion hazard* limit is determined using considerations that include the 100 year erosion rate (the average annual rate of recession extended over a one hundred year time span), an allowance for slope stability, and an erosion/erosion access allowance.

**Essential emergency service:** means services which would be impaired during an emergency as a result of flooding, the failure of floodproofing measures and/or protection works, and/or erosion.

**Fish:** means fish, which as defined in the *Fisheries Act*, includes fish, shellfish, crustaceans, and marine animals, at all stages of their life cycles.

**Fish habitat:** as defined in the *Fisheries Act*, means water frequented by *fish* and any other areas on which *fish* depend directly or indirectly to carry out their life processes,

including spawning grounds and nursery, rearing, food supply, and migration areas.

**Flood fringe:** for *river, stream and small inland lake systems*, means the outer portion of the *flood plain* between the *floodway* and the *flooding hazard* limit. Depths and velocities of flooding are generally less severe in the *flood fringe* than those experienced in the *floodway*.

**Flood plain:** for *river, stream and small inland lake systems*, means the area, usually low lands adjoining a watercourse, which has been or may be subject to *flooding hazards*.

**Flooding hazard:** means the inundation, under the conditions specified below, of areas adjacent to a shoreline or a river or stream system and not ordinarily covered by water:

- a) along the shorelines of the *Great Lakes - St. Lawrence River System* and *large inland lakes*, the *flooding hazard* limit is based on the *one hundred year flood level* plus an allowance for *wave effects* and *other water-related hazards*;
- b) along *river, stream and small inland lake systems*, the *flooding hazard* limit is the greater of:
  1. the flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins storm (1961), transposed over a specific watershed and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over watersheds in the general area;
  2. the *one hundred year flood*; and
  3. a flood which is greater than 1. or 2. which was actually experienced in a particular watershed or portion thereof, for example, as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources and Forestry;

except where the use of the *one hundred year flood* or the actually experienced event has been approved by the Minister of Natural Resources and Forestry as the standard for a specific watershed (where the past history of flooding supports the

lowering of the standard).

**Floodproofing standard:** means the combination of measures incorporated into the basic design and/or construction of buildings, structures, or properties to reduce or eliminate *flooding hazards, wave effects* and other water-related hazards along the shorelines of the *Great Lakes - St. Lawrence River System* and *large inland lakes*, and *flooding hazards along river, stream and small inland lake systems*.

**Floodway:** for *river, stream and small inland lake systems*, means the portion of the *flood plain* where *development* and *site alteration* would cause a danger to public health and safety or property damage.

Where the one zone concept is applied, the *floodway* is the entire contiguous *flood plain*.

Where the *two zone concept* is applied, the *floodway* is the contiguous inner portion of the *flood plain*, representing that area required for the safe passage of flood flow and/or that area where flood depths and/or velocities are considered to be such that they pose a potential threat to life and/or property damage. Where the *two zone concept* applies, the outer portion of the *flood plain* is called the *flood fringe*.

**Freight-supportive:** in regard to land use patterns, means transportation systems and facilities that facilitate the movement of goods. This includes policies or programs intended to support efficient freight movement through the planning, design and operation of land use and transportation systems. Approaches may be recommended in provincial guidance or based on municipal approaches that achieve the same objectives.

**Frequent transit:** means a public transit service that runs at least every 15 minutes in both directions throughout the day and into the evening every day of the week.

**Great Lakes - St. Lawrence River System:** means the major water system consisting of Lakes Superior, Huron, St. Clair, Erie and Ontario and their connecting channels, and the St. Lawrence River within the boundaries of the

Province of Ontario.

**Green infrastructure:** means natural and human-made elements that provide ecological and hydrological functions and processes. *Green infrastructure* can include components such as natural heritage features and systems, parklands, stormwater management systems, street trees, urban forests, natural channels, permeable surfaces, and green roofs.

**Ground water feature:** means water-related features in the earth's subsurface, including recharge/discharge areas, water tables, aquifers and unsaturated zones that can be defined by surface and subsurface hydrogeologic investigations.

