



DEVELOPMENT SERVICES *Staff Report*

REPORT NO: DS 2023-019

TO: Council

SUBMITTED BY: Harold O’Krafka, MCIP RPP PLE
Director of Development Services

PREPARED BY: Andrew Martin, MCIP RPP
Manager of Planning and Economic Development

REVIEWED BY: Sharon Chambers, CAO

DATE: November 27, 2023

SUBJECT: Response to Letters from the Honourable Paul Calandra, Minister of Municipal Affairs and Housing regarding Official Plan Decisions

RECOMMENDATION:

THAT Report DS-2023-19 be forwarded to the Ministry of Municipal Affairs and Housing as the Township of Wilmot’s response to the request of Honourable Paul Calandra, Minister of Municipal Affairs and Housing, to submit feedback, including proposed changes and updates to official plans based on the Province’s original approval of Regional Plan Amendment Number (ROPA) 6; and

THAT the map included as Attachment 5 of Report DS-2023-19, form the basis for the approved Community Area, Employment Area, and Countryside Line boundary for the Baden and New Hamburg Township Urban Areas; and

THAT implementation of the new Community Area and Employment Area lands follow the completion of a Secondary Plan by the Township of Wilmot and that site specific official plan amendments not be permitted to designate the additional lands within the Township Official Plan; and

THAT the Secondary Plan be permitted to include staging provisions based on such factors deemed necessary by the Township of Wilmot including wastewater servicing capacity, parks and recreation needs, and school accommodation requirements.

SUMMARY:

On November 2, 2023, the Honourable Paul Calandra, Minister of Municipal Affairs and Housing provided a letter to municipalities advising that the Province will be reversing its decisions made on Official Plans in November 2022 and April 2023. A subsequent letter was received on November 16, 2023 requesting feedback on proposed legislation to implement the reversal. These letters are included as Attachment 1 to this report.

The Minister requested comments from single tier and lower tier municipalities regarding whether there are changes that the municipality would like to see made to the official plan, based on the modifications that the province had previously made, and which are supported by the municipality. The Minister also requested input on proposed legislation to reverse the ministerial decisions on official plans and any implementation considerations associated with the reversals.

This report provides detailed comments on the longstanding direction from the Township of Wilmot with respect to logical and orderly planning for the Township which to date has not been reflected within planning approvals of the Region of Waterloo.

The report summarizes changes to ROPA 6 made by the Province that align with the Township's vision for the community, changes that should be reconsidered, and further modifications that will support the Township's ability to increase housing supply and employment opportunities both in the short and long term of the community.

The map included as Attachment 5 to this report, identifies the Township's desired Community Area, Employment Area, and Countryside Line boundary for the Baden and New Hamburg Township Urban Areas.

BACKGROUND:

The Township of Wilmot has consistently emphasized the importance of long term planning and balanced growth between the communities of Baden and New Hamburg. The following is a timeline of comments from the Township of Wilmot to the Region of Waterloo over the last 20+ years.

2002

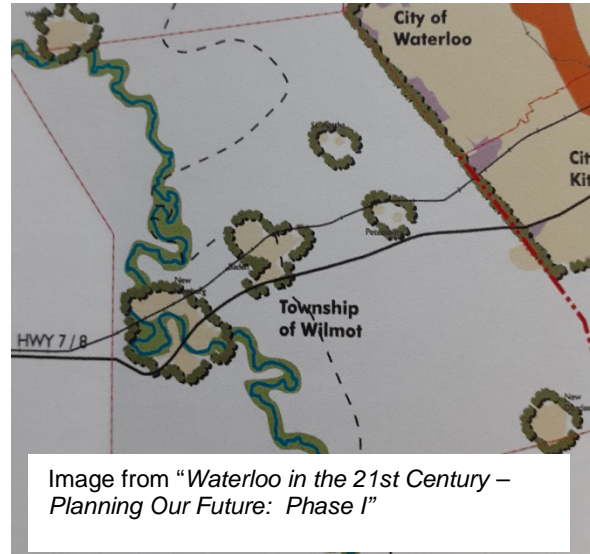
The Township provided a response to a report published by the Region of Waterloo entitled "*Waterloo in the 21st Century – Planning Our Future: Phase I*" through Township report PB 2002-31.

Excerpts from report PB 2002-31:

“The resultant report of Phase I clearly highlights the apparent lack of consideration of the future growth of Wilmot Township within the Region. Of particular note is the “conceptual shrink wrapping” of Baden and New Hamburg which does not correspond to historical and ongoing planning of long term growth by the Township.

It would appear that the Phase I perspective of growth, as it applies to the Township of Wilmot, is that the needs of our community are met through the hard edge boundary to the growth of the cities.

The future health of Wilmot Township within the Region of Waterloo requires much more. The values and goals of the Township must be considered and to this extent Township staff are again concerned that Phase I of the Regional study did not list Wilmot’s Community Strategic Plan in its background documentation. The apparent exclusion of input from Wilmot both as a municipality and as a community in Phase I remains a concern.”

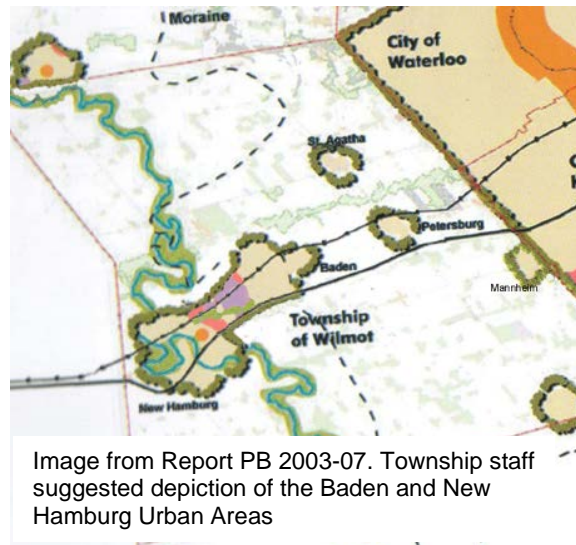
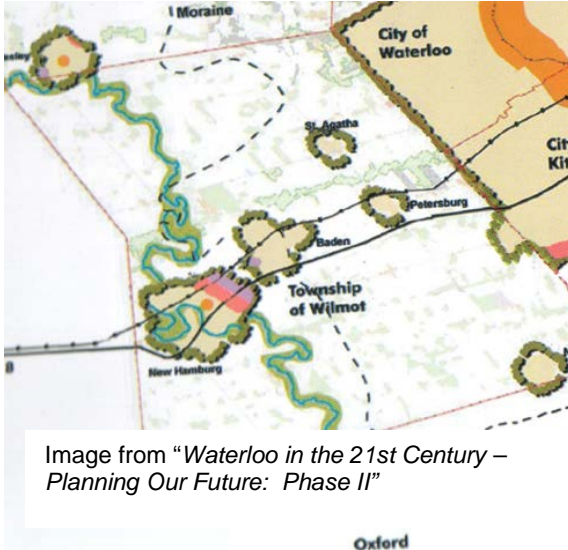


2003

The Township provided a response to Phase II of “*Waterloo in the 21st Century – Planning Our Future*” through Township report PB 2003-07.

Report PB 2003-07 commented that Phase II “tried to address the Township’s concerns that Phase I did not recognize that a node for growth is required and desired in Wilmot Township in order to provide for the needs of the community and to recognize longstanding planning directions and foci”.

The image below (left) represents what was presented in Phase II. The image below (right) was altered by Township staff and presented in Report PB 2003-07 as a more appropriate depiction of the direction for growth between Baden and New Hamburg. Specifically, elimination of growth south of Highway 7&8 with the focus on the corridor between Baden and New Hamburg north of the highway.

