

# Ontario's Get It Done Act, 2024 and Bill 162 – A strong message?

February 23, 2024

The Ontario legislature reopened on February 20, 2024, with further land use planning changes. These changes were primarily packaged as part of an omnibus bill aimed at reducing red tape and streamlining approval processes for key infrastructure investments, which included everything from introducing automated licence plate renewals to more retroactive changes to legislatively approved official plans for certain municipalities. This update will focus on the substantive planning, housing and infrastructure-related changes set out in **Bill 162: Get It Done Act, 2024** and related proposals.

## 1. **Official Plan Adjustments Act, 2023**

In December 2023, Dentons provided an overview of Bill 150 in **Planning Statute Law Amendment Act, 2023: Out with the new and in with the old**. Bill 150 enacted the **Official Plan Adjustments Act, 2023** and retroactively reversed the Ontario governments own changes made in November 2022 and April 2023 to official plans from 12 municipalities: the cities of Barrie, Belleville, Guelph, Hamilton, Ottawa, Peterborough, Wellington County and the regional municipalities of Halton, Niagara, Peel, Waterloo and York and received Royal Assent on December 6, 2023, shortly before the legislature went on break.

Bill 150 followed statements made by the Minister of Municipal Affairs and Housing on October 23, 2023, that the Province would reverse certain decisions related to official plans and official plan amendments. The **Official Plan Adjustments Act, 2023** received Royal Assent on December 6, 2023, before the legislature went on break at the end of the year.

Bill 162 proposes several changes to the **Official Plan Adjustments Act, 2023**. The **Backgrounder** sets out that the proposed changes follow consultations with the affected municipalities and “where appropriate, respond to feedback from the local municipalities”. The government has also stated that the proposed amendments protect the Greenbelt and safeguard public health and safety.

With Bill 162, the **Official Plan Adjustments Act, 2023** will continue to exist, but the table enacted under Section 1 is repealed and substituted by the table below. Decisions regarding official plans or amendments to official plans set out in Column 1 are reversed and deemed to have never been made, except for the modifications listed in Column 3.

Item	Column 1 Official plan or amendment to an official plan	Column 2 Date of decision under subsection 17 (34) of the Planning Act	Column 3 Modifications set out in the decision referred to in subsection 1 (1) that apply to the official plan or amendment to an official plan
1	Official plan adopted by the City of Barrie pursuant to By-law 2022-016	April 11, 2023	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

Item	Column 1 Official plan or amendment to an official plan	Column 2 Date of decision under subsection 17 (34) of the Planning Act	Column 3 Modifications set out in the decision referred to in subsection 1 (1) that apply to the official plan or amendment to an official plan
2	Official plan adopted by the City of Belleville pursuant to By-law 2021-180	April 11, 2023	Modifications numbered 1, 9 to 11, 13, 14, 16 and 23
3	Official plan amendment 80 adopted by the City of Guelph pursuant to By-law 2022-20731	April 11, 2023	Modifications numbered 1, 2, 5 to 8, 13 to 15, 17 and 18
4	Official plan amendment 49 adopted by the Regional Municipality of Halton pursuant to By-law 35-22	November 4, 2022	Modifications numbered 1 to 19, 39, 42 and 45
5	Official plan amendment 34 amending the Rural Hamilton Official Plan and adopted by the City of Hamilton pursuant to By-law 22-146	November 4, 2022	None
6	Official plan amendment 167 amending the Urban Hamilton Official Plan and adopted by the City of Hamilton pursuant to By-law 22-145	November 4, 2022	Modifications numbered 17, 18, 26, 35, 36 and 40 to 47
7	Official plan adopted by the Regional Municipality of Niagara pursuant to By-law 2022-47	November 4, 2022	Modifications numbered 5, 24, 25, 32, 33, 39, 42 and 44
8	Official plan adopted by the City of Ottawa pursuant to By-law 2021-386	November 4, 2022	Modifications numbered 7, 8, 9, 10, 12 and 13
9	Official plan adopted by the Regional Municipality of Peel pursuant to By-law 20-2022	November 4, 2022	Modifications numbered 1, 3, 5, 16 to 19, 21 to 26, 28, 30 to 35 and 37 to 43
10	Official plan adopted by the City of Peterborough pursuant to By-law 2f1-105	April 11, 2023	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	Official plan amendment 6 adopted by the Regional Municipality of Waterloo pursuant to By-law 22-038	April 11, 2023	None
12	Official plan amendment 119 adopted by the County of Wellington pursuant to By-law 5760-22	April 11, 2023	Modifications numbered 1 to 20, 22 a), 25, 27 b), 28 b), 28 g), 28 l), 29 d), 31 and 32 b)
13	Official plan adopted by the Regional Municipality of York pursuant to By-law 2022-40	November 4, 2022	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

Bill 162 would restore a number of modifications previously rolled back by Bill 150 and provide for a number of urban boundary expansions, including York Region and Halton Region. In contrast, no new urban boundary modifications have been proposed for the City of Hamilton or the City of Ottawa. The proposed modifications are wide ranging, including reinstating increased height and density permissions in prescribed areas of certain municipalities.

