



The Corporation of the Town of Tecumseh

Development Services

To: Mayor and Members of Council

From: Brian Hillman, Director Development Services

Date to Council: April 28, 2026

Report Number: DS-2026-11

Subject: Bill 98 - Building Homes and Improving Transportation
Infrastructure Act, 2026
Summary Report
OUR FILE: L11 BILL98

Recommendations

It is recommended:

That Report DS-2026-11, Bill 98 Building Homes and Improving Transportation Infrastructure Act, 2026 Summary Report, **be received**;

And that DS-2026-11 **be submitted** to the Province through the Environmental Registry of Ontario as comments from the Town of Tecumseh with respect to Bill 98.

Executive Summary

The Province recently released proposed changes to various Acts by way of Bill 98- *Building Homes and Improving Transportation Infrastructure Act, 2026* for review and comment. This report is a collaboration between Development Services and Public Works & Engineering Service summarizing the changes that may have an impact on the Town, including changes to planning processes, land development, municipal infrastructure and the collection of municipal development charges.

Background

On March 30, 2026, the Ontario government released a series of announcements and decisions aimed at further reforming the land use planning and regulatory process with the aim of increasing residential dwelling construction throughout the province. The announcements included the introduction of Bill 98, the *Building Homes and Improving Transportation Infrastructure Act, 2026*, which proposes changes to how land use policy is implemented by municipalities across the province.

Among the changes, Bill 98 includes revisions to the following Acts:

- *Planning Act;*
- *Development Charges Act;*
- *Safe Drinking Water Act;*
- *Water and Wastewater Public Corporations Act; and*
- *Municipal Act*

The changes are aimed at facilitating the construction of residential dwellings at a faster rate and at lower cost. The Province is seeking feedback from municipalities on Bill 98. Comments on the changes to legislation proposed through Bill 98 are open through the Environmental Registry of Ontario to May 14, 2026.

Below is an itemized summary of the proposed Bill 98 changes that are of relevance to the Town, along with Administration’s comments. Changes to legislation that do not affect the Town, such as those related to the Greater Toronto Area, have not been included.

Proposed Changes to the <i>Planning Act</i> (“PA”)		
Item	Issue /Topic	Summary/Comments
PA1	Standardizing Official Plans	The <i>PA</i> is proposed to be amended to standardize the structure of local (lower/single-tier municipality and planning board) official plans, along with removing requirements for

		<p>municipalities to include climate change policies in their official plans. This would be implemented by establishing a standardized table of contents, land use designations and maps/schedules. Only the listed designations would be permitted in official plans.</p> <p>The proposal is for these changes to come into force January 1, 2028, for “large and fast growing municipalities”, but no set date has been identified in the legislation for when municipalities must amend their plans to fit this new framework.</p> <p>Town Comments:</p> <p>Administration believes that this represents a potential transformative shift for official plan policy, which has historically been customized to address the unique growth, land use and development needs and objectives of local municipalities. While the proposed changes may result in consistency regarding land use terminologies, it may limit the ability for municipalities to have nuanced policies that reflect the characteristics of each area.</p> <p>In addition, it remains unclear as to the procedural requirements/deadlines for municipalities that do not meet the “large and fast growing” definition with respect to implementation of the new format (if approved).</p> <p>Repealing climate mitigation and adaptation policies will place limitations on the Town’s ability to address climate change impacts in planning for growth. It contradicts the needs at a time when the Town is experiencing more frequent flooding events from larger storms, greater risk from Lake inland-</p>
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		<p>flooding as well as an increasing number of extreme heat days.</p>
<p>PA2</p>	<p>Reform Site Plan Control</p>	<p>The following potential reforms to Site Plan Control legislation in the <i>PA</i> is being considered.</p> <p>Proposed reforms include:</p> <ol style="list-style-type: none"> 1. Removing site plan control as a land use planning tool in the <i>PA</i> completely; or 2. Requiring municipalities to have a maximum of three circulations after which a mandatory meeting is triggered with all relevant municipal department representatives and the applicant to work through and resolve all outstanding issues; 3. Scoping the site plan review process to a standard site plan approval checklist of functional aspects of a site (e.g., those related to health and safety), with use of certified professionals for acceptance and approval of reports and studies. A municipality is not permitted to request additional studies and plans beyond what is included in the standard site plan approval checklist. If technical and drawing requirements identified in the checklist are met, site plan approval is issued. 4. Establishing a municipal arbitration process/site plan review panel for site plan applications that have exceeded the government's 60-day timeline and a specified number of circulations. Participants in this process would include the applicant and the municipal development review team. This would be

