



May 13, 2026

The Honourable Rob Flack
Minister of Municipal Affairs and Housing
Suite 201
750 Talbot St.
St. Thomas, ON N5P 1E2

RE: ERO #026-0300, Bill 98- Proposed Planning Act, City of Toronto Act, 2006, Building Code Act, 1992 and Municipal Act, 2001 Changes

Dear Minister Flack,

On behalf of the Ontario Farmland Trust (OFT), thank you for the opportunity to provide feedback regarding ERO Posting 026-0300 and proposed legislative changes to the Planning Act, City of Toronto Act (2006), Building Code Act (1992), and Municipal Act (2001) through Bill 98, the proposed Building Homes and Improving Transportation Infrastructure Act (2026) in hopes of further supporting housing, economic and infrastructure development, and advance key transportation and transit priorities. In response, OFT has concerns regarding the streamlining and standardizing of Official Plans and the scoping/removal of Site Plan applications.

About the Ontario Farmland Trust

OFT is a charitable, not-for-profit organization dedicated to protecting Ontario's farmlands and associated agricultural, natural and cultural landscapes. We do this through direct land securement, stewardship, research and policy advocacy to ensure it remains available for agriculture and community benefit in perpetuity.

Since its founding, OFT has worked with farmers, landowners, municipalities, conservation organizations, and governments to:

- Secure conservation easements on farmland
- Protect working agricultural landscapes
- Support sustainable agriculture
- Provide land access opportunities for new farmers
- Promote farmland stewardship and education

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Official Plans

Schedules 1, 2 and 7 of Bill 98 propose several amendments to the Planning Act with the intention to streamline and standardize municipal Official Plans. OFT acknowledges the Province's intentions to remove red-tape and ensure development can be expedited to meet the needs of current and future generations of Ontarians. However, creating a standardized and more simplistic Official Plan may cause impacts to high quality contiguous farmland, the resources which sustain agriculture and the agricultural system and the continuing ability for farmers to farm and produce food and other products. The purpose of an Official Plan is to establish a vision for growth and guide land use and development in a specific municipality for several decades. It is effectively the blueprint for the community.

Requiring a municipality to adhere to a standardized structure, which includes a limitation on prescribed land use designations (12), removes the autonomy to address the local needs and contexts of that community. Municipalities throughout Ontario are inherently unique and must address their own specific needs and challenges. This attempt at standardization removes the ability to adapt to local context and may lead to gaps in policy and implementation. OFT is concerned this could further create negative and detrimental impacts in local municipalities (i.e. no protection for a local ecosystem, substandard protections on local watersheds, lack of protections for a community with extensive prime agricultural farmland). OFT also stresses that requiring a defined set of land use designations does not allow for flexibility or addressing local contexts. It also causes concern as it is not clear what may or may not be permitted within these defined designations.

The proposed legislative changes explicitly state the intention of removing sustainable design features and local sustainability standards that will only create detrimental impacts on environmental resilience and energy efficiency. This is a step backwards in adapting to increasingly concerning threats to our sustainability and long-term future (i.e. climate change). OFT stresses the importance of protecting our environment which helps protect and sustain us, and by extension, our local food networks. These are finite resources that should not be addressed by standardized and simplistic legislation that only focuses on fast-tracking development. Improving our access to housing and economic growth will not matter if we cannot sustain ourselves. Predictability should not come before sustainability.

OFT strongly recommends that the Province reconsider standardizing and streamlining Official Plans and reconsider the importance of allowing these critical land use planning documents to adhere to the local needs and contexts of each community. This Province prides itself on its rich biodiversity and these proposed changes only take away from such pride.



Site Plans

OFT has additional concerns that stem from the proposed changes to Official Plans, specifically with respect to Site Plan applications. Municipalities rely on Site Plans to ensure new development projects are safe, functional and compliant with municipal by-laws. Site Plans ensure that buildings are properly laid out, have appropriate access, servicing, stormwater management, and ensure they fit within the local context of the community and respect the specific characteristics of a particular neighbourhood and site. Furthermore, Site Plans protect appropriate land uses by reducing inappropriate impacts.

The proposed changes through the bill would remove municipal authority to require certain mandatory enhanced development standards that are not required for health and safety. These changes would remove 'sustainable design' from Site Plan control, clarify that zoning cannot be used to require sustainable elements, expressively state that green building/construction standards are not permitted, and would remove provisions that authorize municipalities to require these green standards.

OFT is concerned that these proposed changes are providing extensive authority to the Province over the Site Plan process. Explicitly blocking municipalities from requiring certain regulatory development standards, removes their autonomy to make educated decisions for their local community. It is unfair to suggest that municipalities are not best suited to take care of their community. Local context is key and these changes remove the ability to adapt to each unique situation. Predictability should not come before sustainability.

Site plans as a tool are particularly important for agriculture. Farms are not one size fits all. The impact from on farm diversified uses can vary greatly depending on the nature of the primary agricultural use on the property. The uses associated with a tender fruit operation vary greatly from those on vegetable, cash crop or livestock operations. Over time, municipalities have developed specific approaches designed to manage the types of uses common in their municipalities. This local autonomy is necessary to support different farm types.

The intent of on-farm diversified uses is to allow small-scale secondary businesses by farmers on lower class agricultural land to increase farm income without replacing the primary agricultural use. Examples include agri-tourism (corn mazes, farm stays), value-added processing (cheese-making, cideries, wineries, bakeries), home occupations (studios, offices) and retail services (farm markets). Such uses must be secondary to the main farm operation with the total area restricted for all uses combined in many jurisdictions without impacting surrounding agricultural operations. Site plan control is required to ensure the on-farm diversified uses remain secondary, limited in area, compatible with surrounding agricultural operations by

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managing lighting, parking, stormwater, traffic and compliance with Minimum Distance Separation formulas to ensure no impacts on existing livestock operations.

Conclusion

OFT thanks you for the opportunity to provide these comments. I remain available for further discussion.

Sincerely,

Martin Straathof, MSc
Executive Director
Ontario Farmland Trust