The *Official Plan Adjustments Act, 2023* changes will be deemed to come into force retroactively, as of December 6,

2023.

**Seeking input** - The Environmental Registry of Ontario (ERO) is providing a commenting period on the proposed amendments to the *Official Plan Adjustments Act, 2023* under the *Get It Done Act, 2024* - **ERO 019-8273**. The comment period is currently stated to be open for 30 days, from February 20, 2024, until March 21, 2024.

## 2. Environmental Assessments

Bill 162 also proposes a change to the *Environmental Assessment Act* to provide that a reference to acquiring property or rights in property within that Act is a reference to acquiring the property or rights in property “by purchase, lease, expropriation or otherwise.” This change is said to help municipalities plan for infrastructure development by clarifying that expropriation is one of the ways property can be acquired for a project prior to completion of the environmental assessment project. In other words, the province would have stronger justification for the expropriation of land before an environmental assessment is complete. This change to the *Environmental Assessment Act* comes into force on Royal Assent.

In addition to proposed legislative changes, the Ontario government announced an initiative to develop a streamlined and simplified environmental assessment process, in an effort to get critical infrastructure such as highways, railways and transmission lines built faster. This announcement follows initial consultations with municipal partners that took place in spring 2023. According to the provincial government, the new process will allow certain infrastructure projects to be built up to four (4) years sooner, saving time and money while maintaining environmental safeguards.

Similarly, the Ontario government is beginning consultations with municipal partners regarding a streamlined environmental assessment process for certain municipal water, shoreline and sewage system projects. The **Backgrounder** provides that the new process would accelerate project planning by reducing the process to six months from 18 months or more, and notes that this is in support of municipal priorities and of getting more homes built.

One of the proposed changes to the environment assessment process involves moving to a “project list” approach, which lists the types of projects that still require the highest level of environmental assessment. Implementing the “project list” approach will bring Ontario in line with similar jurisdictions, including Québec and British Columbia.

**Seeking input** – The ERO is providing a commenting period on a proposed new regulation to focus on municipal environmental assessment requirements - **ERO 019-7891**. The comment period is currently stated to be open for 30 days, from February 16, 2024, until March 17, 2024.

## 3. Infrastructure

Infrastructure was also a key theme of Bill 162. In addition to the environmental assessment changes proposed to address critical infrastructure, Bill 162 proposes changes to the *Public Transportation and Highway Improvement Act* aimed at saving taxpayer dollars when using critical infrastructure. The changes would prohibit the introduction of new tolls on provincial highways. In addition, the changes would require public consultation before any such new tolls were considered. This aligns with previous government decisions in 2022 to remove tolls on Highways 412 and 418. These changes to the *Public Transportation and Highway Improvement Act* come into force on Royal Assent.

As part of the “Get It Done” announcements, the Ontario government also spoke to its decision to declare the Hazel McCallion Light Rail Transit (LRT) Line Extensions to the downtown Mississauga loop and downtown Brampton as a priority project under the *Building Transit Faster Act, 2020*. This decision was announced back on February 8 by the Ontario government, as part of a need to improve transit and to meet the growing population needs of the regions.

## 4. Takeaways

Bill 162 is the most recent example of the ever-evolving nature of land use planning and development law, which is

impacted by frequent legislative and policy changes, including reversals of recent changes. It also signals the Province's intention to make the changes it has proposed and work with stakeholders to get it right. If passed, Bill 162 would, again, modify the government's own changes to the official plans of several municipalities and introduce a number of proposed changes to build transit, housing and other key infrastructure projects, including the Bradford Bypass and Highway 413. Given the now predictable pattern of changes in this area in the recent past, it will be important to stay apprised of any future potential changes, as Bill 162 progresses through the legislature and while public consultation processes are ongoing.

Dentons will continue to review the legislation and any related policy updates as they unfold and provide updates on any relevant developments. In the meantime, should you have any questions about the proposed *Get It Done Act, 2024* and its impacts related to housing, land use, and infrastructure changes, please contact Katarzyna Sliwa, Roberto Aburto, Isaiah Banach or any member of the **Dentons Municipal, Land Use Planning and Development Team**.

For other information relating to policy and legislative changes regarding land use planning and development, please see our other insights here:

- ***Planning Statute Law Amendment Act, 2023: Out with the new and in with the old***
- ***Ontario's infrastructure landscape: Unveiling the 2023 Ontario Economic Outlook and Fiscal Review***
- ***Spring brings changes to Ontario's land use planning framework – Deep Dive on Ontario's proposed Provincial Planning Statement***
- ***Spring brings changes to Ontario's land use planning framework – Ontario announces a new "Provincial Planning Statement" and Bill 97, the *Helping Homebuyers, Protecting Tenants Act, 2023****
- ***Shovels in the ground for Ontario - The Province announces the More Homes Built Faster Act to address the "housing crisis"***
- ***Part 2: Shovels in the ground for Ontario - The Province announces the More Homes Built Faster Act to address the housing crisis***
- ***Part 3: Shovels in the ground for Ontario – Bill 23 receives Royal Assent, the Province announces the *Better Municipal Governance Act, 2022*, and the *Stronger Mayors, Building Homes Act* comes into force***

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