

Sent by Email

May 1, 2026

The Honourable Rob Flack  
Minister of Municipal Affairs and Housing  
777 Bay Street, 17th Floor  
Toronto, ON M7A 2J3

Subject: Bill 98 – Building Homes and Improving Transportation Infrastructure Act, 2026  
Comments from City of Pickering – ERO Postings 026-0300, 026-0305, 026-0309,  
026-0310, 026-0311, 026-0312, 026-0313, 026-0314, and 026-0315  
File: L-1100-071

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Please find attached Pickering Council Resolution #992/26 and Report PLN 09-26 as the City of Pickering's comments to Environmental Registry Ontario Postings 026-0300, 026-0305, 026-0309, 026-0310, 026-0311, 026-0312, 026-0313, 026-0314, and 026-0315.

Yours truly



Marisa Carpino  
Chief Administrative Officer

PW:nr  
Attachments Pickering Council Resolution #992/26  
Report PLN 09-26

Legislative Services Division  
Clerk's Office  
**Directive Memorandum**

April 28, 2026

To: Kyle Bentley  
Director, City Development & CBO

From: Susan Cassel  
City Clerk

Subject: Direction as per Minutes of the Regular Meeting of City Council held on  
April 27, 2026

Director, City Development & CBO, Report PLN 09-26  
Bill 98, Building Homes and Improving Transportation Infrastructure Act,  
2026: Environmental Registry of Ontario Postings, ERO 026-0300, ERO 026-  
0304, ERO 026-0305, ERO 026-0309, ERO 026-0310, ERO 026-0311, ERO  
026-0312, ERO 026-0313, ERO 026-0314, and ERO 026-0315  
City of Pickering Comments on ERO Postings

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**Council Decision**

**Resolution #992/26**

1. That Report PLN 09-26 regarding the City of Pickering Comments on Bill 98, *Building Homes and Improving Transportation Infrastructure Act, 2026*, be received;
2. That Council endorse the comments contained in Report PLN 09-26, as the City of Pickering comments on Bill 98 and the identified Environmental Registry of Ontario Postings; and,
3. That Council authorize the Chief Administrative Officer to submit the Council endorsed comments on Bill 98 and the identified Environmental Registry of Ontario Postings to the Ministry of Municipal Affairs and Housing website by the April 29, 2026 and May 14, 2026, deadlines.

Please take any action deemed necessary.

SC:am

Copy: Chief Administrative Officer

**From:** Kyle Bentley  
Director, City Development & CBO

**Subject:**

Bill 98, *Building Homes and Improving Transportation Infrastructure Act, 2026*: Environmental Registry of Ontario Postings, ERO 026-0300, ERO 026-0304, ERO 026-0305, ERO 026-0309, ERO 026-0310, ERO 026-0311, ERO 026-0312, ERO 026-0313, ERO 026-0314, and ERO 026-0315

City of Pickering Comments on ERO Postings  
File: L-1100-071

**Recommendation:**

1. That Report PLN 09-26 regarding the City of Pickering Comments on Bill 98, *Building Homes and Improving Transportation Infrastructure Act, 2026*, be received;
2. That Council endorse the comments contained in Report PLN 09-26, as the City of Pickering comments on Bill 98 and the identified Environmental Registry of Ontario Postings; and,
3. That Council authorize the Chief Administrative Officer to submit the Council endorsed comments on Bill 98 and the identified Environmental Registry of Ontario Postings to the Ministry of Municipal Affairs and Housing website by the April 29, 2026 and May 14, 2026, deadlines.

**1.0 Executive Summary:**

The purpose of this report is to inform Council of proposed changes in legislation from *Bill 98: Building Homes and Improving Transportation Infrastructure Act, 2026*, seek Council's endorsement of staff's comments on these proposed legislative changes, and direction to submit formal comments about these changes to the Province.

Bill 98 amends several pieces of legislation. However, this report focuses primarily on changes to the *Planning Act*, to which there are numerous proposed changes. Key amendments, if approved, would:

- require elimination of all policy references to sustainable design and/or green development requirements;

- standardize and limit the land use designations within Official Plans;
- require municipalities to accept encumbered lands as parkland;
- prevent municipalities from requiring minimum lot sizes greater than 175 square metres in urban residential areas;
- standardize the list of studies that can be requested to support complete development applications;
- allow creation of stand-alone secondary plans; and,
- allow Minister's Zoning Orders to be issued and amended without notice to the public.

