



**Ontario**  
Home Builders'  
Association

## **Member Update**

### **February 21, 2024**

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### **Omnibus Legislation Announced to Streamline Infrastructure & Deal with Municipal Official Plans**

Yesterday, the Honourable Prabmeet Sarkaria, Minister of Transportation, introduced Bill 162, the *Protecting Against Carbon Taxes Act, 2024 and amend various Acts or commonly referred to as The Get it Done Act, 2024*.

A key feature of Bill 162 that is of specific interest to multiple OHBA local HBAs are proposed amendments to the *Official Plan Adjustments Act, 2023*, which was enacted by Bill 150 last December. Included in the proposed Bill are provisions that, if passed, would retroactively reinstate municipally requested modifications to official plans for the cities of **Barrie, Belleville, Guelph, Hamilton, Ottawa and Peterborough, Wellington County and the regions of Niagara, Peel, Halton, York, and Waterloo**.

The legislation is available here: **[Bill 162 – An Act to enact Protecting Against Carbon Taxes Act, 2024 and amend various Acts](#)**

If passed, the proposed amendments would update official plans in response to municipal feedback following recent consultations with the affected municipalities. It would also replace the Table to section 1 of the *Official Plan Adjustments Act, 2023* (Bill 150) and would restore several minister's modifications, which were initially made by former Minister Steve Clark and then rolled back by Bill 150.

The Explanatory Note to Bill 162, Schedule 3, indicates that the official plan decisions made by former Minister Clark are deemed never to have been made; however, the municipalities were to provide feedback using those modifications which were previously approved as the basis for modifications they would like to see continue in the to-be-approved new official plans. Bill 162 includes a number of official plans and amendments that are now modified based on municipal input, and are considered approved as modified, and will be deemed to have come into force on December 6, 2023, upon Royal Assent.

The Table to section 1, and section 2, are both re-enacted retroactively and include various changes. These changes are further discussed in **Appendix 1**.

**We strongly encourage members and affected HBAs to review the additional details provided in Appendix 1 and consult with your respective HBA legal and planning consultant members in regard to the impacts of those modifications. Furthermore, we encourage you, if you so choose, to file an ERO submission on behalf of your local HBA members.**

Within this proposed legislation, there are no modifications suggested for the urban boundaries of Ottawa and Hamilton, and that is disappointing. In November 2023, Minister Calandra called on several municipalities to provide their best advice on what lands and other changes they need to meet the needs of Ontario's growing population.

Most lower-tier municipalities listened to their professional planning staff in their communities and made courageous choices to confirm to the Minister that urban boundaries needed to expand to meet growth targets and that the official plan amendments that were paused constituted good planning policy.

The cities of Ottawa and Hamilton chose to ignore the advice of their own professional planning staff and the builder and development community. They chose to ignore expert advice and not conform to provincial policy, while relying exclusively on unattainable urban intensification schemes to meet their housing targets.

The province is consulting on Bill 162, until March 21, 2024, by way of the Environmental Registry of Ontario (ERO). The posting is available here: <https://ero.ontario.ca/notice/019-8273>.

Currently, there has not been any further announcements by the Ontario Ministry of Municipal Affairs and Housing. OHBA will respond to Bill 162 via the ERO posting.

We will provide additional information as it becomes available.

## **Appendix 1 – Proposed Modifications to Official Plans for local HBAs**

1. **BILD** – *Halton Region, York Region, Peel Region*
2. **West End HBA** – *Hamilton, Halton Region*
3. **Greater Ottawa HBA** – *Ottawa*
4. **Guelph & District HBA** – *Guelph, Wellington County*
5. **Niagara HBA** – *Niagara Region*
6. **Peterborough & the Kawarthas HBA** – *Peterborough*
7. **Quinte HBA** – *Belleville*
8. **Simcoe County HBA** – *Barrie*
9. **Waterloo Region HBA** – *Waterloo Region*

List of Original Decision Documents approved by former Minister Steve Clark  
(correlates to the Table to Section 1 of Bill 162, Page 5)