**Habitat of endangered species and threatened species:** means habitat within the meaning of Section 2 of the *Endangered Species Act, 2007*.

**Hazardous forest types for wildland fire:** means forest types assessed as being associated with the risk of high to extreme wildland fire using risk assessment tools established by the Ontario Ministry of Natural Resources and Forestry, as amended from time to time.

**Hazardous lands:** means property or lands that could be unsafe for development due to naturally occurring processes. Along the shorelines of the *Great Lakes - St. Lawrence River System*, this means the land, including that covered by water, between the international boundary, where applicable, and the furthest landward limit of the *flooding hazard, erosion hazard or dynamic beach hazard* limits. Along the shorelines of *large inland lakes*, this means the land, including that covered by water, between a defined offshore distance or depth and the furthest landward limit of the *flooding hazard, erosion hazard or dynamic beach hazard* limits. Along *river, stream and small inland lake systems*, this means the land, including that covered by water, to the furthest landward limit of the *flooding hazard or erosion hazard* limits.



**Hazardous sites:** means property or lands that could be unsafe for *development* and *site alteration* due to naturally occurring hazards. These may include unstable soils (sensitive marine clays [leda], organic soils) or unstable bedrock (karst topography).

**Hazardous substances:** means substances which, individually, or in combination with other substances, are normally considered to pose a danger to public health, safety and the environment. These substances generally include a wide array of materials that are toxic, ignitable, corrosive, reactive, radioactive or pathological.

**Heritage attributes:** means, as defined under the *Ontario Heritage Act*, in relation to real property, and to the buildings and structures on the real property, the attributes of the property, buildings and structures that contribute to their cultural heritage value or interest.

**Higher order transit:** means transit that generally operates in partially or completely dedicated rights-of-way, outside of mixed traffic, and therefore can achieve levels of speed and reliability greater than mixed-traffic transit. *Higher order transit* can include heavy rail (such as subways, elevated or surface rail, and commuter or regional inter-city rail), light rail, and buses in dedicated rights-of-way.

**Housing options:** means a range of housing types such as, but not limited to single-detached, semi-detached, rowhouses, townhouses, stacked townhouses, multiplexes, additional residential units, tiny homes, laneway housing, garden suites, rooming houses, multi-residential buildings, including low- and mid-rise apartments. The term can also refer to a variety of housing arrangements and forms such as, but not limited to, life lease housing, co-ownership housing, co-operative housing, community land trusts, land lease community homes, *additional needs housing*, multi-generational housing, student housing, farm worker housing, culturally appropriate housing, supportive, community and transitional housing and housing related to employment, educational, or *institutional uses*, such as long-term care homes.

**Hydrologic function:** means the functions of the hydrological cycle that include the occurrence, circulation, distribution and chemical and physical properties of water on the surface of the land, in the soil and underlying rocks, and in the atmosphere, and water's interaction with the environment including its relation to living things.

**Impacts of a changing climate:** means the present and future consequences from changes in weather patterns at local and regional levels including extreme weather events and increased climate variability.

**Individual on-site sewage services:** means sewage systems, as defined in O. Reg. 332/12 under the *Building Code Act, 1992*, that are owned, operated and managed by the owner of the property upon which the system is located.

**Individual on-site water services:** means individual, autonomous water supply systems that are owned, operated and managed by the owner of the property upon which the system is located.

**Infrastructure:** means physical structures (facilities and corridors) that form the foundation for development. *Infrastructure* includes: sewage and water systems, septage treatment systems, stormwater management systems, waste management systems, electricity generation facilities, electricity transmission and distribution systems, communications/telecommunications including broadband, transit and transportation corridors and facilities, *active transportation* systems, oil and gas pipelines and associated facilities.

**Institutional use:** for the purposes of policy 5.2.6, means land uses where there is a threat to the safe evacuation of vulnerable populations such as older persons, persons with disabilities, and those who are sick or young, during an emergency as a result of flooding, failure of floodproofing measures or protection works, or erosion.

