

Legislative  
Assembly  
of Ontario



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

# Bill 175

**An Act to amend the Planning Act  
with respect to official plans and by-laws**

**Mr. A. Shamji**

**Private Member's Bill**

1st Reading      March 19, 2024

2nd Reading

3rd Reading

Royal Assent



## EXPLANATORY NOTE

The Bill amends the *Planning Act* with respect to official plans and by-laws.

The amendments state that official plans and zoning by-laws may not have the effect of prohibiting the use of four or fewer residential units on specified parcels of urban residential land. They also may not impose a floor-to-area ratio on residential buildings or residential structures that contain three to six residential units, may not prohibit residential buildings or residential structures from being four or fewer storeys in height and may not require parking spaces to be provided in connection with residential buildings or residential structures that contain at least four residential units.

**An Act to amend the Planning Act  
with respect to official plans and by-laws**

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

**1 (1) Subsection 16 (3) of the *Planning Act* is repealed and the following substituted:**

**Restrictions for residential units**

(3) No official plan may contain any policy that has the effect of prohibiting the use of four or fewer residential units on a parcel of urban residential land, so long as the units are in a detached house, semi-detached house or rowhouse on the parcel or in up to one additional structure on the parcel that is ancillary to the detached house, semi-detached house or rowhouse.

**Same**

(3.0.1) For greater certainty, subsection (3) prohibits official plans from including policies that impose a minimum lot size requirement on parcels of urban residential land that are described in that subsection.

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

**Same, floor-to-area ratio**

(3.2.1) No official plan may contain any policy that has the effect of imposing a floor-to-area ratio on a residential building or residential structure that contains three to six residential units.

**Same, height**

(3.2.2) No official plan may contain any policy that has the effect of prohibiting a residential building or residential structure from being four or fewer storeys at or above ground in height.

**Same, parking spaces**

(3.2.3) No official plan may contain any policy that has the effect of requiring any parking spaces to be provided and maintained in connection with a residential building or residential structure that contains at least four residential units.

**(3) Subsection 16 (3.3) of the Act is amended by striking out “subsection (3), (3.1) or (3.2)” and substituting “subsection (3), (3.1), (3.2), (3.2.1), (3.2.2) or (3.2.3)”.**

**2 (1) Subsection 35.1 (1) of the Act is repealed and the following substituted:**

**Restrictions for residential units**

(1) The authority to pass a by-law under section 34 does not include the authority to pass a by-law that prohibits the use of four or fewer residential units on a parcel of urban residential land, so long as the units are in a detached house, semi-detached house or rowhouse on the parcel or in up to one additional structure on the parcel that is ancillary to the detached house, semi-detached house or rowhouse.

**Same**

(1.0.1) For greater certainty, subsection (1) prevents by-laws from imposing a minimum lot size requirement on parcels of urban residential land that are described in that subsection.

**(2) Section 35.1 of the Act is amended by adding the following subsections:**

**Same, floor-to-area ratio**

(1.2.1) The authority to pass a by-law under section 34 does not include the authority to pass a by-law imposing a floor-to-area ratio on a residential building or residential structure that contains three to six residential units.

**Same, height**

(1.2.2) The authority to pass a by-law under section 34 does not include the authority to pass a by-law prohibiting a residential building or residential structure from being four or fewer storeys at or above ground in height.

**Same, parking spaces**

(1.2.3) The authority to pass a by-law under section 34 does not include the authority to pass a by-law that has the effect of requiring any parking spaces to be provided and maintained in connection with a residential building or residential structure that contains at least four residential units.

**(3) Subsection 35.1 (1.3) of the Act is amended by striking out “(1.1) or (1.2)” and substituting “(1.1), (1.2), (1.2.1), (1.2.2) or (1.2.3)”.**

**Commencement**

**3 This Act comes into force on the day that is 90 days after the day this Act receives Royal Assent.**

**Short title**

**4 The short title of this Act is the *Building Universal and Inclusive Land Development in Ontario Act, 2024*.**