| Item | Official Plan  | Date of Decision | Link to Original Decision                          | Modifications <i>moving forward</i> under Bill 162   |
|------|----------------|------------------|--|--|
| 1    | Barrie         | April 11, 2023   | <a href="#">Minister Decision - Barrie</a>         | Modifications numbered 1, 3, 4, 6 to 8, 11 to 17, 19 to 24, 26 to 37, 39 to 63, 65 to 69, 71 and 72*   |
| 2    | Belleville     | April 11, 2023   | <a href="#">Minister Decision - Belleville</a>     | Modifications numbered 1, 9 to 11, 13, 14, 16 and 23*  |
| 3    | Guelph         | April 11, 2023   | <a href="#">Minister Decision - Guelph</a>         | Modifications numbered 1, 2, 5 to 8, 13 to 15, 17 and 18*  |
| 4    | Halton         | November 4, 2022 | <a href="#">Minister Decision - Halton</a>         | Modifications numbered 1 to 19, 39, 42 and 45*   |
| 5    | Rural Hamilton | November 4, 2022 | <a href="#">Minister Decision - Rural Hamilton</a> | None   |
| 6    | Urban Hamilton | November 4, 2022 | <a href="#">Minister Decision - Urban Hamilton</a> | Modifications numbered 17, 18, 26, 35, 36 and 40 to 47   |
| 7    | Niagara        | November 4, 2022 | <a href="#">Minister Decision - Niagara</a>        | Modifications numbered 5, 24, 25, 32, 33, 39, 42 and 44  |
| 8    | Ottawa         | November 4, 2022 | <a href="#">Minister Decision - Ottawa</a>         | Modifications numbered 7, 8, 9, 10, 12 and 13  |
| 9    | Peel           | November 4, 2022 | <a href="#">Minister Decision - Peel</a>           | Modifications numbered 1, 3, 5, 16 to 19, 21 to 26, 28, 30 to 35 and 37 to 43  |
| 10   | Peterborough   | April 11, 2023   | <a href="#">Minister Decision - Peterborough</a>   | Modifications numbered 8 to 10, 12, 13, 16, 18, 19, 20 to 27, 33, 35, 39, 41 to 44, 46 to 49, 50 to 55 and 58 to 60*                           |
| 11   | Waterloo       | April 11, 2023   | <a href="#">Minister Decision - Waterloo</a>       | None*<br>Link to new Map No. 349: <a href="#">here</a>   |
| 12   | Wellington     | April 11, 2023   | <a href="#">Minister Decision - Wellington</a>     | Modifications numbered 1 to 20, 22 a), 25, 27 b), 28 b), 28 g), 28 l), 29 d), 31 and 32 b)*  |
| 13   | York           | November 4, 2022 | <a href="#">Minister Decision - York</a>           | Modifications numbered 8, 15, 16, 18, 22, 25, 30, 32, 40, 41, 42, 44, 45, 47, 48, 57 to 59, 60 i), 61 to 65, 78, 79 ii), 79 iv), 79 v) and 80* |

\* – Section 2, subsections 1 to 8 of Bill 162 include additional modifications related to mapping, land expansions, and specific, major, or new modifications to policy language.

## **How to Read Appendix 1:**

1. Open **Original Decision** link for your respective municipality.
2. Modifications moving forward **within that document** are listed in Column 5 “Modifications *moving forward* under Bill 162”.
3. Cross-reference the **modifications moving forward** with the **original decision** document for your municipality – those modification numbers listed in Column 5 will be considered **APPROVED** in each respective new Official Plan.
  - a. If a modification number is not found in Column 5, that previously made modification is considered **REPEALED**.
4. If your respective municipality has an asterisk in Column 5, please open the link for Bill 162: [Bill 162](#).
5. Proceed to Page 7, Section 2 (following the chart) “**Additional modifications**”. Under this section, the following municipalities have additional modifications that have been added to the official plans, beyond those found within the **original decision** documents
  - a. **York (2.1)** – related to deletion of the Gormley GO MTSA and insertion of a policy related to future identification of potential major transit station areas.
  - b. **Guelph (2.2)** – policy modification regarding Schedule D and building heights for those buildings found in the Special Policy Area.
  - c. **Wellington (2.3)** – several schedules are modified to reflect Greenbelt boundaries to align with the Greenbelt Plan, as well as identifying Brisbane as a hamlet and deleting Puslinch as identified as a hamlet.
  - d. **Barrie (2.4)** – policy modifications related to the phasing of designated greenfield area lands and minimum density requirements.
  - e. **Belleville (2.5)** – mapping updates to reflect the delineation of Black Bear Ridge Village Planning Area and Old Fairgrounds Planning Area as resort area land use and residential land use, respectively.
  - f. **Peterborough (2.6)** – several policy modifications to permitting the Cold Springs Study Area to accommodate growth to 2051, upon completion of secondary planning exercises and the respective official plan amendment; additional policy language related to the approach to natural heritage features.
  - g. **Halton (2.7)** – various mapping modifications to permit for the expansion of Halton’s Regional Urban Boundary for select sites in Burlington, Milton, and Oakville as well as addition of a new site in Halton Hills shown on MMAH [Map](#)

[No. 350](#); mapping modifications to permit redesignation of 2 sites in the North Aldershot Policy Area to urban area; and the removal of several sites from employment area designation.

- h. **Waterloo (2.8)** - MMAH [Map No. 349](#) is considered the new Map 3, Employment Area and Maps 1 and 2 are modified to designate urban areas, township urban areas and designated greenfield areas to reflect those changes found in Map No. 349.