

May 1, 2026

Ministry of Municipal Affairs and Housing  
Provincial Planning Branch  
13th Floor, 777 Bay Street  
Toronto, ON  
M7A 2J3

Dear Hon. Robert J. Flack:

**RE: Proposed Planning Act, City of Toronto Act, 2006, Building Code Act, 1992 and Municipal Act, 2001 Changes Schedules 1, 2 and 7 of Bill 98, the Building Homes and Improving Transportation Infrastructure Act, 2026 ERO number 026-0300**

The County of Peterborough has had an opportunity to review the proposed legislative changes to the Planning Act through Bill 98. County staff prepared the attached staff report in response to the proposed changes for consideration by County Council. The following resolution was passed by Council at its April 22, 2026, meeting:

“That Report PDPW-2026-07, Comments on Bill 98 – Building Homes and Improving Transportation Infrastructure Act, 2026, be received;

That staff be directed to submit Report PDPW 2026-07, with projected staff time and cost estimates to the County, on the Environmental Registry of Ontario (ERO) posting number 026-0300 as the formal response from the Corporation of the County of Peterborough on the proposed Bill;

That the Province be urged to provide funding to municipalities to help offset the costs to complete this implementation work as it is not part of normal business anticipated following the development of a new Official Plan; and

That a copy of the report be forwarded to each local Township and to our local MPPs for their information”.

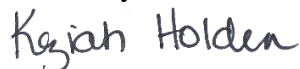
As stated in the Council Resolution, Council requested additional information regarding the cost to complete the work proposed through Bill 98. In response, staff offer the following:

The County of Peterborough had planned its new Official Plan on the assumption—consistent with the Planning Act—that no comprehensive update would be required for ten years. The County’s new Official Plan has been before the Province for a decision for four years. Provided the new Official Plan receives Ministerial approval in 2026, an update wouldn’t be required until 2036. Introducing a standardized Official Plan format at this stage would therefore create an unbudgeted financial pressure. The County’s Official Plan includes local policy for seven out of eight lower-tier Municipalities and would be required to meet the January 1, 2029, deadline proposed through Bill 98. A two-year update process involving County Planning, GIS, Engineering, Clerks, Finance and Communications staff as well as County Council and possible consulting fees, along with participation from staff and Councils of the involved lower-tier Townships and local First Nations communities, could reasonably add and estimated \$150,000-\$200,000 to the municipal budget. This range reflects staff time, project management, mapping and data updates, public engagement, report preparation, and the additional coordination required across multiple municipalities.

Further details regarding the above-noted points and additional commentary are contained in the attached report.

If you have any questions regarding our comments, please do not hesitate to contact me.

Sincerely,



Keziah Holden, B.A., MCIP, RPP  
General Manager of Planning, Peterborough County

Phone: (705) 743-0380 ext. 2402

Encl.



## Staff Report

**Meeting Date:** April 22, 2026  
**To:** County Council  
**Report Number:** PDPW-2026-07  
**Title:** Comments on Bill 98 – *Building Homes and Improving Transportation Infrastructure Act, 2026*  
**Author:** Keziah Holden, General Manager of Planning  
**Approved by:** Sheridan Graham, CAO/Deputy Clerk/Deputy Treasurer  
**Recommendation:** That Report PDPW-2026-07, Comments on Bill 98 – *Building Homes and Improving Transportation Infrastructure Act, 2026*, be received;

That staff be directed to submit Report PDPW 2026-07 on the Environmental Registry of Ontario (ERO) posting number 026-0300 as the formal response from the Corporation of the County of Peterborough on the proposed Bill;

That the Province be urged to provide funding to municipalities to help offset the costs to complete this implementation work as it is not part of normal business that was anticipated following the development of a new Official Plan; and

That a copy of the report be forwarded to each local Township and to our local MPPs for their information.

---

### Overview

On April 1, 2026, the Minister of Municipal Affairs and Housing issued a letter to municipalities introducing the *Building Homes and Improving Transportation Infrastructure Act, 2026* (Bill 98) and inviting feedback through the Environmental Registry of Ontario (ERO) and the Regulatory Registry of Ontario (Appendix A). The



## Council Report

letter from the Minister provides a brief description of the proposals in the bill which, if passed, would make changes to multiple Acts including, the Planning Act, Building Code Act, 1992 and Municipal Act, 2001, etc. Bill 98 has been ordered to a second reading.

