

**Ministry of
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Ontario

December 23, 2024

234-2024-5650

Regional Chair
Jim Bradley
Region of Niagara
jim.bradley@niagararegion.ca

Subject: Amendments to Ontario Regulation 525/97 to Exempt Certain Official Plan Matters from Approval under the *Planning Act*

Dear Jim Bradley

On November 5, 2024, I wrote to affected municipalities providing notice of the government's intent to remove land use planning responsibilities under the *Planning Act* for Durham and Waterloo Regions effective January 1, 2025, and for Niagara Region effective March 31, 2025. At the same time, I proposed regulatory amendments that would exempt certain official plan matters from approval under the *Planning Act*. I am writing again to advise you that the above-described changes to the role of Durham, Waterloo, and Niagara Regions will take effect as indicated.

At this time, I have also amended Ontario Regulation 525/97 under the *Planning Act* to exempt certain lower-tier official plan matters from the need for provincial approval and remove section 2 of the regulation given the revocation of A Place to Grow: Growth Plan for the Greater Golden Horseshoe on October 20, 2024.

Bill 23, the *More Homes Built Faster Act, 2022*, made changes that would remove land use planning responsibilities under the *Planning Act* from seven upper-tier municipalities identified in the legislation: Durham, Halton, Niagara, Peel, Simcoe, Waterloo, and York.

Through subsequent changes to the *Planning Act* made by Bill 185, the *Cutting Red Tape to Build More Homes Act, 2024*, flexibility was provided to remove planning responsibilities from upper-tier municipalities separately through proclamations, the timing for which would be subject to government decision-making.

Following the successful removal of planning authorities from the Regions of Peel, Halton, and York as of July 1, 2024, the government continues to implement Bill 23. The Regions of Waterloo and Durham will become upper-tier municipalities without planning authorities as of January 1, 2025 and the Region of Niagara will become the same as of March 31, 2025.

Lower-Tier Planning Matters Subject to MMAH Approval (as per the *Planning Act* and Ontario Regulation 525/97 under the Act)

Please find information on the amendment to Ontario Regulation 525/97 at the following link: [O. Reg. 560/24: EXEMPTION FROM APPROVAL \(OFFICIAL PLAN AMENDMENTS\)](https://www.ontariocanada.com/registry/view.do?postingId=49133&language=en) (https://www.ontariocanada.com/registry/view.do?postingId=49133&language=en)

The Ministry is aware that there are many lower-tier official plan amendments, particularly ones that are site-specific in nature, that the Regions would have previously exempted from the need for its approval. These matters would (in most cases) continue to be reviewed and adopted by the relevant lower-tier municipality without an additional level of approval.

As of January 1, 2025 for Waterloo and Durham Regions, and March 31, 2025 for Niagara Region, amendments to Ontario Regulation 525/97 exempt most municipal official plan amendments in the following lower-tier municipalities from the need for the Minister's approval:

- **Waterloo Region municipalities** – City of Cambridge, City of Kitchener, City of Waterloo, Township of North Dumfries, Township of Wellesley, Township of Wilmot, Township of Woolwich
- **Durham Region municipalities** – City of Oshawa, City of Pickering, Town of Ajax, Town of Whitby, Municipality of Clarington, Township of Brock, Township of Scugog, Township of Uxbridge
- **Niagara Region municipalities** – City of Niagara Falls, City of St. Catharines, City of Port Colborne, City of Thorold, City of Welland, Town of Fort Erie, Town of Grimsby, Town of Lincoln, Town of Pelham, Town of Niagara-on-the-Lake, Township of West Lincoln, Township of Wainfleet

As of January 1, 2025, for lower-tier municipalities in Waterloo and Durham Regions and March 31, 2025, for lower-tier municipalities in Niagara Region, the only land use planning matters which require approval by the Minister are the following:

1. New official plans;
2. Official plan amendments adopted in accordance with section 26 of the *Planning Act* (e.g., amendments completed as part of a process undertaken every 5 or 10 years to bring the official plan into conformity and consistency with provincial plans and policies); and
3. Official plan amendments establishing, changing, or revoking any policies required as part of a protected major transit station area (PMTSA) in accordance subsections 17 (15) or (16) of the *Planning Act*, including:
 - the delineation (mapping) of the PMTSA,
 - the minimum number of residents and jobs per hectare planned in the PMTSA,
 - authorized uses of any land in the PMTSA, and
 - minimum densities of any buildings and structures in the PMTSA.

Pursuant to the *Planning Act*, the applicable parts of the regional official plans for Waterloo and Durham, as of January 1, 2025, and for Niagara as of March 31, 2025, will be deemed to be part of the various lower-tier official plans. Going forward, as your municipality proceeds to review and update your official plan, I would encourage you to consider incorporating in the local municipal official plan any relevant/applicable policies and mapping from the Region's plan and revoking the deemed upper-tier plan policies to provide for a single comprehensive document and streamline downstream planning review processes.

Ministry of Municipal Affairs and Housing staff continue to be available to meet with you to answer any questions that you may have. Heather Watt – Manager, Central Municipal Services Office, can be reached at Heather.Watt@ontario.ca

Sincerely,



Hon. Paul Calandra
Minister of Municipal Affairs and Housing

cc. CAO, Ron Tripp