

Legislative
Assembly
of Ontario



Assemblée
législative
de l'Ontario

1ST SESSION, 43RD LEGISLATURE, ONTARIO
2 CHARLES III, 2023

Bill 156

**An Act to amend the Planning Act with respect to
housing policies in official plans and other related amendments**

Mr. M. Schreiner

Private Member's Bill

1st Reading November 27, 2023

2nd Reading

3rd Reading

Royal Assent



EXPLANATORY NOTE

The Bill makes various amendments to the *Planning Act*.

The Act is amended to require official plans to contain policies authorizing, in areas of settlement, the use of up to four residential units in a detached house, semi-detached house or rowhouse as well as multi-unit residential buildings of up to four stories. The Act is also amended to provide that there are no appeals in respect of such policies, with the exception of appeals by the Minister. A new section 35.0.1 requires the council of each local municipality to ensure that the by-laws it passes under section 34 give effect to such policies.

The Act is also amended to require official plans to contain policies that authorize, in areas of settlement, midrise housing developments ranging from six to 11 stories on major streets, including along transit corridors. The amendments also provide that there are no appeals in respect of such policies, with the exception of appeals by the Minister. A new section 35.1.1 requires the council of each local municipality to ensure that the by-laws it passes under section 34 give effect to such policies.

**An Act to amend the Planning Act with respect to
housing policies in official plans and other related amendments**

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

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

Residential unit policies

(2.1) An official plan shall contain policies that authorize, in areas of settlement,

- (a) the use of additional residential units by authorizing the use of up to four residential units in a detached house, semi-detached house or rowhouse; and
- (b) multi-unit residential buildings of up to four stories.

Appeals re policies

(2.2) Despite subsections 17 (24) and (36), there is no appeal in respect of the policies described in subsection (2.1), including, for greater certainty, any requirements or standards that are part of such policies.

Same

(2.3) Despite subsection 34 (19), there is no appeal in respect of the parts of a by-law that give effect to policies described in subsection (2.1), including, for greater certainty, an appeal in respect of any requirements or standards relating to such policies.

Exception re Minister

(2.4) Subsections (2.2) and (2.3) do not apply to an appeal by the Minister.

Midrise housing development policies

(3.4) An official plan shall contain policies that authorize, in areas of settlement, midrise housing developments ranging from six to 11 stories on major streets, including along transit corridors, where sufficient sewage and water capacity exists.

Regulation re sewage and water capacity

(3.5) The Minister may, by regulation, require a municipality to develop a servicing plan to ensure that there is sufficient sewage and water capacity for midrise housing developments referred to in subsection (3.4) on all major streets in the municipality, including along transit corridors, within the timeframe set out in the regulation.

Definition, major street

(3.6) In subsections (3.4) and (3.5),

“major street” means a highway which does not have property access as its primary function.

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

No appeal re midrise housing development policies

(24.1.1.1) Despite subsection (24), there is no appeal in respect of the policies described in subsection 16 (3.4), including, for greater certainty, any requirements or standards that are part of such policies.

Exception re Minister

(24.1.1.2) Subsection (24.1.1.1) does not apply to an appeal by the Minister.

No appeal re midrise housing development policies

(36.1.1.1) Despite subsection (36), there is no appeal in respect of the policies described in subsection 16 (3.4), including, for greater certainty, any requirements or standards that are part of such policies.

Exception re Minister

(36.1.1.2) Subsection (36.1.1.1) does not apply to an appeal by the Minister.

3 Subsection 22 (7.2) of the Act is amended by striking out “or” at the end of subclause (c) (iii) and by adding the following clauses:

(b.1) amend or revoke the policies described in subsection 16 (2.1), including, for greater certainty, any requirements or standards that are part of such policies;

.

(c.1) amend or revoke the policies described in subsection 16 (3.4), including, for greater certainty, any requirements or standards that are part of such policies; or

4 Section 34 of the Act is amended by adding the following subsections:

No appeal re midrise housing development policies

(19.2.1) Despite subsection (19), there is no appeal in respect of the parts of a by-law that give effect to policies described in subsection 16 (3.4), including, for greater certainty, no appeal in respect of any requirement or standard relating to such policies.

Exception re Minister

(19.2.2) Subsection (19.2.1) does not apply to an appeal by the Minister.

5 The Act is amended by adding the following sections:

By-laws to give effect to residential unit policies

35.0.1 The council of each local municipality shall ensure that the by-laws passed under section 34 give effect to the policies described in subsection 16 (2.1).

.

By-laws to give effect to midrise housing development policies

35.1.1 The council of each local municipality shall ensure that the by-laws passed under section 34 give effect to the policies described in subsection 16 (3.4).

Commencement

6 This Act comes into force on the day it receives Royal Assent.

Short title

7 The short title of this Act is the *Homes You Can Afford in the Communities You Love Act, 2023*.