**Intensification:** means the development of a property, site or area at a higher density than currently exists through:

- a) *redevelopment*, including the reuse of *brownfield sites* and underutilized shopping malls and plazas;
- b) the development of vacant and/or underutilized lots within previously developed areas;
- c) infill development; and
- d) the expansion or conversion of existing buildings.

**Large and fast-growing municipalities:** means municipalities identified in Schedule 1.

**Large inland lakes:** means those waterbodies having a surface area of equal to or greater than 100 square kilometres where there is not a measurable or predictable response to a single runoff event.

**Legal or technical reasons:** means severances for purposes such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot.

**Low and moderate income households:** means

- a) in the case of ownership housing, households with incomes in the lowest 60 percent of the income distribution for the municipality; or
- b) In the case of rental housing, household with incomes in the lowest 60 percent of the income distribution for renter households for the municipality.

**Low impact development:** means an approach to stormwater management that seeks to manage rain and other precipitation as close as possible to where it falls to mitigate the impacts of increased runoff and stormwater pollution. It typically includes a set of site design strategies and distributed, small-scale structural practices to mimic the natural hydrology to the greatest extent possible through infiltration, evapotranspiration, harvesting, filtration, and detention of stormwater. *Low impact development* can include, for example: bio-swales, vegetated areas at the edge of paved surfaces, permeable pavement, rain gardens, green roofs, and

exfiltration systems.

**Major facilities:** means facilities which may require separation from *sensitive land uses*, including but not limited to airports, manufacturing uses, transportation *infrastructure* and corridors, *rail facilities*, *marine facilities*, sewage treatment facilities, *waste management systems*, oil and gas pipelines, industries, energy generation facilities and transmission systems, and resource extraction activities.

**Major goods movement facilities and corridors:** means transportation facilities, corridors and networks associated with the inter- and intra-provincial movement of goods. Examples include: inter-modal facilities, ports, *airports*, *rail facilities*, truck terminals, freight corridors, freight facilities, and haul routes, primary transportation corridors used for the movement of goods and those identified in provincial transportation plans. Approaches that are *freight-supportive* may be recommended in provincial guidance or based on municipal approaches that achieve the same objectives.

**Major transit station area:** means the area including and around any existing or planned *higher order transit* station or stop within a settlement area; or the area including and around a major bus depot in an urban core. *Major transit station areas* generally are defined as the area within an approximate 500 to 800-metre radius of a transit station.

**Major trip generators:** means origins and destinations with high population densities or concentrated activities which generate many trips (e.g., *strategic growth areas*, major office and office parks, major retail, *employment areas*, community hubs, large parks and recreational destinations, *public service facilities*, and other mixed-use areas).

**Marine facilities:** means ferries, harbours, ports, ferry terminals, canals and associated uses, including designated lands for future *marine facilities*.

**Mine hazard:** means any feature of a mine as defined under the *Mining Act*, or any related disturbance of the ground that has not been rehabilitated.

**Minerals:** means metallic minerals and non-metallic minerals as herein defined, but does not include *mineral aggregate resources* or *petroleum resources*.

Metallic minerals means those minerals from which metals (e.g. copper, nickel, gold) are derived.

Non-metallic minerals means those minerals that are of value for intrinsic properties of the minerals themselves and not as a source of metal. They are generally synonymous with industrial minerals (e.g. asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, and wollastonite).

**Mineral aggregate operation:** means

- a) lands under license or permit, other than for *wayside pits and quarries*, issued in accordance with the *Aggregate Resources Act*;
- b) for lands not designated under the *Aggregate Resources Act*, established pits and quarries that are not in contravention of municipal zoning by-laws and including adjacent land under agreement with or owned by the operator, to permit continuation of the operation; and
- c) associated facilities used in extraction, transport, beneficiation, processing or recycling of *mineral aggregate resources* and derived products such as asphalt and concrete, or the production of secondary related products.

**Mineral aggregate resources:** means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the *Aggregate Resources Act* suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the *Mining Act*.