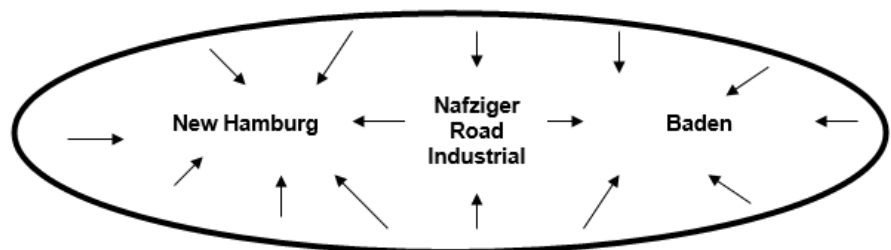


Report PB 2003-07 emphasized that focusing the majority of future Township growth to intensifying the corridor allows for the maximization of physical infrastructure and investment in Wilmot Township in a location which is outside of the Waterloo Moraine.

From Report PB 2003-07: "Intensified, concentrated and centralized growth for Wilmot Township, as a component of Regional growth, reflects of the goals of the Regional Strategy by utilizing existing infrastructure such as sewer and water mains, the railway and Highway 7 & 8. It also allows a greater return on investment for services such as education and emergency services by minimizing travel distances in the transport of students or response of emergency vehicles.

The Wilmot Concentrated Growth Model

Concentrated growth on full services in and between Baden and New Hamburg to concentrate growth with minimal infrastructure requirements and maximum use of existing infrastructure as opposed to widespread growth throughout the Township on private services.



From report PB 2003-07

The application of the intensification concept to Baden and New Hamburg as a collective Township urban population is preferable to a long

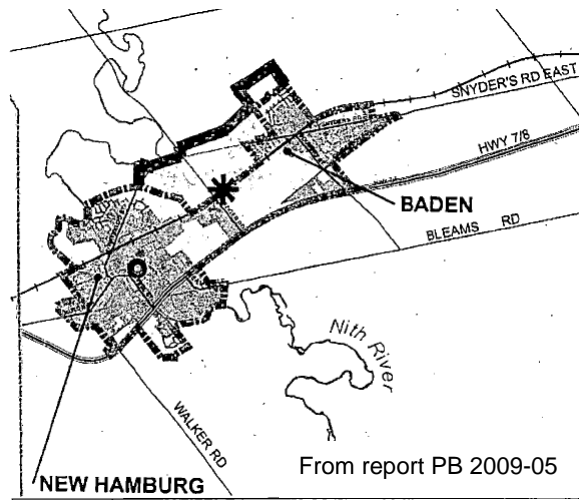
term plan of dispersed growth throughout the Township and indeed this policy direction away from dispersed growth was implemented through the 1997 Growth Strategy for Wilmot. The direction balances the need to minimize the intrusion on agricultural activities while recognizing that the community needs some measure of growth so as to sustain the health of the community.”

2005

The final Growth Management Strategy that was approved by the Region following the “Waterloo in the 21st Century – Planning Our Future” exercise, took into account the Township’s requested depiction for the growth of Wilmot, but included an asterisk between Baden and New Hamburg identifying that the Countryside Line was to be further refined in that area.

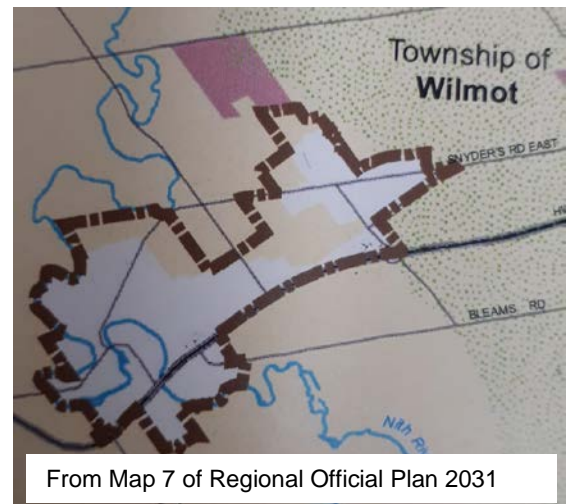
2009

Report PB 2009-05 was prepared as the Township’s response to the first draft of the Regional Official Plan 2009. The draft did not represent the intent of previous resolutions of Council in 2002 and 2003 with respect to the concentrated growth model between Baden and New Hamburg. Township comments continued to emphasize the importance of the Baden to New Hamburg corridor and requested that the Countryside line reflect the Township’s intentions by drawing the boundary to connect the communities.



The Region of Waterloo Official Plan was adopted by the Region in 2009 but, following appeals to the Provincial approval of the document, was not approved by the Ontario Municipal Board until 2015.

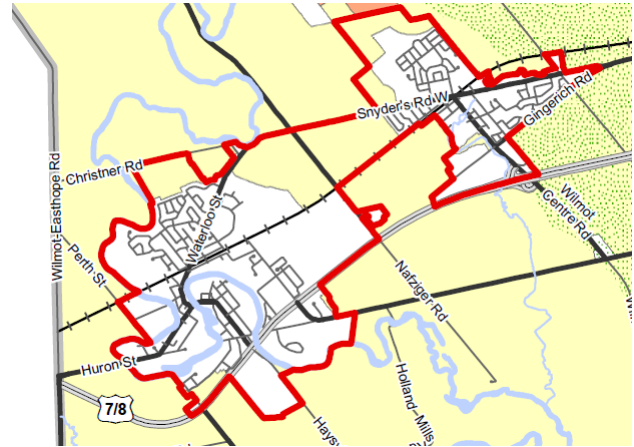
The Plan did not reflect the Township’s vision for the long-term growth between Baden and New Hamburg as identified on Map 7 of the Plan, but did contain policies allowing for area municipalities to rationalize the boundaries of the urban areas and countryside line during the process of updating the area municipal official plans. Essentially the policy introduced a “push-pull” exercise resulting in no increase in volume of land within the countryside line or urban areas.



2017

Following approval of the Regional Official Plan in 2015, the Township commenced a process of reviewing its Official Plan for conformity with Regional and Provincial policies including significant efforts in undertaking the boundary rationalization exercise.

The exercise of rationalization looked at modifying boundaries to reflect logical areas of growth recognizing environmental, servicing and other development constraints. The process involved a push-pull exercise where the boundaries were pulled from one area and pushed out equally in another area. The end result of the rationalization process was that the volume of developable land contained within the CSL and the Rural and Urban Areas was unchanged, but the location of the boundaries was proposed to be altered to implement the Township’s historic and long term vision of future growth occurring on full municipal services between the Urban Areas of Baden and New Hamburg.



From Township Official Plan, 2019

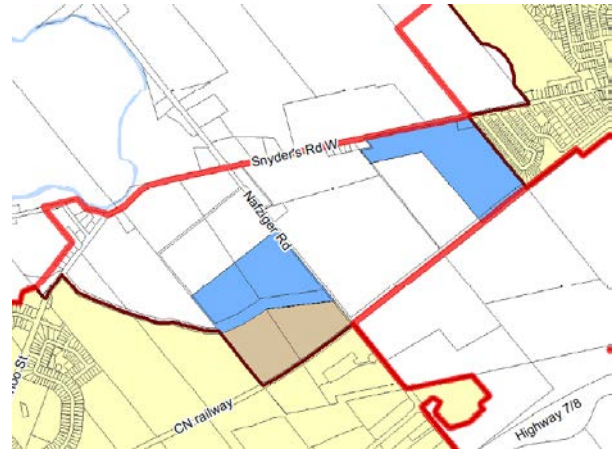
Given the limitations of the Region’s rationalization policy, the Township could not fully implement the vision for growth between Baden and New Hamburg. The volume of land available within the Countryside Line was utilized to maximize lands available for future residential and mixed land uses. The future employment lands node south of the CN railway and north of Highway 7/8 in Baden was not able to be included within the Countryside Line.

The current Township Official Plan was ultimately approved by the Region in 2019.

2022

Report DS 2022-13 was prepared in response to the Region’s land needs assessment undertaken as part of the Regional Official Plan review. Comments forwarded to the Region requested that all scenarios for growth to 2051 for Wilmot Township be modified to reflect full utilization of the unallocated capacity of the Baden-New Hamburg Wastewater Treatment Plant (WWTP). The report made suggestions for significant modifications to the growth scenarios to ensure that Wilmot Township continues to grow and remain a prosperous component of the Region of Waterloo to 2051.

