

Appendix A

Legislative
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Bill 108

(Chapter 9 of the Statutes of Ontario, 2019)

An Act to amend various statutes with respect to housing, other development and various other matters

The Hon. S. Clark

Minister of Municipal Affairs and Housing

1st Reading May 2, 2019

2nd Reading May 29, 2019

3rd Reading June 6, 2019

Royal Assent June 6, 2019



Appendix A

Commencement

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

SCHEDULE 12 PLANNING ACT

1 (1) Subsection 2.1 (1) of the *Planning Act* is amended by striking out the portion before clause (a) and substituting the following:

Approval authorities and Tribunal to have regard to certain matters

(1) When an approval authority or the Tribunal makes a decision under this Act that relates to a planning matter, it shall have regard to,

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(2) Subsection 2.1 (2) of the Act is repealed and the following substituted:

Same, Tribunal

(2) When the Tribunal makes a decision under this Act that relates to a planning matter that is appealed because of the failure of a municipal council or approval authority to make a decision, the Tribunal shall have regard to any information and material that the municipal council or approval authority received in relation to the matter.

2 (1) Subsection 16 (3) of the Act is repealed and the following substituted:

Additional residential unit policies

(3) An official plan shall contain policies that authorize the use of additional residential units by authorizing,

- (a) the use of two residential units in a detached house, semi-detached house or rowhouse; and
- (b) the use of a residential unit in a building or structure ancillary to a detached house, semi-detached house or rowhouse.

(2) Subsection 16 (5) of the Act is repealed and the following substituted:

Same

(5) An official plan of a municipality that is not prescribed for the purpose of subsection (4) may contain the policies described in subsection (4) in respect of,

- (a) a protected major transit station area identified in accordance with subsection (15) or (16), as the case may be; or
- (b) an area in respect of which a development permit system is adopted or established in response to an order under subsection 70.2.2 (1).

Adoption of inclusionary zoning policies

(5.1) The policies described in subsection (4) may be adopted in respect of an area described in clause (5) (a) or (b) as part of an official plan or an amendment to an official plan that includes policies,

- (a) that identify an area as the protected major transit station area described in clause (5) (a); or
- (b) that must be contained in an official plan before the development permit system described in clause (5) (b) may be adopted or established.

3 (1) Subsection 17 (24.0.1) of the Act is repealed.

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

No appeal re certain matters

(24.1.4) Despite subsection (24), there is no appeal in respect of any parts of an official plan that must be contained in the plan,

- (a) before a development permit system may be adopted or established; or
- (b) in order for a municipality to be able to exercise particular powers in administering a development permit system, such as setting out the information and material to be provided in an application for a development permit or imposing certain types of conditions.

Limitation

(24.1.5) Subsection (24.1.4) applies only if the parts of an official plan described in that subsection are included in the plan in response to an order under subsection 70.2.2 (1) and the municipality has not previously adopted a plan containing those parts in response to the order.