		<p>an alternative to a hearing at the OLT with a goal of speeding up approvals and cutting down on associated costs. An arbitration process/site plan review panel decision-making timeline could be applied to ensure timely decisions on approvals.</p> <p>5. Requiring municipalities to establish different site plan approval streams for different kinds of proposed development, with corresponding scope of matters that may be controlled. This would mean that a “full” site plan process would only be permitted for larger, complex development initiatives resulting in fewer matters being regulated through site plan control. Less complex development would be triaged to a more expedited stream or could be exempted from site plan control completely.</p> <p>Town Comments:</p> <p>Administration believes that the removal of SPC completely is a dangerous precedent that will prevent municipalities from ensuring the development is completed in an orderly manner and that development is properly serviced with respect to municipal water, wastewater and stormwater management. Removing these tools may leave the Town responsible for infrastructure outcomes Administration can no longer influence/approve.</p> <p>If SPC is maintained, but revised as described above, Administration believes that the proposed changes may assist in resolving SPC issues for developments that cannot be resolved in a timely manner. However, it should be noted that instances of SPC delays noted above are extremely rare for developments within Tecumseh, and even</p>
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		if implemented, would rarely be required/imposed.
PA3	Standardizing of Parkland Requirements	<p>The <i>PA</i> is proposed to be amended to clarify the criteria for developer-identified parkland dedication for municipal parkland as already contemplated by Bill 23, <i>the More Homes Built Faster Act</i>, that are not yet in force. Bill 23 would allow for developer-identified lands to count towards municipal parkland dedication requirements.</p> <p>Current proposal would be to clarify that contaminated lands, natural/human-made hazard lands would be ineligible to be developer-identified parkland contribution. In addition, lands adjacent to natural heritage features that would compromise the natural heritage feature (if those lands were used as parkland) would also be ineligible.</p> <p>In addition, the lands proposed for parkland dedication would need to be accessible, visible and comfortable to facilitate public use of it and must be:</p> <ul style="list-style-type: none"> ▪ accessible by all users directly from the public realm and readily visible from the public realm; and ▪ be of a size and shape that is capable of serving park or public recreational purposes. <p>The proposal would allow high quality encumbered lands and publicly accessible courtyards to count toward parkland dedication requirements when they meet quality standards set by regulation. The briefing specifies that encumbrances such as below grade parking or utility infrastructure would not automatically</p>

		<p>disqualify land if usability standards are achieved.</p> <p>Town Comments:</p> <p>While the proposed changes offer greater flexibility for landowners/developers, the legislation does identify that substandard lands do not qualify. Administration will continue to advocate for parkland contribution in accordance with the policies of the Tecumseh Official Plan and Parks and Recreation Master Plan. To date, parkland dedications have been facilitated through the Plan of Subdivision approval process (and associated Development Agreement) by way of mutual coordination with Town Administration and property owners.</p>
<p>PA5</p>	<p>Establish a Minimum Lot Size for Urban Residential Areas</p>	<p>Changes are proposed to the <i>PA</i> to allow the Minister to set a minimum lot size of 175 square metres (1,883 square feet) on parcels of urban residential land within settlement areas that are fully serviced by public sewage and water.</p> <p>Town Comments:</p> <p>This proposed change signals a desire by the Province to remove barriers to increasing the housing supply through intensification. In the Town’s draft new Zoning By-law, the minimum lot size for single-detached and semi-detached dwellings in fully serviced urban areas is 450 square metres (225 square metres per unit for semi-detached) and 500 square metres for a duplex dwelling. These standards are less than those established in the existing Zoning By-laws which range from 650 square metres to 929 square metres. Administration believes that the proposed minimum lot sizes in the draft new</p>

		<p>Zoning By-law will be effective in facilitating increased housing opportunities through gentle intensification. In the context of the Town of Tecumseh, further reductions do not seem necessary.</p> <p>A single standard across the province may not have sufficient regard to the context and considerations of smaller municipalities. Changes to other zoning requirements would also need to be considered to facilitate a reduced mandatory minimum lot size including minimum parking standards, yard widths and depths, maximum lot coverage and minimum landscaped open space.</p>
<p>PA6</p>	<p>Complete Application Requirements</p>	<p>Currently, the PA establishes requirements for information that must be submitted for various planning applications. Planning authorities can also require other information or materials for most of these application types (i.e., official plan amendments, zoning by-law amendments, plans of subdivision, plans of condominium, site plan control and consents) as long as these requirements are set out in their official plans.</p> <p>A planning application is considered “complete” when all the information required is provided.</p> <p>Changes are proposed to the <i>PA</i> to create a standardized list of the types of information/materials municipalities may require. This would be a mandatory list of information/material that would be required for every planning application. Rather, municipalities would be able to determine from that list what types of information or material would be required depending on the specific circumstances.</p>