The Region of Waterloo adopted Regional Official Plan Amendment (ROPA) 6 in August 2022. The Region’s plan resulted in portions of properties being added to the Baden and New Hamburg Urban Areas as Community Area (approximately 35ha identified in blue to the right) and one area as Employment Area (approximately 15ha identified in brown to the right). Those lands originally adopted by the Region are illustrated on the map included as Attachment 2 to this report. Based on a comparable density to that proposed within current subdivision applications in Baden and New Hamburg, these Community Area lands would be anticipated to provide for approximately 2300 people. After removing the anticipated capacity required for planned developments, 2300 people would equate to approximately 35% of the remaining uncommitted capacity of the Baden-New Wastewater Treatment Plant (WWTP). The Region’s adopted plan continued to fall short of the long term objectives of the Township of Wilmot.



2023

The Minister of Municipal Affairs and Housing approved ROPA 6 in April 2023 with 12 modifications the most significant being the designation of all lands between the current urban boundary and the countryside line in Wilmot Township equating to approximately 288 ha of Community Area and approximately 15ha of Employment Area. The lands approved by the Province are illustrated on the map included as Attachment 3 to this report.

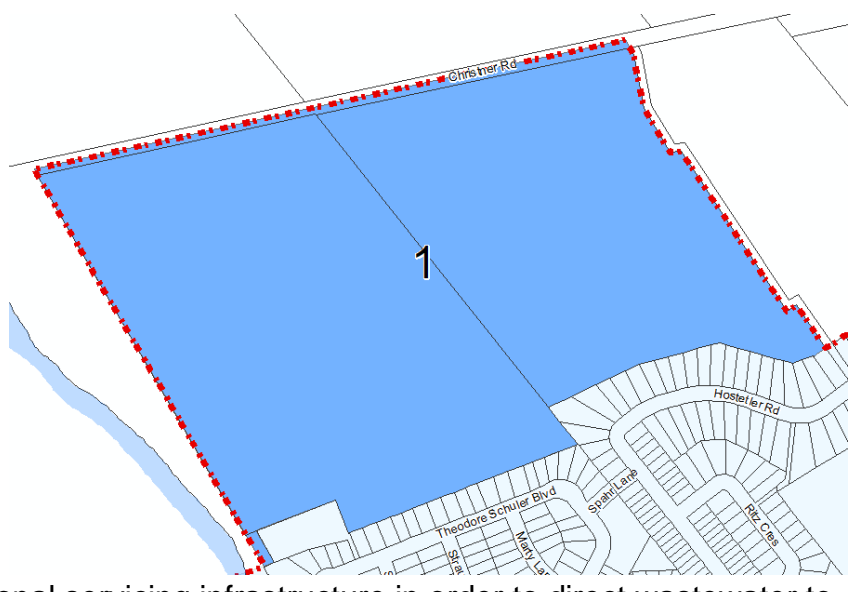
Following the Minister’s approval, the Township has been undertaking background work required prior to commencing the secondary planning process to implement the designation of additional lands. This has included consultation with the Grand River Conservation Authority to scope requirements for sub watershed study, analyse currently available monitoring data, and securing additional flow monitoring within the Ivan Gingerich Drain to fill gaps in available data. Additionally, engineering analysis of existing sanitary sewer infrastructure and capacities has been completed to confirm baseline data required to build upon through the secondary plan. The secondary planning process was anticipated to begin as early as December 2023 with an anticipated completion by the end of 2024.

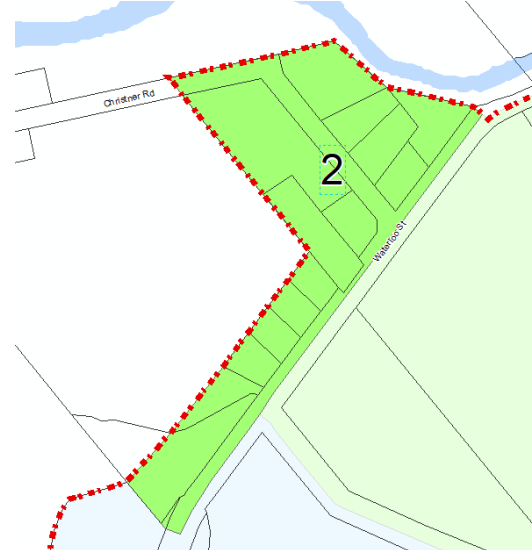

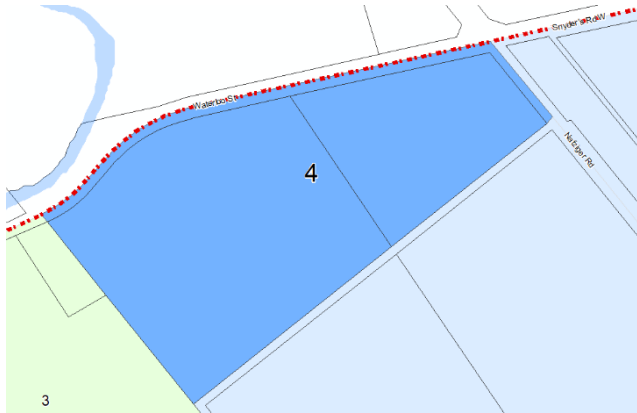
On October 23, 2023, the Minister announced that he would be introducing legislation to reverse the decisions made on Official Plans in November 2022 and April 2023 which included the approval of ROPA 6. Subsequently, on November 2, 2023 a letter was provided to municipalities impacted by the reversal of decisions providing an opportunity for single and lower tier municipalities to submit feedback to the Province by December 7, 2023. An additional letter was provided to the same municipalities on November 16, 2023 requesting input and potential implementation considerations related to the proposed legislation. These letters are included as Attachment 1 to this report.

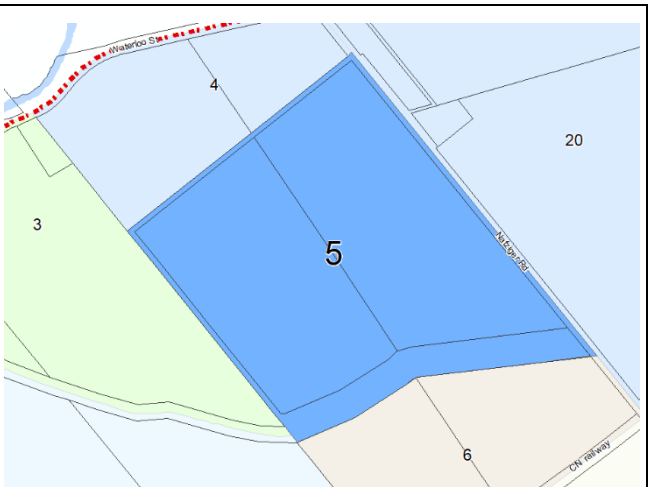

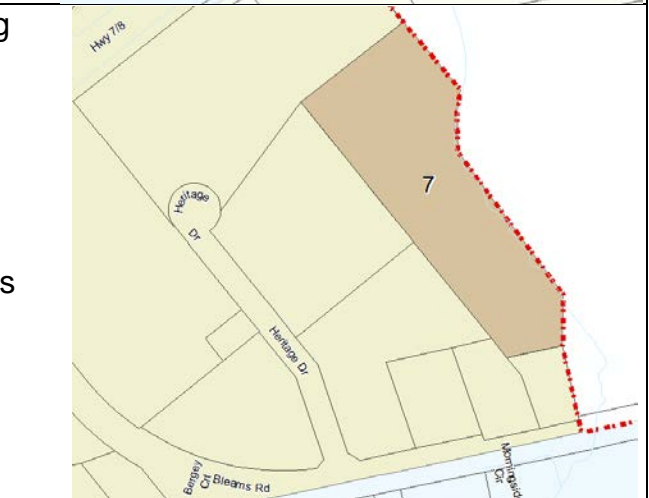
Individuals who, as of the time of writing this report had reached out to the Township requesting more information on the Township’s position on the October 23, 2023 Minister’s announcement, were given notification that this report would be included in the agenda package for the November 27, 2023 meeting.