Further, the Province is reconsidering the role of site planning, including the possibility of eliminating site plan control altogether. Other options under review aim to speed up the time frame to receive site plan approval, such as limiting the number of resubmissions, and/or creating site plan streams for less complex applications to be expedited, to name a few.

Staff has prepared detailed comments on the different Environmental Registry of Ontario (ERO) postings associated with Bill 98. While staff acknowledge the Province's objective of improving approval timelines and housing delivery, many of the proposed Bill 98 reforms would significantly reduce municipal oversight, flexibility, and ability to respond to local conditions.

Staff emphasize that effective planning reform should focus on targeted process improvements, adequate resourcing, and collaboration, rather than removing or constraining essential planning tools.

Staff recommends Council endorse the comments contained in Report PLN 09-26 as its comments on Bill 98 and authorize the Chief Administrative Officer to submit comments to the ERO by the April 29, 2026 and May 14, 2026 deadlines.

## **2.0 Relationship to the Pickering Strategic Plan:**

The recommendations in this report respond to the Pickering Strategic Plan Priorities of Advance Innovation & Responsible Planning to Support a Connected, Well-Served Community; and, Lead & Advocate for Environmental Stewardship, Innovation & Resiliency.

## **3.0 Financial Implications:**

There are no direct financial implications from adopting the recommendations of this Report. However, the potential removal of site plan control from municipalities and elimination of permit requirements for Metrolinx projects, if passed, would remove key sources of revenue from the City Development Department, and potentially transfer the City's costs for resources to the property tax base.

## **4.0 Discussion:**

The purpose of this report is to inform Council of proposed changes in legislation from Bill 98: *Building Homes and Improving Transportation Infrastructure Act, 2026*, seek Council's

endorsement of staff's comments on these proposed legislative changes, and authorize the Chief Administrative Officer to submit formal comments to the Province on the proposed changes.

#### **4.1 Background**

On March 30, 2026, the Province released Bill 98: *Building Homes and Improving Transportation Infrastructure Act, 2026*, for comment on the ERO. Bill 98 includes proposed changes to various pieces of legislation, including the *Planning Act* and the *Development Charges Act*, and associated regulatory changes to further support housing, economic, and infrastructure development, and advance key transportation priorities.

Bill 98 follows a series of consecutive legislative changes the Province has made through Bills 17, 23, 109 and 185 over the last four years to the *Planning Act*, the *Development Charges Act* and various regulations affecting land use planning in Ontario. The City of Pickering provided comments on these Bills through Reports PLN 06-21, PLN 22-22, PLN 16-23, PLN 13-24, and PLN 12-25. Additionally, through ERO 025-1099, the Province received feedback from City staff on proposals to standardize the content of municipal official plans in November 2025.

The postings in relation to Bill 98 are listed on the ERO for either a 30 or 45-day commenting period concluding on April 29, 2026 and May 14, 2026. The following paragraphs 4.2 to 4.12 include a summary of each ERO posting as well as staff comments on each posting.

#### **4.2 ERO 026-0300, proposed changes to the *Planning Act* to streamline and standardize municipal official plans**

To increase consistency across municipalities, the Province is seeking feedback on proposals to simplify and standardize the content of municipal official plans. The proposed changes include the following:

- identifying the details of a standardized structure for local official plans through a prescribed table of contents and schedules, by prescribing the topic/theme of each section in the official plan and of the schedules (maps) to be used; and,
- identifying the details of a standardized set of land use designations to be used in local official plans, e.g., "Neighbourhoods", "Mixed-Use Areas", "Mixed-Use Commercial Areas", "Employment Areas", etc.

The Minister may also, at their discretion, set out further direction on implementing any of these designations, including using two or more sub-designations.

These changes are proposed to come into force January 1, 2028 for the 29 large and fast-growing municipalities (which includes Pickering), and January 1, 2029 for all other municipalities. The Province intends to bring these changes into force once additional consultation on secondary plans and upper-tier official plan content is complete, and any final refinements are made to the framework.

**Staff Comments:**

When the Province initially sought comments on the potential standardization of municipal official plans in 2025 through ERO 025-1099, staff expressed concern that standardization of Official Plans for all of Ontario's 444 municipalities, which have vastly different contexts, visions and goals, would make it significantly harder to reflect local priorities.

Furthermore, the proposed prescribed table of contents and schedules, which is more limited in scope than most of the current Official Plans, have the potential of creating significant additional work for municipalities, including negating work completed or underway that addressed previously approved policy objectives.