**Mineral aggregate resource conservation:** means

- a) the recovery and recycling of manufactured materials derived from mineral aggregates (e.g. glass, porcelain, brick, concrete, asphalt, slag, etc.), for re-use in construction, manufacturing, industrial or maintenance projects as a substitute for new mineral aggregates; and
- b) the wise use of mineral aggregates including utilization or extraction of on-site *mineral aggregate resources* prior to development occurring.

**Mineral deposits:** means areas of identified *minerals* that have sufficient quantity and quality based on specific geological evidence to warrant present or future extraction.

**Mineral mining operation:** means mining operations and associated facilities, or, past producing mines with remaining mineral development potential that have not been permanently rehabilitated to another use.

**Minimum distance separation formulae:** means formulae and guidelines developed by the Province, as amended from time to time, to separate uses so as to reduce incompatibility concerns about odour from livestock facilities.

**Multimodal:** means relating to the availability or use of more than one form of transportation, such as automobiles, walking, cycling, buses, rapid transit, *higher order transit*, rail (such as freight), trucks, air, and marine.

**Municipal sewage services:** means a sewage works within the meaning of section 1 of the *Ontario Water Resources Act* that is owned or operated by a municipality.

**Municipal water services:** means a municipal drinking-water system within the meaning of section 2 of the *Safe Drinking Water Act, 2002*.

**Natural heritage features and areas:** means features and areas, including *significant wetlands, significant coastal wetlands, other coastal wetlands* in Ecoregions 5E, 6E and 7E, *fish habitat, significant woodlands* and *significant valleylands* in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River), *habitat of endangered species and threatened species, significant wildlife habitat, and significant areas of natural and scientific interest*, which are important for their environmental and social values as a legacy of the natural landscapes of an area.

**Natural heritage system:** means a system made up of *natural heritage features and areas*, and linkages intended to provide connectivity (at the regional or site level) and support natural processes which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species, and ecosystems. These systems can include *natural heritage features and areas*, federal and provincial parks and conservation reserves, other natural heritage features, lands that have been restored or have the potential to be restored to a natural state, areas that support hydrologic functions, and working landscapes that enable ecological functions to continue. The Province has a recommended approach for identifying *natural heritage systems*, but municipal approaches that achieve or exceed the same objective may also be used.

**Negative impacts:** means

- a) in regard to policy 3.6.4 and 3.6.5, potential risks to human health and safety and degradation to the *quality and quantity of water, sensitive surface water features* and *sensitive ground water features*, and their related *hydrologic functions*, due to single, multiple or successive *development*. *Negative impacts* should be assessed through environmental studies including hydrogeological or water quality impact assessments, in accordance with provincial standards;
- b) in regard to *fish habitat*, any harmful alteration, disruption or destruction of *fish habitat*, except where an exemption to the prohibition has been authorized under the

*Fisheries Act*;

- c) in regard to other *natural heritage features and areas*, degradation that threatens the health and integrity of the natural features or *ecological functions* for which an area is identified due to single, multiple or successive *development* or *site alteration* activities.
- d) in regard to policy 4.2, degradation to the *quality and quantity of water, sensitive surface water features* and *sensitive ground water features*, and their *related hydrologic functions*, due to single, multiple or successive *development* or *site alteration* activities; and
- e) in regard to policy 3.3.3, any *development* or *site alteration* that would compromise or conflict with the planned or existing function, capacity to accommodate future needs, and cost of implementation of the corridor.

**Normal farm practices:** means a practice, as defined in the *Farming and Food Production Protection Act, 1998*, that is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances; or makes use of innovative technology in a manner consistent with proper advanced farm management practices. *Normal farm practices* shall be consistent with the *Nutrient Management Act, 2002* and regulations made under that Act.

**Oil, gas and salt hazards:** means any feature of a well or work as defined under the *Oil, Gas and Salt Resources Act*, or any related disturbance of the ground that has not been rehabilitated.