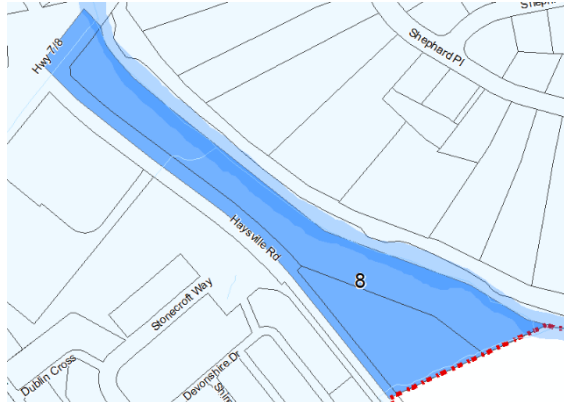


REPORT:


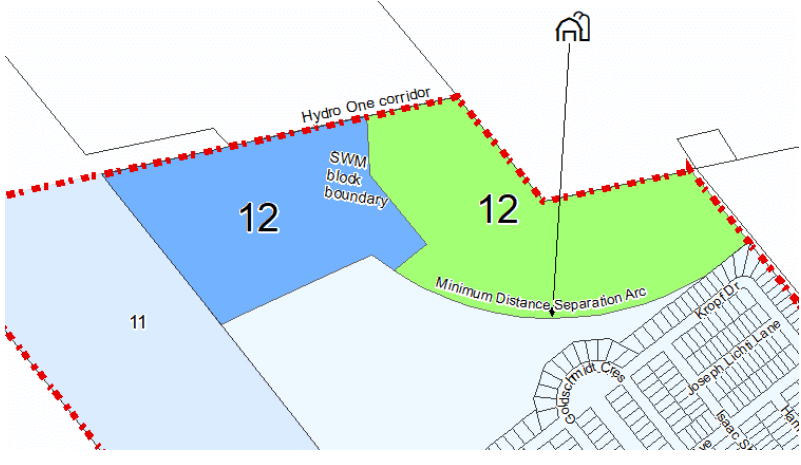

This section of the report delves further into the lands originally approved by the Minister’s decision in April. The following table and accompanying figures provide an assessment of each of the areas originally proposed to be designated by the Province along with reasons for their continued designation or reversal of designation through the final Provincial approval.

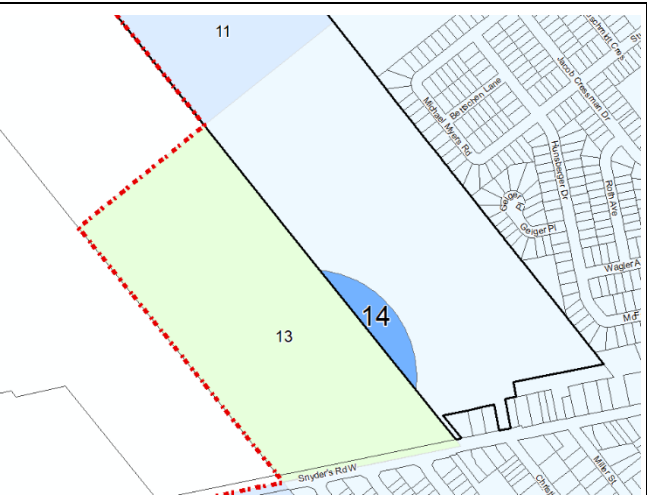
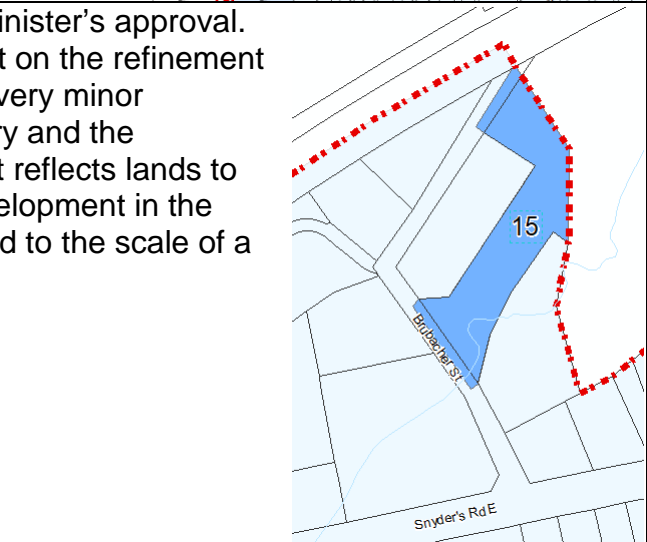

Evaluation of Community Area, Employment Area and Countryside Line Boundary. Please refer to Attachment 4 of this report for overall context and parcel locations.	
1	<p>This area includes two properties designated as Community Area. Reverting these lands to their prior Prime Agricultural designation is appropriate. Servicing opportunities were considered for these properties within the 2014 report titled “<i>Wastewater Servicing Study for New Growth Areas Baden and New Hamburg</i>” prepared by Conestoga-Rovers & Associates. The report identifies the need for additional servicing infrastructure in order to direct wastewater to the WWTP. Given these lands are not central to existing and planned servicing improvements between Baden and New Hamburg and would include additional costly pumping station infrastructure as opposed to gravity optimized servicing, staff suggest that these lands remain in their prior Prime designation within the countryside line. This provides for a longer-term opportunity beyond the scope of this approval should the land need exist in the future and additional capacity be available in the WWTP at that time.</p> 


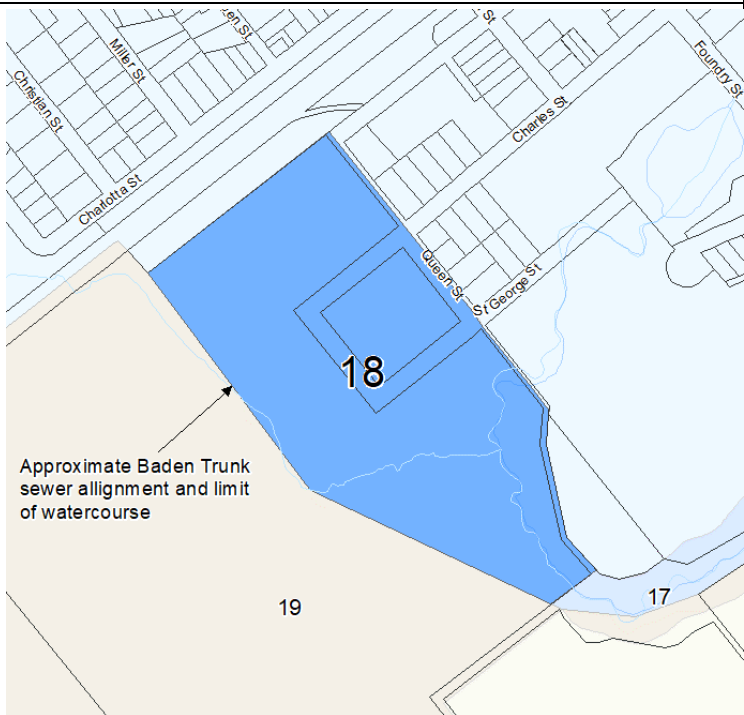
<p>2</p>	<p>This area includes several properties, and portions thereof, that are presently located in the Luxemburg Rural Settlement Area. Given the lands are essentially developed, or have significant environmental constraints, their inclusion in the Urban Area as Community Area is of no value and reverting their designation to Prime Agricultural is appropriate.</p>	
<p>3</p>	<p>This area is presently developed with agriculturally related infrastructure associated with a large organic farming operation. The landowners have previously commented that they are not interested in development of their lands. Given the active agricultural activity on the lands, reverting their designation to Prime Agricultural is appropriate. The lands would remain within the countryside line providing for a longer-term opportunity beyond the scope of this approval should the land need exist in the future and additional capacity be available in the WWTP at that time.</p>	
<p>4</p>	<p>This area consists of two properties previously part of the parcels identified as Area 5. These lands do not have any agricultural infrastructure and do not present any new Minimum Distance Separation conflicts with the existing agricultural operation to the north. The inclusion of Area 4 as Community Area is appropriate so as to provide flexibility for development plans for Area 5 and better integration within the Baden and New Hamburg corridor.</p>	