		<p>The information/materials would be classified as:</p> <ul style="list-style-type: none"> ▪ “Core Studies” that can always be required (i.e. address fundamental planning and engineering matters such as environmental impacts, existing servicing capacity, transportation impacts, and public health and safety) and ▪ “Contingent Studies” that can only be required under specified conditions (i.e. if a property is located near airports, rail corridors, significant natural hazards, or major facilities, or when the property contains particular environmental, cultural, or resource-based features on site) <p>Town Comments:</p> <p>Administration believes that the proposed changes will not fundamentally change the way in which the Town conducts pre-consultation on proposed PA applications, nor the determination of a “complete application”.</p>
PA7	Electrical Vehicle Parking	<p>The <i>PA</i> is proposed to be amended to prevent municipalities from requiring electric vehicle charging infrastructure as part of new developments.</p> <p>Town Comments:</p> <p>Administration believes that any changes should only limit the above-ground infrastructure for electric vehicle (EV) parking. Within new developments, underground infrastructure (i.e. electrical conduits) needed for potential/future EV parking should remain. Removing all</p>

		<p>infrastructure requirements effectively prevents the potential of future EV installations, as typically, the cost of retrofitting an already-developed property (i.e. removal/excavation of parking areas to install underground infrastructure) proves unfeasible/cost-prohibitive.</p>
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Proposed amendments to the *Water and Wastewater Public Corporations Act* (“WWPCA”) and consequential amendment to the *Safe Drinking Water Act* (“WA”)

Item	Issue / Topic	Summary / Comments
<p>WWPC A/WA 1</p>	<p>MMAH is proposing amendments to guarantee public sector ownership, help ensure contracts and employees that move to a corporation transfer uninterrupted; and prohibit the transfer of long-term debt from municipalities to a Water and Wastewater Public Corporation as well as consequential legislative amendment to the <i>Safe Drinking Water Act, 2002</i>.</p>	<p>As part of the MMAH Spring Bill, MMAH is proposing legislative amendments to the <i>Water and Wastewater Public Corporations Act, 2025</i> (WWPCA).</p> <p>These include:</p> <ul style="list-style-type: none"> ▪ Explicitly prohibiting private ownership in any new water and wastewater public corporation to maintain 100% public sector ownership. ▪ Supporting the continuation of existing contracts so that existing contracts are not affected by a transfer to a new water and wastewater public corporation. This includes contracts such as employment or insurance, or a collective agreement. ▪ Clarifying that certain rights (such as successor, employment, and pay equity rights) are carried forward to a new water and wastewater public corporation. This would include regulation-making authority to help

		<p>ensure continuity of services related to contracts and employees that are transferred to a new water and wastewater public corporation.</p> <ul style="list-style-type: none">▪ Prohibiting the transfer of water and wastewater debt from Peel Region to the water and wastewater public corporation, while creating new regulation-making authority to enable future regulations to address all matters related to municipal debt. <p>Legislative Amendment to the <i>Safe Drinking Water Act (SDWA - MECP)</i></p> <ul style="list-style-type: none">• Legislative amendment to the <i>Safe Drinking Water Act, 2002 (SDWA)</i> to clarify that drinking water systems owned by WWPCs constitute municipal drinking water systems and such that applicable <i>SDWA</i> provisions would apply to them. <p>Through a separate posting, the Ministry will be inviting municipalities interested in adopting the water and wastewater public corporation model to submit a comment outlining their detailed interest. This input will help the Ministry determine next steps and support future expansion.</p> <p>Town Comments:</p> <p>These proposed changes raise concerns for municipalities because they introduce the potential mandatory transfer of water and wastewater service delivery from municipalities to provincially enabled public corporations, reducing direct local control over critical infrastructure systems. Although the amendments state that these corporations must remain 100% publicly owned and preserve existing contracts and employee rights, municipalities remain</p>
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		<p>concerned about blurred accountability for drinking water safety compliance, unclear council authority over rate-setting, and weakened alignment between locally approved asset management plans and long-term capital decision-making. Municipalities also note that, in the event of water quality incidents, operational control may be centralized while political, reputational, and emergency response expectations remain local, creating governance and risk management gaps.</p> <p>A second major concern is financial and infrastructure risk, particularly the prohibition on transferring existing municipal water and wastewater debt to the new corporations while leaving future debt treatment to regulation. This could result in municipalities retaining long-term debt obligations for assets they no longer control or own, complicating rate sustainability, reserve strategies, and borrowing capacity. There are also unresolved issues around stormwater and drainage responsibilities, given that sewage definitions include stormwater and could conflict with the <i>Drainage Act</i>, especially in rural areas.</p> <p>Finally, while the amendments explicitly prohibit privatization, some municipalities caution that reliance on regulations and a <i>Business Corporations Act</i> model leaves future safeguards vulnerable to change, introducing uncertainty for infrastructure systems designed and financed over 50–100-year lifecycles.</p>
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Proposed Changes to the *Municipal Act (“MA”) / Safe Drinking Water Act (“WA”)*