**On-farm diversified uses:** means uses that are secondary to the principal *agricultural use* of the property, and are limited in area. *On-farm diversified uses* include, but are not limited to, home occupations, home industries, *agri-tourism uses*, and uses that produce value-added agricultural products. Land-extensive energy facilities, such as ground-mounted solar or battery storage are permitted in *prime agricultural areas*, including *specialty crop areas*, only as *on-farm diversified uses*.

**One hundred year flood:** for *river, stream and small inland lake systems*, means that flood, based on an analysis of precipitation, snow melt, or a combination thereof, having a return period of 100 years on average, or having a 1% chance of occurring or being exceeded in any given year.

**One hundred year flood level:** means

- a) for the shorelines of the Great Lakes, the peak instantaneous stillwater level, resulting from combinations of mean monthly lake levels and wind setups, which has a 1% chance of being equalled or exceeded in any given year;
- b) in the connecting channels (St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers), the peak instantaneous stillwater level which has a 1% chance of being equalled or exceeded in any given year; and
- c) for *large inland lakes*, lake levels and wind setups that have a 1% chance of being equalled or exceeded in any given year, except that, where sufficient water level records do not exist, the *one hundred year flood level* is based on the highest known water level and wind setups.

**Other water-related hazards:** means water-associated phenomena other than *flooding hazards* and *wave effects* which act on shorelines. This includes, but is not limited to ship-generated waves, ice piling and ice jamming.

**Partial services:** means

- a) *municipal sewage services* or *private communal sewage services* combined with *individual on-site water services*; or
- b) *municipal water services* or *private communal water services* combined with *individual on-site sewage services*.

**Petroleum resource operations:** means oil, gas and salt wells and associated facilities and other drilling operations, oil field fluid disposal wells and associated facilities, and wells and facilities for the underground storage of natural gas, other hydrocarbons, and compressed air energy storage.

**Petroleum resources:** means oil, gas, and salt (extracted by solution mining method) and formation water resources which have been identified through exploration and verified by preliminary drilling or other forms of investigation. This may include sites of former operations where resources are still present or former sites that may be converted to underground storage for natural gas, other hydrocarbons, or compressed air energy storage.

**Planned corridors:** means corridors or future corridors which are required to meet projected needs, and are identified through provincial transportation plans, preferred alignment(s) determined through the *Environmental Assessment Act* process, or identified through planning studies where the Ontario Ministry of Transportation, Metrolinx, Ontario Ministry of Energy, Ontario Northland, Ministry of Northern Development or Independent Electricity System Operator (IESO) or any successor to those ministries or entities is actively pursuing, or has completed, the identification of a corridor.

Approaches for the protection of *planned corridors* may be recommended in guidelines developed by the Province.

**Portable asphalt plant:** means a facility

- a) with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process; and
- b) which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

**Portable concrete plant:** means a building or structure

- a) with equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process; and
- b) which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.

**Prime agricultural area:** means areas where *prime agricultural lands* predominate. This includes areas of *prime agricultural lands* and associated Canada Land Inventory Class 4 through 7 lands, and additional areas with a local concentration of farms which exhibit characteristics of ongoing agriculture. *Prime agricultural areas* may be identified by a planning authority based on provincial guidance or informed by mapping obtained from the Ontario Ministry of Agriculture, Food and Rural Affairs.

**Prime agricultural land:** means *specialty crop areas* and/or Canada Land Inventory Class 1, 2, and 3 lands, as amended from time to time, in this order of priority for protection.

**Private communal sewage services:** means a sewage works within the meaning of section 1 of the *Ontario Water Resources Act* that serves six or more lots or private residences and is not owned by a municipality.

**Private communal water services:** means a non-municipal drinking-water system within the meaning of section 2 of the *Safe Drinking Water Act, 2002* that serves six or more lots or private residences.

**Protected heritage property:** means property designated under Part IV or VI of the *Ontario Heritage Act*; property included in an area designated as a heritage conservation district under Part V of the *Ontario Heritage Act*; property subject to a heritage conservation easement or covenant under Part II or IV of the *Ontario Heritage Act*; property identified by a provincial ministry or a prescribed public body as a property having cultural heritage value or interest under the Standards and Guidelines for the Conservation of Provincial Heritage Properties; property with known *archaeological resources* in accordance with Part VI of the *Ontario Heritage Act*; property protected under federal heritage legislation; and UNESCO World Heritage Sites.