<p>5</p>	<p>Approximately 18ha of Area 5 was included as Community Area within the Regional adoption of ROPA 6 (see Attachment 2 to this report) which represent portions of existing properties in the area. Continued designation of the entire area (approximately 31ha) and whole properties is appropriate to allow for logical land use, transportation, and infrastructure planning between Baden and New Hamburg. The lands have the ability to be serviced by gravity through planned trunk sewer infrastructure.</p>	
<p>6</p>	<p>These lands were included as Employment Area within the Regional adoption of ROPA 6 and were identified as the same through the Minister's approval. Their continued inclusion as Employment Area is appropriate.</p>	
<p>7</p>	<p>This area represents lands between existing industrial/commercial uses and an existing watercourse. The lands in theory provide opportunity for expansion to those existing abutting businesses as occurred with the business immediately north (at the time of expansion of Hanson GM, now John Bear). The Minister's approval included these lands as Community Area, but they would more logically be included as Employment Area.</p>	

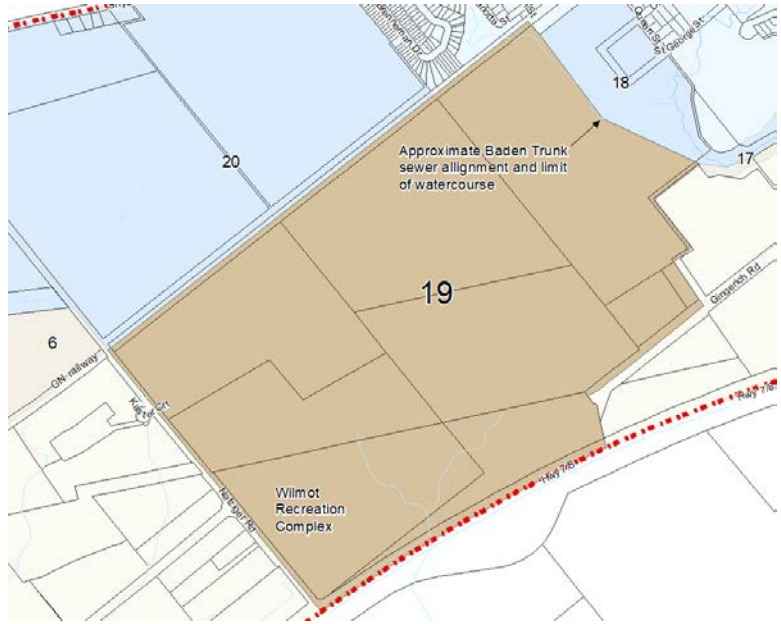
<p>8</p>	<p>This area includes one existing small residential lot of 1.2ha. Its inclusion within the Urban Area as Community Area provides for a logical boundary.</p>	
<p>9</p>	<p>This area was included as Community Area in the Minister’s decision. Reverting these lands to their prior Prime Agricultural designation is appropriate. Servicing opportunities were considered for the lands in the 2014 servicing study identified under the description of Area 1. The report identifies the need for additional servicing infrastructure in order to direct wastewater to the WWTP. Given these lands are not central to existing and planned servicing improvements between Baden and New Hamburg and would include additional costly pumping station infrastructure as opposed to gravity optimized servicing, staff suggest that these lands remain in their prior Prime designation within the countryside line. This provides for a longer-term opportunity beyond the scope of this approval should the land need exist in the future and additional capacity be available in the WWTP at that time.</p>	
<p>10</p>	<p>These lands were designated as Community Area within the Minister’s approval, however given the area has no municipal services and the designation includes only small segments of a larger agricultural parcel, reverting their designation to Prime Agricultural is appropriate.</p>	

<p>11</p>	<p>These lands were designated as Community Area. They represent the remainder of the existing development parcel to the south up to the hydro corridor. There is no agricultural infrastructure on the lands and inclusion as Community Area remains appropriate as the lands can be accommodated through planned trunk sewer infrastructure.</p>	
<p>12</p>	<p>This area was designated as Community Area in the Minister's approval. The lands represent the remainder of the existing development parcel to the south. The Minister's approval did not account for the Minimum Distance Separation (MDS) from the adjacent active dairy operation. The majority of the developable area should be reverted to Prime Agricultural to reflect the ongoing protection of the active farming operation. Those lands that are not constrained by MDS along with lands planned for storm water management within the plan of subdivision presently in the approval stage on the lands south of Area 12, logically remain included as Community Area to allow complete planning and development of the area.</p>	
<p>13</p>	<p>These lands were designated as Community Area within the Minister's approval. The development limit represents just under half of a larger agricultural property that contains existing and active agricultural infrastructure. Segmenting an active farming property when sufficient non-active lands exist to accommodate future growth needs is unnecessary. As such reverting the designation to Prime Agricultural is appropriate.</p>	

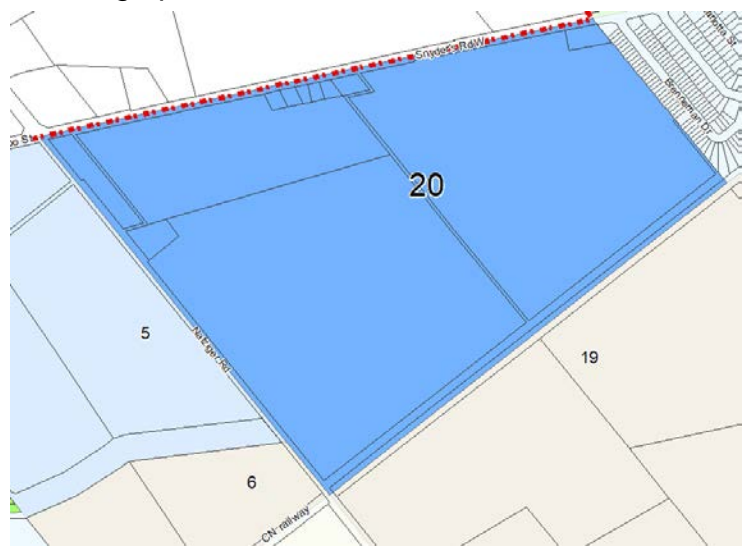
<p>14</p>	<p>These lands represent an MDS arc from the horse barn within Area 13. The MDS arc includes a storm water management area within the plan of subdivision presently in the approval stage on the lands east of Area 14. Inclusion of Area 14 as Community Area represents an appropriate boundary and given its planned land use, will not impede agricultural opportunities within Area 13.</p>	
<p>15</p>	<p>These lands were not included within the Minister's approval. That said, given the opportunity to comment on the refinement of urban boundaries, Area 15 represents a very minor adjustment to the Community Area boundary and the Countryside Line. The boundary adjustment reflects lands to be utilized for a planned rental housing development in the area and will clean up what can be attributed to the scale of a minor drafting error.</p>	
<p>16</p>	<p>This area was included in ROPA 6 and the Minister's decision as Employment Area. Employment Areas are intended to represent lands where most industrial activities such as manufacturing, logistics and warehouses are located. Community Areas represent lands where most housing, commercial, retail and institutional growth is located. Planned development for about half of this property includes self storage and other potential commercial uses. Given the topography of the property, the remaining potential for development on the other half of the property is limited and certainly does not accommodate Employment Area uses. This parcel would more logically be designated as Community Area.</p>	

<p>17</p>	<p>This area was identified as Community Area in the Minister’s approval. The lands in this area consist primarily of floodplain lands. That said, their inclusion in the Urban Area creates a logical boundary for development. Staff recommend that the area north of the creek be identified Community Area and south of the track as Employment Area reflective of the adjacent planned land uses.</p>	
<p>18</p>	<p>These lands were not included in the Minister’s approval, but do form part of the Township’s longstanding vision for the area. Inclusion of the lands between Baden’s Mill district urban growth area and the existing watercourse and planned routing of the Baden trunk sewer to be within the countryside line and as Community Area will allow greater opportunity to support growth and intensification within the urban growth area. The development of the area aligns with currently planned servicing infrastructure improvements.</p>	

19 These lands were not included in the Minister’s approval, but do form part of the Township’s longstanding vision for the area. The approval of ROPA 6 provided limited additional Employment Area. Inclusion of the lands west of the Baden Trunk sewer alignment, south of the CN railway, and north of Highway 7/8 will provide additional opportunity to balance residential growth with employment opportunities within the community. As such, the Township would request that these lands be included as Employment Area. For more logical boundary configuration, the Township’s Wilmot Recreation Complex lands would be contained within this Employment Area as opposed to an “island” of Community Area.