Pickering Forward, the current review of the City's Official Plan, proposes a new official plan that would be structured to be user-friendly, predictable, consistent with the 2024 Provincial Planning Statement (PPS), and specific to our local context and priorities. Staff anticipates the new Official Plan being presented to Council prior to January 1, 2028, the effective date of this proposal. And thus, staff will proceed with structuring the new draft official plan consistent with current best practices and specific to our local context and priorities. It is unclear whether the Province would enforce a prescribed table of contents and schedules, and if it does, what the final structure may look like and when that may occur.

Staff therefore wish to reiterate its previous comments to the Province that we strongly oppose the imposition of a standardized structure for local municipal official plans, because the scale and character of communities differ, and a "one style fits all" approach to policy planning would make it much harder for municipalities to tailor policies specific to their priorities.

With respect to the Province's prescribed table of contents for municipal official plans, "Local Landscape and Resource Management" is listed as one of the proposed key themes/chapters. The term "Resource Management" is used in the 2024 PPS to prescribe policies respecting matters such as natural heritage, water, aggregate resources, and cultural heritage. However, the term "Local Landscape" is not referred to in the PPS and to use it in this context is confusing, as it is often used in land use planning terms to describe the surrounding context of a site, which could also include the built environment.

Furthermore, the words/terms "Natural Heritage" or "Natural Heritage System" is glaringly missing from the proposed table of contents – it warrants recognition, given its significance to ecosystem health, and complete communities. If the Province decides to move forward with the prescribed table of contents, it is strongly recommended that it considers replacing the description/topic "Local Landscape and Resource Management" with "Natural Heritage and Resource Management".

Lastly, and again notwithstanding staff's opposition to the proposed standardized framework for official plan, staff recommends a change to the proposed structure. As discussed in Section 4.12, ERO 026-0315, consultation on secondary plans, and site and area-specific policies, should the Province proceed with a standardized framework, it should be revised to allow for a chapter to be added for secondary and site- and area-specific plans with related schedules.

This approach would keep policy documents together, simplifying research on land use permissions or prohibitions in a municipality.

#### **4.3 ERO 026-0300, Proposed prohibition on Mandatory Municipal Enhanced Development Standards and Green Building Standards, and ERO 026-0309, Proposed Regulation to Prohibit Mandatory Enhanced Development Standards as a Condition of Land Division Approvals**

The Province is proposing changes to the *Planning Act*, *Municipal Act, 2001*, *Building Code Act*, 1992, and *City of Toronto Act*, 2006 that would have the effect of removing municipal authority to require certain mandatory Enhanced Development Standards (e.g., green development standards) at the lot level, outside of buildings and in adjacent public right of ways, that are not specifically required for health or safety (e.g., stormwater management), including:

- removing references to “sustainable design” from Site Plan Control;
- removing the requirement for municipalities to include climate change policies in their official plans;
- clarifying that zoning cannot be used to require sustainable design elements;
- stipulating expressly that mandatory green building/construction standards are not permitted, including as part of site plan control;
- removing provisions that would have authorized municipalities to require green building standards, if the government had made enabling regulatory amendments (i.e., a green pick list); and,
- removing the ability of municipalities to impose mandatory green development standards as a condition of Land Division approvals.

The Province indicated that these proposed changes would be providing even greater clarity that green building/construction standards are voluntary and cannot be imposed by municipalities.

#### **Staff Comments:**

Last fall, staff provided comments on Bill 17: *Protect Ontario by Building Faster and Smarter Act*, 2025 through Report PLN 12-25, identifying potential negative implications of legislative changes, if adopted, for municipal planning and the implementation of environmental measures, including the City of Pickering Integrated Sustainable Design Standards (ISDS). The City has a long-standing approach to sustainable development, beginning with the Sustainable Development Guidelines (2007), followed by the Seaton Place-Making Guidelines (2011), and continuing today through the ISDS framework.

If Bill 98 is passed, the City’s authority to apply the ISDS consistently through the development approvals process would be significantly reduced, limiting its ability to review applications through a lens that includes best practices in alignment with the City’s long established sustainability objectives. As one of the fastest-growing municipalities in the region, this would further diminish the City’s capacity to manage growth in a coordinated and sustainable

manner. As a result, the City's role in guiding development would be weakened, leading to less consistent integration of Council priorities and community expectations into development approvals and built outcomes.

The following notes specific comments and concerns related to proposed legislation changes.