**Protection works standards:** means the combination of non-structural or structural works and allowances for slope stability and flooding/erosion to reduce the damage caused by *flooding hazards, erosion hazards* and other

*water-related hazards*, and to allow access for their maintenance and repair.

- Provincial and federal requirements:** means
- in regard to policy 4.1.6, legislation and policies administered by the federal or provincial governments for the purpose of fisheries protection (including *fish* and *fish habitat*), and related, scientifically established standards such as water quality criteria for protecting lake trout populations; and
  - in regard to policy 4.1.7, legislation and policies administered by the provincial government or federal government, where applicable, for the purpose of protecting species at risk and their habitat.

**Public service facilities:** means land, buildings and structures, including but not limited to schools, hospitals and community recreation facilities, for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health, child care and educational programs, including elementary, secondary, post-secondary, long-term care services, and cultural services.

*Public service facilities* do not include *infrastructure*.

**Quality and quantity of water:** is measured by indicators associated with *hydrologic function* such as minimum base flow, depth to water table, aquifer pressure, oxygen levels, suspended solids, temperature, bacteria, nutrients and hazardous contaminants, and hydrologic regime.

**Rail facilities:** means rail corridors, rail sidings, train stations, inter-modal facilities, rail yards and associated uses, including designated lands for future *rail facilities*.

**Redevelopment:** means the creation of new units, uses or lots on previously developed land in existing communities, including *brownfield sites*.

**Regional market area:** refers to an area that has a high degree of social and economic interaction. The upper or single-tier municipality, or planning area, will normally serve as the *regional market area*. However, where a *regional market area* extends significantly beyond these boundaries, then the *regional market area* may be based on the larger market area. Where *regional market areas* are very large and sparsely populated, a smaller area, if defined in an official plan, may be utilized.

**Renewable energy source:** means an energy source that is renewed by natural processes and includes wind, water, biomass, biogas, biofuel, solar energy, geothermal energy and tidal forces.

**Renewable energy system:** means a system that generates electricity, heat and/or cooling from a *renewable energy source*.

**Reserve sewage system capacity:** means design or planned capacity in a waste water treatment facility, within *municipal sewage services* or *private communal sewage services*, which is not yet committed to existing or approved development. For lot creation using *private communal sewage services* and *individual on-site sewage services*, *reserve sewage system capacity* includes approved capacity to treat and land-apply, treat and dispose of, or dispose of, hauled sewage in accordance with applicable legislation but not by land-applying untreated, hauled sewage. Treatment of hauled sewage can include, for example, a sewage treatment plant, anaerobic digestion, composting or other waste processing.

**Reserve water system capacity:** means design or planned capacity in a water treatment facility which is not yet committed to existing or approved development. *Reserve water system capacity* applies to *municipal water services* or *private communal water services*, and not *individual on-site water services*.

**Residence surplus to an agricultural operation:** means one existing habitable detached dwelling that is rendered surplus as a result of farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation).

**River, stream and small inland lake systems:** means all watercourses, rivers, streams, and small inland lakes or waterbodies that have a measurable or predictable response to a single runoff event.

**Rural areas:** means a system of lands within municipalities that may include rural *settlement areas*, *rural lands*, *prime agricultural areas*, natural heritage features and areas, and resource areas.

**Rural lands:** means lands which are located outside *settlement areas* and which are outside *prime agricultural areas*.

**Sensitive:** in regard to *surface water features* and *ground water features*, means features that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants.

**Sensitive land uses:** means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more *adverse effects* from contaminant discharges generated by a nearby major facility. *Sensitive land uses* may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities.

**Settlement areas:** means urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets). Ontario's settlement areas vary significantly in terms of size, density, population, economic activity, diversity and intensity of land uses, service levels, and types of infrastructure available.