20 This area is dominated primarily of three large parcels of land and forms the core of the Township’s longstanding vision of concentrated growth between Baden and New Hamburg. The lands are easily serviced by way of current and planned sanitary infrastructure. There is no agricultural infrastructure or farming operations on the lands and as such the Township recommends they continue to be designated as Community Area to allow for complete community planning within the central core of the Baden to New Hamburg corridor.



The culmination of the above detailed comments is illustrated on the map included as Attachment 5 to this report. Attachment 5 is intended to represent the Township’s desired Community Area, Employment Area, and Countryside Line boundary for the Baden and New Hamburg Township Urban Areas.

The Township's desired Community Area results in a reduction in the Minister's originally approved 288ha to approximately 179ha of new Community Area. Desired new Employment Area would equate to an increase in the Minister's original approval of 14ha to approximately 149ha of new Employment Area.

Township staff appreciate the opportunity to work with the Ministry to achieve the Township vision that has not been possible to achieve through several iterations of Regional Official Plans. The plan as approved by the Province, with Township refinements, provides for short and long term concentrated growth between Baden and New Hamburg, the maximum utilization of wastewater servicing capacity, and balanced opportunities for residential and employment areas in the Township. The plan provides certainty with respect to continued growth of the Township and integrated long-term planning of the community.

Should the Province approve these recommended refinements, Township staff will move forward with the Secondary Planning process based on the more centralized and historically desired growth area between Baden and New Hamburg. Staging of development will be proposed through the Secondary Plan to account for full utilization of the remaining capacity of the WWTP for infilling and intensification of both residential and employment areas and greenfield growth balanced between the communities of Baden and New Hamburg. Continued improvements to reduce inflow and infiltration within sanitary sewer infrastructure is anticipated to create additional servicing capacity within the WWTP necessary to fully realize the concentrated growth opportunities between Baden and New Hamburg.

ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:

Considering and providing input to the Province on matters of concern to Council in respect of the long term growth of Wilmot Township provides for economic prosperity and sustenance of quality of life while maximizing environmental protection and the efficient and fiscally responsible use of infrastructure resources.

FINANCIAL CONSIDERATIONS:

The Province's approved Urban Area as proposed to be refined by the Township provides opportunity to undertake a focused secondary planning process that will set out long term staging of development within the Township Urban Area. Designation of lands between the communities of Baden and New Hamburg will full integration of the urban area and provide basis for further municipal investments and planning for roads and active transportation needs, servicing infrastructure, and parks and recreation needs.

As set out in Report DS-2023-12, The 10 year capital budget for Development Services includes a total of \$435,000 for Secondary Planning activities including \$210,000 in 2024 and \$125,000 in 2025 for Greenfield Land Use and Servicing Secondary Planning in Baden and New Hamburg as well as \$100,000 in 2024 for Baden and New Hamburg Urban Growth Centre Studies.

ATTACHMENTS:

- Attachment 1: Letter from the Minister of Municipal Affairs and Housing
- Attachment 2: Original Urban Area Adopted by the Region of Waterloo
- Attachment 3: Original Urban Area Approved by the Province
- Attachment 4: Township Refinements to Provincial Approval
- Attachment 5: Township Requested Urban Area

**Ministry of
Municipal Affairs
and Housing**

Office of the Minister
777 Bay Street, 17th Floor
Toronto ON M7A 2J3
Tel.: 416 585-7000

**Ministère des
Affaires municipales
et du Logement**

Bureau du ministre
777, rue Bay, 17^e étage
Toronto ON M7A 2J3
Tél. : 416 585-7000



234-2023-5307

November 2, 2023

**Re: Announcement Impacting Provincial Decisions on Municipal Official Plans/
Official Plan Amendments**

Dear Sir, Madam:

Since becoming the Minister of Municipal Affairs and Housing, I have made it a priority to review past decisions related to land use planning, including official plans and minister's zoning orders, to ensure that these earlier decisions support our goal of building at least 1.5 million homes in a manner that maintains and reinforces public trust.

In November 2022 and April 2023, the ministry issued decisions on official plans impacting the cities of Barrie, Belleville, Guelph, Hamilton, Ottawa and Peterborough, the regional municipalities of Halton, Niagara, Peel, Waterloo and York, and Wellington County. As a result of my review of these decisions, on October 23, 2023, I announced my intent to introduce legislation as soon as possible that would reverse the province's changes to these plans.

For clarity, the proposed legislation will, if passed, bring into effect the official plans or official plan amendments as adopted by municipal council without provincial modifications, except for any modifications that are necessary to protect matters of public health and safety, or which are required to align with legislation or regulations.

The ministry appreciates that the decisions that were made in November 2022 and April 2023 are currently in effect, and I understand that many municipalities are working to actively implement the decisions. I also appreciate that productive collaboration and coordination between the ministry and your municipality is going to be needed to ensure clarity going forward.

As stated in my announcement on October 23, 2023, we are providing 45 days for municipalities to submit information about the modifications to the official plans that were originally submitted to the Ministry, including:

1. Circumstances or projects where construction has already begun in relation to the official plan or official plan amendment decisions, particularly those projects that are directly reliant on the modifications made to the plan through the ministry's decision; and

2. If there are changes that the municipality would like to see made to the official plan, based on the modifications that the province had previously made, and which you support. Lower-tier municipal feedback on the original official plan submitted to the province will be important to supporting its implementation.

We are asking mayors of impacted single and lower tier municipalities to submit this feedback, including proposed changes and updates to the official plans/official plan amendments, to ministry staff **by December 7, 2023**. Please submit feedback to the following email address: MMAHOfficialPlans@Ontario.ca.

To ensure the province receives the necessary feedback within the 45-day window, we will accept changes directly from heads of council of single and lower-tier municipalities, including to official plans that were originally submitted with council endorsements from upper-tier municipalities. Heads of council may choose to seek a council endorsement of their proposed changes, but that is not required.

While I intend to introduce legislation prior to the conclusion of the 45-day period, please rest assured that municipal feedback received during the 45-day window, and through consultation on the legislation, will be carefully considered to determine the best approach for moving forward, including if further legislative steps or the use of other provincial tools are required.

We are also interested in receiving information and supporting documentation that outlines related planning costs that may have been incurred by your municipality arising out of the provincial decisions. This information can be submitted to the ministry outside of the 45-day window through municipal staff.

Official plans are an important tool for addressing Ontario's shortage of housing. To that end, as you prepare your feedback, I encourage you to ensure your proposed approach to meet your housing targets is ambitious and reflective of the serious need to get more homes built quickly. In particular, I encourage you to look for opportunities to systematically increase density and align this density with existing and planned transit within your municipality. Getting more homes built faster will help more people in your municipality find a home that meets their needs and budget and help municipalities access funding under Ontario's all-new \$1.2 billion Building Faster Fund.

If your staff have questions or concerns, ministry staff are available to discuss this matter further. Please have municipal staff contact the ministry at the email address above and we will connect you with the relevant staff in my ministry.