Item	Issue / Topic	Summary / Comments
MA/WA 1	Communal Drinking Water and Wastewater Requirements	<p>If passed, the legislative amendments would be made to section 93 of the <i>MA</i>, to require persons to apply for municipal consent to establish a non-municipal communal drinking water or wastewater system (public utility). The amendments would also create regulation-making authority to set conditions and criteria where, if the public utility meets those conditions and criteria, a municipality would be required to give consent. These future regulations would allow an applicant to make an application for municipal consent for a public utility with greater certainty, knowing that where prescribed criteria and conditions are satisfied, the applicant will receive the municipality’s consent.</p> <p>More specifically, the proposed legislation would require a municipality to provide consent for the proposed system if the municipality is of the opinion that:</p> <ul style="list-style-type: none"> ▪ any prescribed criteria or conditions respecting the area in which the public utility would be located are met, ▪ any plans in respect of the public utility required by the regulations have been provided and meet the prescribed criteria or conditions and include the required content, ▪ any reserve funds or other financial assurances or instruments in respect of the public utility that are required by the

		<p>regulations are or will be in place and the funds, assurances and instruments meet the prescribed requirements,</p> <ul style="list-style-type: none">▪ the public utility, if constructed, maintained or operated in accordance with the application, would meet the relevant prescribed criteria and conditions, and▪ the application and public utility satisfy any other requirements, conditions or criteria that may be prescribed. <p>Where, under the proposed amendments, municipalities would be required to provide consent, municipalities would be able to require certain conditions or limits to be met, as prescribed in regulations, including the requirement to enter into an agreement or impose limits if they are necessary to ensure the safe, sustainable operation of the utility.</p> <p>Town Comments:</p> <p>The proposed changes would mean that municipalities could be required to approve private or non-municipal communal water and wastewater systems as long as the proponent meets provincially-set rules. Municipalities are concerned this takes away their ability to make decisions based on local needs. Instead of weighing things like whether municipal services are planned for the area, how growth should be phased, how drinking water sources are protected, or how a system fits with long-term infrastructure projects, approval could come down to simply checking whether minimum provincial requirements are met.</p> <p>Municipalities are also worried that this shifts long-term risk onto them without giving them real control. Even when a communal system</p>
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		<p>is privately owned, municipalities are often expected to step in if the system fails, becomes unsafe, or the owner walks away, especially if public health is affected. If municipalities are required to give consent but have limited ability to say no based on long-term costs, governance concerns, or cumulative impacts, they could be left dealing with future liabilities, pressure to take over failing systems, or conflicts with existing water, wastewater, and stormwater services, without clear rules on enforcement or oversight.</p>
<p>Proposed Changes to <i>Development Charges Act</i> (“DCA”)</p>		
Item	Issue / Topic	Summary / Comments
DCA1	Uses Exempt from Development Charges	<p>The <i>DCA</i> is proposed to be amended to exempt non-profit retirement home developments from the payment of development charges.</p> <p>Town Comments:</p> <p>While this revision will eliminate municipal DC revenue for a category of development that still generates demand on municipal services, this exemption may incentivize the creation of additional non-profit housing for the Town’s growing senior population. The Town currently has no non-profit retirement homes.</p>

It is recommended that this Report be submitted to the Province through the Environmental Registry of Ontario as comments from the Town of Tecumseh on Bill 98.

Consultations

Financial Services
Public Works & Engineering Services

Financial Implications

The financial implications associated with these proposed changes remain unknown. With respect to changes on development charges, any proposed exemptions will shift burden from development to the general tax base and user rates.

Link to Strategic Priorities

Applicable	2023-2026 Strategic Priorities
<input checked="" type="checkbox"/>	Sustainable Growth: Achieve prosperity and a livable community through sustainable growth.
<input checked="" type="checkbox"/>	Community Health and Inclusion: Integrate community health and inclusion into our places and spaces and everything we do.
<input checked="" type="checkbox"/>	Service Experience: Enhance the experience of Team Tecumseh and our citizens through responsive and respectful service.

Communications

Not applicable

Website Social Media News Release Local Newspaper

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

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Recommended by:

Margaret Misek-Evans, MCIP, RPP
Chief Administrative Officer

Attachment Number	Attachment Name
None	None