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Submitted Online via ERO Postings

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

sleisk@cassels.com  
tel: +1 416 869 5411  
fax: +1 416 360 8877

**Re: Bill 98: *Building Homes and Improving Transportation Infrastructure Act, 2026* (“Bill 98”) and related regulatory changes  
Environmental Registry of Ontario (“ERO”) Nos. 026-0300, 026-0309, 026-0315, 026-0311, 026-0312 and 026-0313**

We act as counsel for Tribute Communities (“Tribute”), in connection with the above-noted Environmental Registry of Ontario postings. Tribute is a leading community builder in the Greater Toronto Area and is thankful for the Province’s continued attention to the housing crisis and its efforts to streamline approvals. With more than 40 years experience as a builder of all housing options, Tribute offers the following feedback in response to the Province’s request for comments on Bill 98 and related proposals.

**Proposed Removal of Enhanced Development Standards (ERO Nos. [026-0300](#) and [026-0309](#))**

As a builder in communities across the GTA, Tribute supports measures to ensure a consistent approach to development standards province-wide. Though Tribute will continue to consider opportunities for enhanced sustainability features that benefit its customers and communities, the additional clarity, in support of the Province’s prohibition on enhanced, green or sustainability requirements in Bill 98 and in the regulation related to land division, is welcome. The express elimination of requirements to provide and maintain electric vehicle supply equipment (EV parking spaces) is also a welcome change as these requirements have had a significant impact on project viability and design development.

However, despite the Province’s clear intention to standardize building and construction standards, Tribute remains concerned that additional sustainability features may still be imposed by municipalities, for example, through existing Official Plan policies, and requests consideration of further transition provisions. To help homebuilders unlock approved units, Tribute also requests consideration of immediate implementation and application of the electric vehicle supply equipment restriction to make housing more affordable and assist in getting shovels in the ground

## **Proposed Standardization of Official Plans (ERO Nos. [026-0300](#) and [026-0315](#))**

Tribute supports efforts to increase consistency across municipal Official Plans. In response to the ERO-posed discussion questions, to ensure predictability and avoid unnecessary reconsideration of applications and approvals, Tribute also supports transitioning existing secondary plans and SASPs without requirement for an additional conformity Official Plan Amendment.

With protection for existing development, Tribute requests that the Province consider permitting municipalities to enact standardized Official Plans immediately, rather than as early as January 1, 2028. This would allow in progress Official Plans and updating efforts to pivot and ensure the benefits of the Province's vision are realized sooner.

## **Proposed Regulatory Approach to Establish a Minimum Residential Lot Size in Urban Areas (ERO No. [026-0311](#))**

Tribute welcomes alleviating minimum lot size requirements. Outdated by-laws and policies mandating significant minimum lot sizes can hinder infill development and housing options, impacting supply and affordability. In support of a wide range of housing types and streamlined approvals, Tribute recommends the Province consider a prohibition on minimum lot sizes. Building Code requirements, product type (detached vs. townhouse) and market demand sufficiently dictate minimum lot size requirements.

In the alternative, Tribute requests the minimum lot size be reduced to 150 sq. m., a size consistent with recent development in urban areas in Ontario that would increase flexibility and design for ground related homes such as townhouses.

## **Proposed Changes to Support Standardizing of Parkland Requirements under the *Planning Act* (ERO No. [026-0312](#))**

Tribute supports the continued efforts of the Province to ensure encumbered parkland and POPS are recognized as viable municipal parkland that satisfies dedication requirements. Tribute also generally views the proposed 70% minimum credit for encumbered parkland as reasonable.

In regard to the regulation of ineligible lands, while Tribute recognizes that not all lands will be suitable for park or other public recreational purposes, greater flexibility is required to ensure suitable lands are not unduly restricted. For example, consistent with current practice, contaminated lands may be rehabilitated prior to conveyance to a municipality, enhancing environmental sustainability and unlocking new safe public spaces in lands that may otherwise have been left as brownfield. Similarly, where natural or man-made hazards can be mitigated, permitting dedication of such land may improve community safety, reduce municipal risk, and create land use efficiencies.

Further, Tribute supports the responsible use of land within and adjacent to natural heritage features and believes the use of such land as parkland can assist with their conservation. In particular, the exclusion of “adjacent” lands would impact lands that may be highly desirable for parkland use and this qualification should be deleted. Where parkland dedication would not interfere with the natural heritage features themselves, such land is highly desired for public recreation purposes and should be accepted by municipalities.

Finally, Tribute wishes to ensure subjective suitability criteria are not imported into regulations in a manner that risks unintended development constraints. Regulating standards for comfort, access, and visibility may reduce flexibility in a manner inconsistent with the policy directions in the Provincial Planning Statement, 2024. For example, the application of broad public “comfort” criteria fails to consider existing context or intended use of the park. Tribute requests that parkland suitability criteria remain a matter of provincial policy or local guidelines to ensure broader housing goals and other matters of provincial planning interests can be considered in parks planning in a flexible manner.

### **Proposed Streamlining information and material required as part of complete applications (ERO No. [026-0313](#))**

Tribute supports the Province’s initiative to streamline the planning application process as lengthy approvals are a significant development expense adding to the cost of homes across Ontario.

The proposed distinction between core and contingent studies reflects Tribute’s experience with several municipalities’ practices, and ensuring consistency with this approach through regulation is welcome. Similarly, while many municipalities will not require more detailed studies until site plan and otherwise do not require duplicative work for each stage of development approvals, ensuring consistency on application requirements and a recognition that requirements will vary by application type would assist in streamlining development.

In Tribute’s view, the proposed list of studies is appropriate and comprehensive. While there may be circumstances where additional studies are appropriate to inform broader municipal land use planning and decision making, such as the review of large scale municipal infrastructure needs (environmental assessments, subwatershed, master drainage, or transportation impact studies, etc.), it is inappropriate for municipalities to download these requirements on individual applicants without agreement. To reduce project uncertainty and development costs such extra proponent studies or inputs should not be imposed on complete planning applications.

We also note that the required scope of individual studies can vary with site specific context and scale of development. Identifying study triggers and scope criteria would provide further clarity. Standardized terms of reference is also critical to streamlining approvals. Tribute requests further consultation be conducted with the industry and relevant professionals prior to enactment of the proposed regulation and the development of study terms of references.

On behalf of Tribute, we thank the Province for the opportunity to provide comments and for its consideration.

Yours truly,

Cassels Brock & Blackwell LLP

A handwritten signature in blue ink, appearing to read "Signe Leisk". The signature is fluid and cursive, with a prominent initial "S" and a long, sweeping underline.

Signe Leisk

SL/AP/nv