The Minister also posted nine (9) other proposals associated with Bill 98, some of which were previously consulted on through previous ERO postings (in 2025):

- ERO 026-0315: Consultation on upper-tier official plans, secondary plans, and site and area-specific policies.
- ERO 026-0310: Consultation on site plan control reform under the Planning Act and the City of Toronto Act, 2006.
- ERO 026-0305: Proposed Changes to Various Regulations Under the Planning Act to Facilitate the Electronic Submission of Information and Materials to Approval Authorities and Allow Notices to be Given Electronically to the Province.
- ERO 026-0314: Proposed Changes to Various Regulations Under the Planning Act and the City of Toronto Act, 2006 to Specify Additional “Prescribed Professions” for the Purposes of a Complete Application.
- ERO 026-0313: Streamlining the Information and Material that Planning Authorities can Require as Part of a Complete Application
- ERO 026-0309: Proposed Regulation to Prohibit Mandatory Enhanced Development Standards as a Condition of Land Division Approvals
- ERO 026-0311: Proposed Regulatory Approach to Establish a Minimum Residential Lot Size in Urban Areas
- ERO 026-0304: Draft Projection Methodology Guideline to support the implementation of the Provincial Planning Statement, 2024
- ERO 026-0312: Proposed Changes to Support Standardizing of Parkland Requirements Under the Planning Act



## Council Report

For this Report, comments are focused on ERO posting [026-0300](#): Proposed Planning Act, City of Toronto Act, 2006, Building Code Act, 1992 and Municipal Act, 2001 Changes (Schedule 1, 2 and 7 of Bill 98, the Building Homes and Improving Transportation Infrastructure Act, 2026) and ERO [026-0315](#): Consultation on upper-tier official plans, secondary plans, and site and area-specific policies. The commenting period on both postings will close on April 29, 2026.

Schedule 7 of Bill 98 proposes various amendments to the Planning Act including changes to Official Plans. Schedule 7 makes changes to Section 16 (1) and (2) of the Planning Act and introduces a new Subsection 16.0.1. If Bill 98 is passed, the County would be required to change the structure and format of our Official Plan by January 1, 2029.

It is not clear to staff how establishing a standardized structure and a standardized set of land use designations that all Official Plans in Ontario must adhere to cuts red tape and builds homes faster.

As Council is aware, the County has been working on the development of a new Official Plan which has been stalled and revised over the years to satisfy numerous legislative changes impacting land use planning. In staff's opinion, the legislative change will result in further delays and add cost to municipalities to change their recently updated or new official plans to address another legislative change.

The Province has also indicated that these changes to the Planning Act will not come into force until additional consultation on secondary plans and upper-tier official plans is complete, and final refinements are made to the framework (ERO 026-0315). Appendix B provides staff comments to the questions posed in ERO 026-0315.

### **Background**

In fall 2025, the provincial government consulted the public on a proposal to simplify and standardize municipal official plans (previous ERO posting [025-1099](#)). The contents



## Council Report

of what official plans may include was not provided as part of the consultation, rather general discussion questions were asked about our perspectives on standardizing and simplifying official plans. The new ERO posting presents what the structure and contents of an official plan will include and when that transition will need to take place by.

### **Analysis**

Section 16 of the Planning Act sets out the legal framework for the preparation, content, adoption, and amendment of municipal official plans. Its overall purpose is to ensure that municipalities establish a clear, policy-based vision for land use and growth that is consistent with provincial interests. Subsections 16 (1) and (2) define what official plans shall and may contain. In terms of what they must contain, subsection 16 (1) states official plans shall contain goals, objectives and policies established primarily to manage and direct physical change and the effects on the social, economic, built and natural environment of the municipality or part of it with emphasis on affordable housing and public engagement. Subsection 16 (2) states an official plan may contain a description of the measures and procedures proposed to attain the objectives of the plan and for informing and obtaining the views of the public.

If passed, Bill 98 will repeal Subsection 16(1) and (2) of the Act and replace with new provisions addressing the contents of an official plan. Bill 98 would substantially change how Section 16 of the Planning Act operates. Currently, Subsection 16 allows municipalities to tailor their official plans based on local circumstances, historical decisions, geographical challenges, and local public/stakeholder consultation. Essentially, municipalities would no longer decide the content of their official plan. Instead, lower-tier and single-tier official plans will need to prepare their official plan in a prescribed, province designed format. Since the County Official Plan includes local policies applicable to lower-tier municipalities, the County Official Plan would be required to be updated.