Settlement areas are:

- a) built-up areas where development is concentrated and which have a mix of land uses; and
- b) lands which have been designated in an official plan for development over the long term.

**Sewage and water services:** includes *municipal sewage services* and *municipal water services*, *private communal sewage services* and *private communal water services*, *individual on-site sewage services* and *individual on-site water services*, and *partial services*.

**Significant:** means

- a) in regard to *wetlands*, *coastal wetlands* and *areas of natural and scientific interest*, an area identified as provincially significant using evaluation criteria and procedures established by the Province, as amended from time to time;
- b) in regard to *woodlands*, an area which is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history. These are to be identified using criteria and procedures established by the Province;
- c) in regard to other features and areas in policy 4.1, ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or *natural heritage system*; and
- d) in regard to *mineral potential*, an area identified as provincially significant through provincial guidance, such as the Provincially Significant Mineral Potential Index.

Criteria for determining significance for the resources identified in section c) - d) are provided in provincial guidance, but municipal approaches that achieve or exceed the same objective may also be used.

While some significant resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation.

**Site alteration:** means activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.

For the purposes of policy 4.1.4.a), *site alteration* does not include underground or surface mining of *minerals* or advanced exploration on mining lands in *significant areas of mineral potential* in Ecoregion 5E, where advanced exploration has the same meaning as in the *Mining Act*. Instead, those matters shall be subject to policy 4.1.5.a).

**Special Policy Area:** means an area within a community that has historically existed in the *flood plain* and where site-specific policies, approved by both the Ministers of Natural Resources and Forestry and Municipal Affairs and Housing, are intended to provide for the continued viability of existing uses (which are generally on a small scale) and address the significant social and economic hardships to the community that would result from strict adherence to provincial policies concerning *development*. The criteria for designation and procedures for approval are established by the Province.

A *Special Policy Area* is not intended to allow for new or intensified *development* and *site alteration*, if a community has feasible opportunities for *development* outside the *flood plain*.



**Specialty crop area:** means areas within the agricultural land base designated based on provincial guidance. In these areas, specialty crops are predominantly grown such as tender fruits (peaches, cherries, plums), grapes, other fruit crops, vegetable crops, greenhouse crops, and crops from agriculturally developed organic soil, usually resulting from:

- a) soils that have suitability to produce specialty crops, or lands that are subject to special climatic conditions, or a combination of both;
- b) farmers skilled in the production of specialty crops; and
- c) a long-term investment of capital in areas such as crops, drainage, infrastructure and related facilities and services to produce, store, or process specialty crops.

**Strategic growth areas:** means within *settlement areas*, nodes, corridors, and other areas that have been identified by municipalities to be the focus for accommodating *intensification* and higher-density mixed uses in a more *compact built form*.

Strategic growth areas include *major transit station areas*, existing and emerging downtowns, lands adjacent to publicly assisted post-secondary institutions and other areas where growth or development will be focused, that may include infill, *redevelopment* (e.g., underutilized shopping malls and plazas), *brownfield sites*, the expansion or conversion of existing buildings, or greyfields. Lands along major roads, arterials, or other areas with existing or planned *frequent transit* service or *higher order transit* corridors may also be identified as *strategic growth areas*.

**Surface water feature:** means water-related features on the earth's surface, including headwaters, rivers, permanent and intermittent streams, inland lakes, seepage areas, recharge/discharge areas, springs, wetlands, and associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics.

**Threatened species:** means a species that is classified as "Threatened Species" on the Species at Risk in Ontario List, as updated and amended from time to time.

**Transit service integration:** means the coordinated planning or operation of transit service between two or more agencies or services that contributes to the goal of seamless service for riders and could include considerations of service schedules, service routes, information, fare policy, and fare payment.

**Transit-supportive:** in regard to land use patterns, means development that makes transit viable, optimizes investments in transit infrastructure, and improves the quality of the experience of using transit. It often refers to compact, mixed-use development that has a high level of employment and residential densities, including air rights development, in proximity to transit stations, corridors and associated elements within the *transportation system*.