Thank you,



Hon. Paul Calandra
Minister of Municipal Affairs and Housing

**Ministry of
Municipal Affairs
and Housing**

Office of the Minister
777 Bay Street, 17th Floor
Toronto ON M7A 2J3
Tel.: 416 585-7000

**Ministère des
Affaires municipales
et du Logement**

Bureau du ministre
777, rue Bay, 17e étage
Toronto ON M7A 2J3
Tél. : 416 585-7000



234-2023-5547

November 16, 2023

Dear Sir, Madam

Subject: Proposed Legislation to Reverse Previous Decisions on Municipal Official Plans/ Official Plan Amendments

Further to my letter on November 2, 2023, I am writing to you to advise that on November 16, 2023, the Ontario government introduced legislation that, if passed, would reverse the official plan decisions made in November 2022 and April 2023 affecting the cities of Barrie, Belleville, Guelph, Hamilton, Ottawa and Peterborough, the regional municipalities of Halton, Niagara, Peel, Waterloo and York, and Wellington County.

The proposed legislation would wind back ministerial changes to official plans and official plan amendments, except in circumstances where construction has begun or where doing so would contravene existing provincial legislation and regulations or for public health and safety. This includes winding back changes to urban boundaries while maintaining protections for the Greenbelt.

The proposed *Planning Statute Law Amendment Act, 2023*, if passed, would:

- Enact the Official Plan Adjustments Act, 2023, which would:
 - Reverse decisions affecting 12 municipalities' official plans, issued on November 4, 2022 and April 11, 2023;
 - Approve the municipally-adopted official plans, retroactive to the date of the ministerial approval (November 4, 2022 or April 11, 2023);
 - Require decisions on outstanding applications and appeals to conform with the legislatively-approved official plans and amendments;
 - Modify limited portions of the council-adopted official plans to address potential conflicts with legislation/regulations; and
 - Introduce immunity provisions to help mitigate legal risk for municipalities and the province resulting from this legislation.
- Amend the *Planning Act* to introduce immunity provisions to help mitigate legal risk for municipalities and the province in the making, amending, or revoking of minister's zoning orders.

Additionally, the proposed legislation would amend the *Planning Act* to introduce immunity provisions related to the making, amending or revoking of minister's zoning orders. While no specific changes to MZOs are currently being made, this provision would help mitigate risk should revocations be necessary as the ministry reviews a use it or lose it policy.

Request for Feedback

In my letter of November 2, 2023, I have asked municipalities to provide input by December 7th. In addition, the ministry is seeking input on the proposed legislation and potential implementation considerations associated with matters arising from the reversal of the official plan decisions.

Comments can be sent through the Environmental Registry of Ontario or the Regulatory Registry postings or by email to mmahofficialplans@ontario.ca.

More information on the legislative proposal can be found on the Environmental Registry of Ontario and the Regulatory Registry at:

- [Environmental Registry of Ontario: Planning Statute Law Amendment Act, 2023](#)
- [Regulatory Registry: Planning Statute Law Amendment Act, 2023](#)

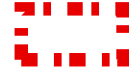

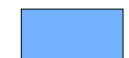

I look forward to receiving your feedback on this proposal.

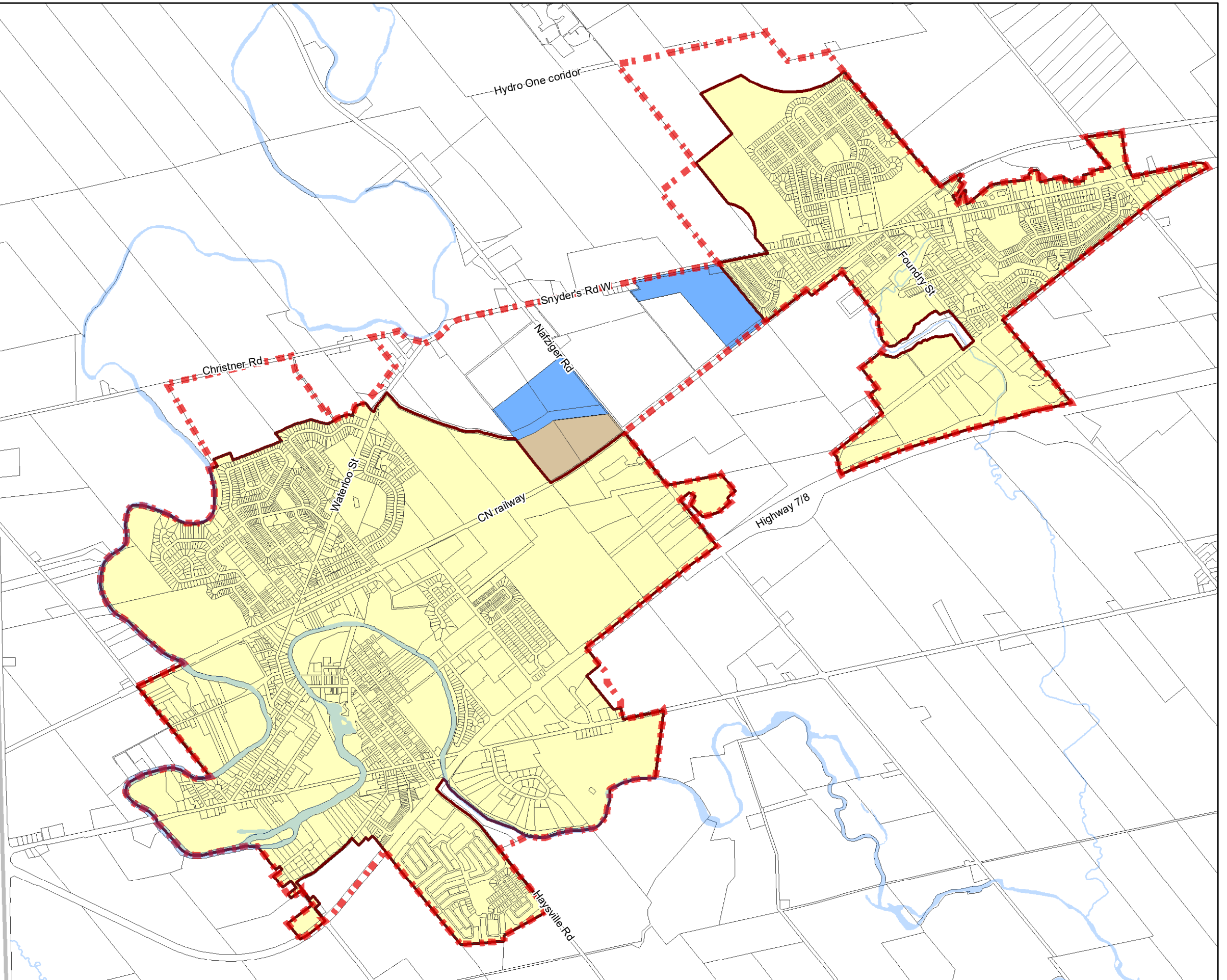
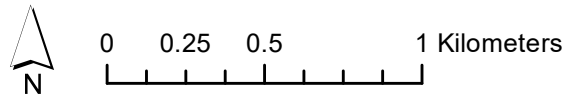
Sincerely,

A handwritten signature in blue ink, appearing to read 'Paul Calandra', with a stylized flourish at the end.



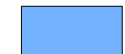
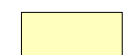