## Council Report

As proposed, Bill 98 will prescribe specific chapters, sections, and schedules, prescribe standard land use designations and prescribe permitted uses within each designation. If a chapter, section or schedule is not applicable to a municipality, the official plan must include the words “Not applicable” immediately after the number and title of each chapter, section or schedule. The structure of official plans would need to include:

- Chapter 1: Introduction and How to Use this Plan
  - Section 1.1 Purpose
  - Section 1.2 Plan Organization
- Chapter 2: Strategic Planning Framework
  - Section 2.1 Provincial and Regional Planning Context
- Chapter 3: Indigenous Engagement
  - Section 3.1 Indigenous Engagement
- Chapter 4: Settlement Area Structure and Growth Needs and Management
  - Section 4.1 Settlement Areas
  - Section 4.2 Growth Management
- Chapter 5: Residential and Mixed Uses
  - Section 5.1 Housing
  - Section 5.2 Mixed Uses
- Chapter 6: Economy and Employment Areas
  - Section 6.1 Economic Development
  - Section 6.2 Employment Uses
- Chapter 7: Rural Areas and Agricultural System
  - Section 7.1 Rural Areas
  - Section 7.2 Agricultural Land Base
  - Section 7.3 Agri-Food Network
- Chapter 8: Infrastructure, Facilities and Community Services
  - Section 8.1 Transportation
  - Section 8.2 Infrastructure Corridors
  - Section 8.3 Public Service Facilities
  - Section 8.4 Water and Wastewater
  - Section 8.5 Waste Management
  - Section 8.6 Parks and Open Space
- Chapter 9: Local Landscape and Resource Management
  - Section 9.1 Natural Heritage
  - Section 9.2 Water Resources
  - Section 9.3 Cultural Heritage and Archaeology



## Council Report

- Section 9.4 Mineral Aggregate Resources
- Section 9.5 Petroleum, Salt and Mineral Resources
- Section 9.6 Energy Conservation
- Section 9.7 Waterfronts and Shorelines
- Section 9.8 Natural Hazards
- Section 9.9 Human-made Hazards
- Chapter 10: Implementation and Interpretation
  - Section 10.1 Land Use Designation
  - Section 10.2 Process
  - Section 10.3 Implementation and Tools
  - Section 10.4 Definitions
- Chapter 11: Schedules
  - Schedule A1: Settlement Boundaries, Urban/Rural Structure and Provincial Plans
  - Schedule A2: Strategic Growth Areas and Intensification Areas
  - Schedule A3: Land Use Designations
  - Schedule B1: Transportation and Corridors
  - Schedule B2: Infrastructure
  - Schedule B3: Public Service Facilities, Parks and Open Space
  - Schedule C1: Natural Environment
  - Schedule C2: Water Resources
  - Schedule C3: Resource Potential
  - Schedule C4: Natural and Human-made Hazards

A standardized set of land use designations to be used in local official plans (lower-and single-tier municipality):

- Neighbourhoods
- Mixed-Use Areas
- Mixed-Use Commercial Areas
- Employment Areas
- Major Facilities
- Parks and Open Spaces
- Natural Environment and Water Resource Areas
- Resource Areas
- Rural Lands
- Prime Agricultural Areas
- Specialty Crop Areas



## Council Report

- Shoreline Areas

County Planning staff reviewed the prescribed provincial format against the adopted new Official Plan, which will function as the lower-tier official plan for 7 of our 8 municipalities. For the most part the new official plan contains all the key components prescribed, but it is structured differently. Staff fail to see the need to completely restructure the County's official plan to mirror the provincial standard to help build homes faster.

Land use designations in the new Official Plan are not labelled the same as those prescribed. For example, the new Official Plan does not have a Neighbourhood, Mixed-Use Areas, and Mixed-Use Commercial Area designation. A complete overhaul of mapping schedules to reflect the standardized set of land use designations would be required. This would entail a parcel-by-parcel review of land use mapping in all Local Component Townships to ensure lands are placed in an appropriate land use designation.

Further, there are unique policy provisions in the Official Plan that were created based on the needs and local circumstances of the community. It is unclear what will happen to these permissions in the Official Plan if they do not fit the provincial standard.

