

# New laws for housing development clear legislature

Bill 185 and 162 are a recipe for corruption as new housing developments around many small towns in Southern Ontario will not be subject to appeals and review, says the advocacy group Environmental Defence.

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Bill 185 and Bill 162 will make it easier to build suburban sprawl and harder to build affordable, medium-rise, multi-residential buildings in existing neighbourhoods, say environmentalists and opposition MPPs. Waterloo Region Record file photo

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By [Terry Pender](#) - Reporter

New provincial legislation opens thousands of hectares of land to housing developments that can't be appealed to oversight tribunals, says the lawyer for the advocacy group Environmental Defence.

Phil Pothen said Bill 185 and Bill 162, which were passed by Queen's Park last week just before it adjourned for a nearly five-month long recess, expand the urban boundaries around many cities and towns in southern Ontario.

In Waterloo Region the legislation opens 6,400 acres of land for new housing developments beyond the urban boundaries adopted in 2003 to reduce sprawl. Lands are now open to development in southwest Kitchener, New Hamburg, Baden, Breslau, Elmira, St. Jacobs and west of Hespeler.

Individuals or groups opposed to new subdivisions on those lands are not allowed to appeal development plans to the Ontario Land Tribunal under Bill 185, said Pothen.

At the same time, new multi-residential developments in existing neighbourhoods can be appealed to tribunals, which can delay much-needed housing for years in urban areas, he added.

Premier Doug Ford's Conservative government pledged to build 1.5 million new homes by 2031, but Pothen does not believe that is possible.

"We are going to be nowhere near building 1.5 million homes this government promised and the reason being the government knowingly chose to do things that would make it impossible, they chose sprawl instead of medium and high-density housing that could deliver 1.5 million homes by 2031," said Pothen.

The new laws support building of suburbs that require new water mains, sewer lines, roads and sidewalks and protects the developers from appeals to the Ontario Land Tribunal. At the same time, it allows homeowners in existing neighbourhoods to appeal plans for multi-residential buildings in their area.

When the City of Toronto passed a bylaw that gave property owners the right to have wood-frame buildings with up to six floors and 60 units without any need for lengthy approvals, the province amended Bill 185 so homeowners can appeal such projects to the Ontario Land Tribunal, which rules on land-use disputes and can take years to make decisions.

With no access to independent reviews of development applications for new subdivisions, it is only a matter of time before corruption rears its head, said Pothen.

“So now a developer can ask, at any time, a small-town council to approve a subdivision out in the middle of nowhere, and if they say ‘yes,’ there is no appeal, there is now way to require an independent, non-partisan, third party to check whether that decision is clean or corrupt,” said Pothen.

“So, this is part of a process of trying to remove controls against corruption and development that will actually leave us with less housing, not more,” added Pothen.

As the newly minted Ontario Minister of Red Tape, Mike Harris Jr., the MPP for Kitchener-Conestoga, will have a direct hand in some of the work to build new housing.

“Home building and building out complete communities is going to be a big piece of that,” said Harris in an interview after he was promoted to cabinet.

Bill 185 includes cuts to red tape, and Harris wants to fast-forward those provisions, he said.

“The biggest thing that I hear, obviously, is homes,” said Harris. “Where people are at right now, it has been challenging to find an affordable place to call home.”

Municipalities and home builders have lobbied for more funds to build out services like sewer, water and roads to support new housing, he said.

“Focusing on those key pieces and making sure we are always looking at it through that lens is kind of the way that I hope to approach it going forward,” said Harris.

Kitchener-Centre MPP Aislinn Clancy said if the Ford government were serious about building more affordable homes, it would make it easier to build medium-rise, multi-residential infill developments in existing neighbourhoods.

That type of housing is key to solving the housing affordability crisis, she said.

“We will keep pushing for it,” said Clancy. “Tall and sprawl seem to be the only things that get built.”