Hon. Paul Calandra
Minister of Municipal Affairs and Housing

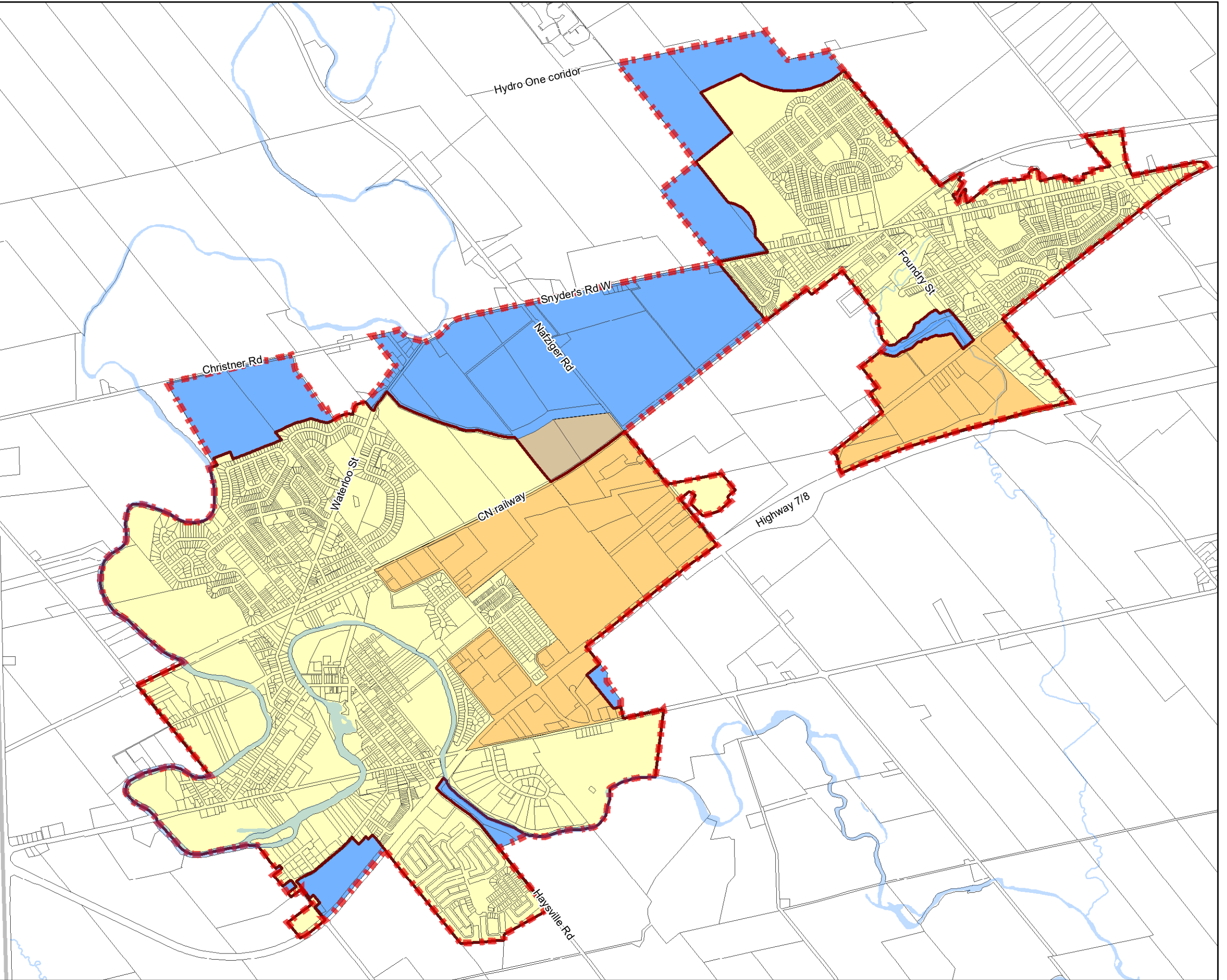
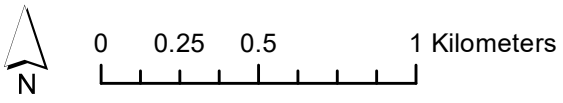
Attachment 2, Report DS-2023-19
Region Recommended
ROPA 6 Lands

-  Countryside Line
-  Original Urban Area Boundary
-  ROPA 6 Community Area
-  ROPA 6 Employment Area


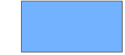



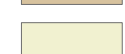


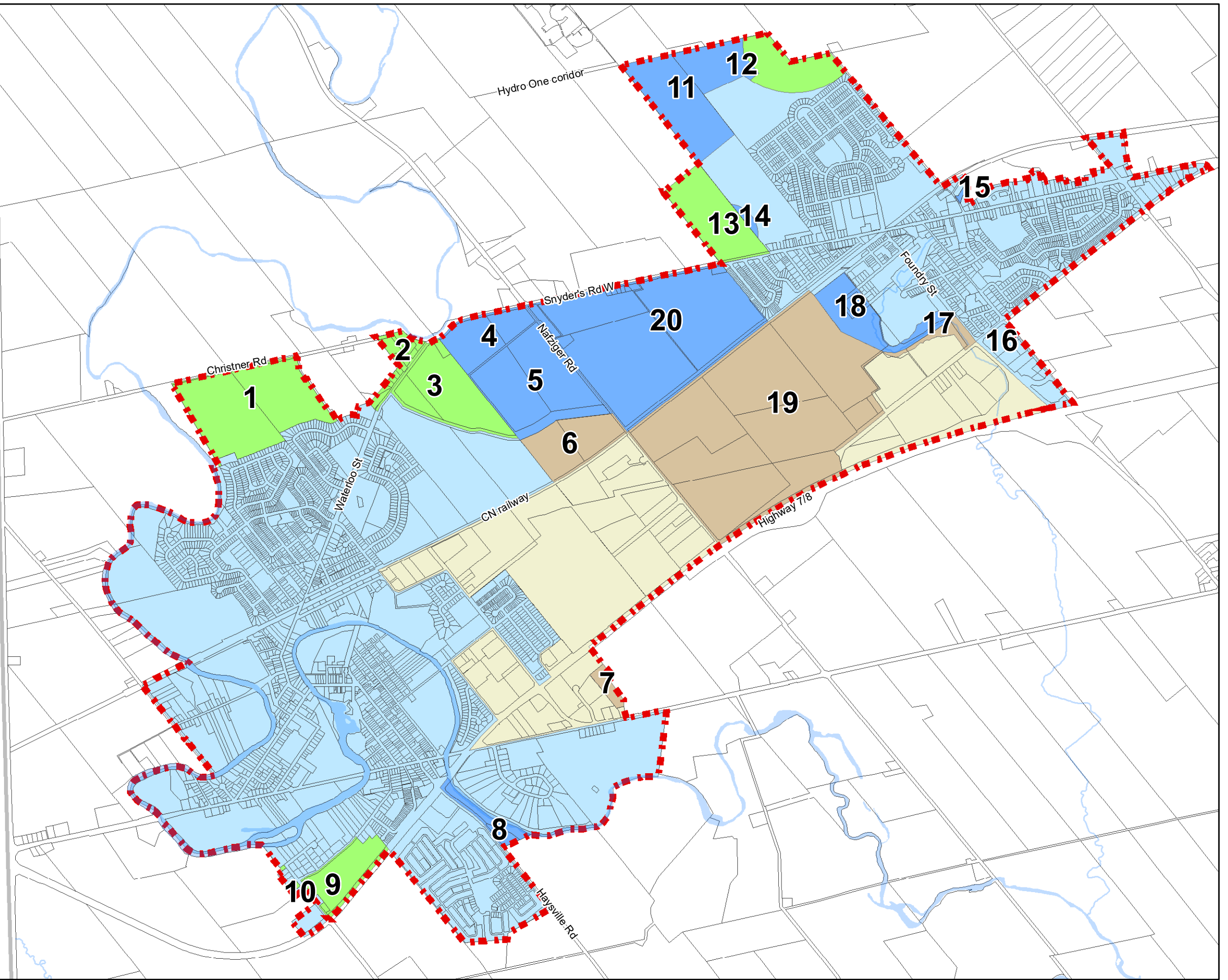
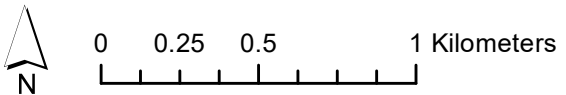
**Attachment 3, Report DS-2023-19
Province Originally Approved
ROPA 6 Lands**

-  Countryside Line
-  Original Urban Area Boundary
-  Approved Community Area
-  Community Area (Existing)
-  Approved Employment Area
-  Employment Area (Existing)

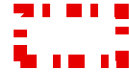


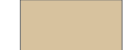


**Attachment 4, Report DS-2023-19
Township Comments on Provincial
Approval of ROPA 6 Lands**

-  Proposed Countryside Line
-  New Community Area
-  Existing Community Area
-  Revert to Original Designation
-  New Employment Area
-  Existing Employment Area



**Attachment 5, Report DS-2023-19
Township Recommended
Community and Employment Areas**

-  Countryside Line
-  Baden and New Hamburg Urban Areas
-  Community Area
-  Employment Area