Approaches may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives.

**Transportation demand management:** means a set of strategies that result in more efficient use of the *transportation system* by influencing travel behaviour by mode, time of day, frequency, trip length, regulation, route, or cost.

**Transportation system:** means a system consisting of facilities, corridors and rights-of-way for the movement of people and goods, and associated transportation facilities including transit stops and stations, sidewalks, cycle lanes, bus lanes, high occupancy vehicle lanes, *rail facilities*, parking facilities, park'n'ride lots, service centres, rest stops, vehicle inspection stations, inter-modal facilities, harbours, *airports*, *marine facilities*, ferries, canals and associated facilities such as storage and maintenance.

**Two zone concept:** means an approach to *flood plain* management where the *flood plain* is differentiated in two parts: the *floodway* and the *flood fringe*.

**Urban agriculture:** means food production in *settlement areas*, whether it is for personal consumption, commercial sale, education, or therapy. Examples include, but are not limited to, vertical agriculture facilities, community gardens, greenhouses, and rooftop gardens.

**Valleylands:** means a natural area that occurs in a valley or other landform depression that has water flowing through or standing for some period of the year.

**Vulnerable:** means surface and/or ground water that can be easily changed or impacted.

**Waste management system:** means sites and facilities to accommodate solid waste from one or more municipalities and includes recycling facilities, transfer stations, processing sites and disposal sites.

**Watershed:** means an area that is drained by a river and its tributaries.

**Watershed planning:** means planning that provides a framework for establishing comprehensive and integrated goals, objectives, and direction for the protection, enhancement, or restoration of water resources, including the *quality and quantity of water*, within a *watershed* and for the assessment of cumulative, cross-jurisdictional, and cross-*watershed* impacts. *Watershed planning* evaluates and considers the *impacts of a changing climate on water resource systems* and is undertaken at many scales. It may inform the identification of *water resource systems*.

**Water resource systems:** means a system consisting of *ground water features* and areas, *surface water features* (including shoreline areas), *natural heritage features and areas*, and *hydrologic functions*, which are necessary for the ecological and hydrological integrity of the *watershed*.

**Wave effects:** means the movement of water up onto a shoreline or structure following the breaking of a wave, including wave uprush, wave set up and water overtopping or spray; the limit of *wave effects* is the point of furthest landward horizontal movement of water onto the shoreline.

**Wayside pits and quarries:** means a temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

**Wetlands:** means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens.

Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition.

**Wildland fire assessment and mitigation standards:** means the combination of risk assessment tools and environmentally appropriate mitigation measures identified by the Ontario Ministry of Natural Resources and Forestry to be incorporated into the design, construction and/or modification of buildings, structures, properties and/or communities to reduce the risk to public safety, infrastructure and property from wildland fire.

**Wildlife habitat:** means areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas which are important to migratory or non-migratory species.

**Woodlands:** means treed areas that provide environmental and economic benefits to both the private landowner and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of wildlife habitat, outdoor recreational opportunities, and the sustainable harvest of a wide range of woodland products. *Woodlands* include treed areas, woodlots or forested areas and vary in their level of significance at the local, regional and provincial levels. *Woodlands* may be delineated according to the *Forestry Act* definition or the Province’s Ecological Land Classification system definition for “forest”.

# 9: Appendix – Schedule 1: List of Large and Fast Growing Municipalities

- Town of Ajax
- City of Barrie
- City of Brampton
- City of Brantford
- City of Burlington
- Town of Caledon
- City of Cambridge
- Municipality of Clarington
- City of Guelph
- City of Hamilton
- City of Kingston
- City of Kitchener
- City of London
- City of Markham
- Town of Milton
- City of Mississauga
- Town of Newmarket
- City of Niagara Falls
- Town of Oakville
- City of Oshawa
- City of Ottawa
- City of Pickering
- City of Richmond Hill
- City of St. Catharines
- City of Toronto
- City of Vaughan
- City of Waterloo
- Town of Whitby
- City of Windsor

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