

Legislative
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Bill 45

An Act to amend the Planning Act to require official plans to authorize midrise housing developments in specific circumstances and to make related amendments

Mr. M. Schreiner

Private Member's Bill

1st Reading November 22, 2022

2nd Reading

3rd Reading

Royal Assent



EXPLANATORY NOTE

The Bill amends the *Planning Act* 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 Act is amended to provide that there are no appeals in respect of such policies, with the exception of appeals by the Minister, and 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 to require official plans to authorize midrise housing developments in specific circumstances and to make 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:

Midrise housing development policies

(3.1) 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.

Definition, major street

(3.2) In subsection (3.1),

“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 (3.1), 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 (3.1), 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” after clause (c) and by adding the following clause:

(c.1) amend or revoke the policies described in subsection 16 (3.1), 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 (3.1), 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 section:

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 (3.1).

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 *Building More Homes on Major Streets and Transit Corridors Act, 2022*.