- a. Staff have serious concerns with respect to the proposed removal of references to "sustainable design" from Site Plan Control; the stipulation that expressly prohibits mandatory green building/construction standards, including as part of site plan control; and the removal of the provisions that would have authorized municipalities to require green building standards, if the government had made enabling regulatory amendments (i.e., a green pick list). This change would significantly reduce municipal ability to implement established sustainability performance measures through the development approvals process, including the City's ISDS framework. Through the ISDS, the City has been able to work with the building community to help shape community development for residents that include benefits, such as reduced energy and water costs through improved efficiency, urban heat island reduction, healthy street trees, bicycle infrastructure, electric vehicle rough in, outdoor amenity space, accessibility, resiliency to a changing climate, waste management, resident education, and bird-friendly design. Key implications include:
  - reduced ability to secure sustainable design outcomes through Site Plan Control; and,
  - weakened implementation of the ISDS framework, resulting in less consistent application throughout the community for residents and homeowners' uncertainty regarding delivery of environmental performance outcomes beyond provincial Building Code and minimum standards.

Staff request clarification from the Province on what policy or regulatory mechanism is intended to replace the ability to secure sustainable design and environmental performance outcomes through Site Plan Control under the amended *Planning Act* framework, to safeguard the public, city infrastructure, and the natural environment.

- b. Staff strongly oppose the proposed removal of the requirement for municipalities to include climate change policies in their official plans, as it significantly weakens the *Planning Act* as a foundational tool for integrating climate mitigation and adaptation into municipal land use planning. This proposed change reduces statutory direction for climate-informed planning, and risk avoidance, undermining the implementation of local resiliency frameworks.

Staff further note that this direction is inconsistent with the Ontario Professional Planners Institute (OPPI) voice of the Planning Profession in Ontario, including the Climate Change Adaptation Practice Guide (2025), which identifies climate change adaptation as a core component of good planning practice and essential to resilient community design. Accordingly, the City will continue to apply best practices, climate science, and risk-based planning approaches, to the furthest extent possible, to support long-term community resilience.

Staff request clarification from the Province on how municipalities are expected to continue to include and implement climate change mitigation and adaptation policies in official plans

to safeguard the public, city infrastructure, and the natural environment, and apply them in development decisions, if the requirement to do so is removed from the *Planning Act*. The Province noted there are redundant requirements for climate changes policies. Staff also seek clarification on which guiding documents exhibit redundant requirement. In addition, staff request clarification on what provincial policies, documents, and/or mechanisms will replace references to climate change mitigation and adaptation in official plans.

- c. Staff need clarification from the Province regarding the proposed restriction that zoning cannot be used to require sustainable design elements. The City notes that ISDS performance measures are not currently included in Zoning By-law 8149/24; however, technical environmental requirements supporting sustainable design and climate resilience are implemented through conservation authority requirements and municipal engineering standards. Consistent with the Ontario Professional Planners Institute Climate Change Adaptation Practice Guide (2025), zoning is a key municipal tool for implementing land use policies that support climate resilience and environmental performance outcomes.

Staff request clarification from the Province on whether municipalities will continue to be permitted to include conservation authority and other technical environmental requirements that support sustainable design and climate resilience within Zoning By-laws under the proposed amendments.

- d. The Province is proposing the removal of the ability of municipalities to impose mandatory green development standards as a condition of Land Division approvals. The ISDS framework does not apply to Land Division applications resulting in fewer than five lots; however, the *Planning Act* Land Division process is typically used to address technical requirements such as servicing, stormwater management, and natural heritage considerations to support infill development and good planning practice. Staff therefore request clarification from the Province on how municipalities are intended to address these requirements under the proposed amendments.
- e. The Province proposes to remove all mandatory sustainable design and green development standards from the City's development review process.

The ISDS framework is organized around seven principles: energy and resilience, water, land use and nature, transportation, waste management, neighbourhood design, and education. It provides practical, flexible performance measures developed in collaboration with the building community, residents, stakeholders, and Council to support the City's commitment to sustainable growth, environmental stewardship, and the development of inclusive and healthy communities. Accordingly, the ISDS delivers clear benefits, including increased urban tree canopy for cooler, shaded neighbourhoods, improved community safety and well-being through Crime Prevention Through Environmental Design principles, and bird-friendly design to reduce bird-window collisions.

Since 2023, the completion of an ISDS checklist has been required for all development applications and is carried through planning, design, and construction stages, supporting a consistent approach to sustainable development across the city. Now in its third year, the ISDS continues to guide development, in alignment with planned growth and community

priorities, and has received external recognition for its practical and flexible approach by the Sustainable Housing Foundation.