As previously mentioned, the proposed legislative change will result in further delays. To provide context, the County Official Plan was adopted by Council in 2022. Since that time, five (5) major provincial legislative changes have occurred (Bills 109, 23, 97, 17 and now Bill 98) impacting the outcome and timeline of the County Official Plan. New legislation is being introduced before previous legislative releases have yet to be fully implemented and utilized to their fullest extent. The constant review of these changes is taking away staff time to process applications and serve our communities. Further, it is an onerous public process that will confuse the public having just gone through the



## Council Report

development of a new official plan. As many members of Council are aware, the public is eager to have the official plan in effect.

There may very well be delays by the provincial government in approving official plans if every single-tier and lower-tier in the province is required to meet the same implementation dates (January 1, 2028 for large and fast-growing municipalities and January 1, 2029 for the remaining municipalities). Based on experience from the Growth Plan 2017 conformity exercise, many official plans were delayed as the province suspended their own regulated timeline for making decisions.

During the early stages of developing the new official plan, staff considered various options on how to approach a review of the official plan. There was a choice between undertaking a major amendment to the current official plan or to develop an entirely new official plan. County and Township staff concurred with a new official plan largely to take advantage of the fact that an update would not be required under the Planning Act for 10 years. However, if this legislation is passed, an update to the Official Plan will be required almost immediately in order to meet the imposed deadline.

In considering any proposed legislative change, staff ask what problem the change is solving. In this case, the issue at hand appears to be a perceived delay caused by reading an Official Plan document. Based on our experience in the County from the pre-consultations and applications that are being processed each year, the structure and readability of the Official Plan is not an issue causing delays.

Staff do not agree with the provincially prescribed land use designations and structure for single-tier and lower-tier official plans and would recommend that the Province not move forward with the amendments to subsections 16 (1) and (2) and the introduction of new subsection 16 (1.0.1) to the Planning Act.



## Council Report

### **Financial Impact**

The County completed an extensive process to develop a new official plan that was developed and formatted based on provincial plans as well as public and stakeholder involvement. It was further reformatted to accommodate provincial policy changes in 2024. The Provincial Government desires to cut red tape to make development approvals move faster, however, the number of legislative changes and the speed at which they are presented moves faster than we can implement those changes.

County staff recommend the use of a consultant to complete these changes to meet the proposed implementation date of January 1, 2029. The County would need to release an RFP for this work, then reform the Technical Advisory Committee (TAC) to review and prepare a draft of the changes to the official plan, review the land use mapping for all seven townships, hold open houses and public meetings, allow time for agency and public review, make any relevant changes as a result of consultation, and attend Township Council to obtain resolutions from all Townships. While staff do not have an estimate for the cost of this work, the work required would involve a significant amount of time.

The Province indicated in the ERO posting that any costs incurred by municipalities in updating their official plan at the time of their required review and update are considered part of normal business and assumed to be included in the municipal budget. The County respectfully disagrees, as our new Official Plan has yet to be approved and was further refined to make changes to previous legislative changes that repealed the Provincial Policy Statement, 2020 and A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended in 2020. As soon as the new Official Plan is approved (assumed this year), the County will need to amend the new Official Plan to meet the new requirements of the Planning Act. Further, the County did not anticipate reviewing the new official plan for 10 years, as required under Subsection 26 (1.1) of the



## Council Report

Planning Act therefore the proposed amendments to the Planning Act as part of Bill 98 are not considered part of normal business included in the municipal budget.

### **Anticipated Impacts on Local and/or First Nations Communities**

Consultation with First Nations Communities at the time of a review and update of the official plan will be required.

### **In consultation with:**

1. Caitlin Saccoccia, Senior Planner
2. Iain Mudd, Director of Planning, Development and Public Works

### **Communication Completed/required:**

Submission of this report to the Ministry of Municipal Affairs and Housing via the ERO posting.

### **Attachments**

Appendix A – Bill 98 Letter from Hon. Robert Flack

Appendix B – Staff comments to ERO 026-0315

Respectfully submitted,

Keziah Holden, MCIP, RPP  
General Manager of Planning

## Council Report

### MISSION

Peterborough County is an upper tier municipal government serving residents, visitors, and eight townships to meet the needs of our community, in consultation with First Nations. The County provides paramedic services (emergency and community); public works and land use planning services as well as partnered services including public health, economic development and tourism, municipal long-term care, social and children's services, and housing support.

### VISION

Working together with our townships and service delivery partners to provide high quality municipal services to our communities.