The ISDS supports a wide range of project conditions by enabling multiple pathways to achieve innovative best practices and technology of today, rather than prescribing a single compliance model. Importantly, as noted in Report PLN 12-25 comments on Bill 17, Pickering's ISDS has not delayed approvals or hindered housing targets. The ISDS supports key City objectives, including those within the Official Plan, Community Safety and Well-Being Plan, and Community Climate Adaptation Plan, and supports Council-endorsed priorities under the Corporate Strategic Plan (2024–2028).

Proposed provincial changes under Bill 98 would limit municipal discretion to apply site-specific sustainability best practice requirements through planning approvals, placing greater reliance on provincial minimum standards. While the Ontario Building Code establishes baseline requirements for health, safety, and energy efficiency, it does not fully address broader municipal objectives that impact community and building design.

The Province has noted that green standards create inconsistency since many communities across Ontario seek to use these tools to help shape development. As such, integrating performance measures into the Ontario Building Code would address the issue of consistency without compromising the environmental, social, and economic benefits derived from these best practices. Staff request clarification from the Province on whether the Ontario Building Code will be updated, or a new regulation created, to include new building- and lot-level resilience measures, and whether this is intended to replace enhanced green development standards to ensure the outcomes are still achieved.

Accordingly, staff seek clarification from the Province on how these objectives are intended to be achieved under the proposed framework.

#### **4.4 ERO 026-0300, Proposed revision to the *Planning Act* that would remove the legislative requirement for the Minister to provide notice on proposed amendments to or revocations of Minister's Zoning Orders (MZOs)**

Changes are proposed to the *Planning Act* that would remove the requirement for the Minister to provide notice on proposed amendments to or revocations of MZOs.

##### **Staff Comments:**

Although typical planning amendments require public notice and allow for appeals, MZOs already function without the opportunity for public appeal. This proposed change further removes the obligation to inform the public before an amendment to a zoning order is made, or before a zoning order is revoked.

The principles of collaboration, coordination and transparency in the planning process, as set out in Section 6.2 of the 2024 PPS, are equally important to all development applications or major revisions to them, irrespective of whether the zoning for the proposal is in the jurisdiction of the local municipality or the Province.

MZOs are powerful tools, and while minor amendments may be acceptable without further public notice, major changes to the original permissions granted should not be permitted without further notice.

Under the proposed legislation of Bill 98, the City and the public would not be notified about an amendment to the original MZO, which would undermine due process, lack transparency, and not serve the public interest.

Staff is of the opinion that removing notice requirements prevents residents from having rightful and meaningful input on local land-use decisions. Further, it is equally important for the public, including the local municipality, to know when MZOs have been revoked.

Staff do not support the proposal and recommend that major amendments to existing zoning orders and revocation of zoning orders require public notice and consultation with the relevant municipality.

#### **4.5 ERO 026-0300, Proposed amendments to the *Metrolinx Act, 2006* to accelerate transit construction and consolidate provincial control over transit planning**

The Province is seeking feedback on the creation of a "Notification of Proposal" process for provincial transit projects, that would allow Metrolinx to start construction by notifying the Chief Building Official (CBO) instead of applying for a building permit. While Building Code standards would still apply, this process removes the requirement for Metrolinx to obtain municipal approvals before starting work. The Province states this change will prevent municipal delays from slowing down transit projects.

##### **Staff Comments:**

While the proposed amendments to the *Metrolinx Act* aims to speed up approvals, this may not result in a significant change in Pickering, as the City already prioritizes institutional projects, such as those from Metrolinx. Additionally, transit-related inspections are prioritized and completed within 24 hours of a request.

The proposed revisions also have impacts on the *Building Code Act, 1992*, that can be explained as follows:

Metrolinx projects must still meet the technical requirements of the Building Code. This framework relies heavily on the liability of architects and professional engineers, who remain responsible for ensuring that the design complies with the Code and for performing the required general reviews during construction. However, the proposed legislative change would allow Metrolinx to choose "notification" instead of obtaining a building permit, which has the following impacts:

- a. **Review Limitations:** The CBO, or delegate, is prohibited from reviewing drawings and documents in advance to determine if the project complies with Zoning By-laws, Site Plan Control, or other specific provincial laws. Traditionally, these are "applicable laws" that must be satisfied before a permit is issued. Under this Bill, the CBO must ignore these traditional

compliance checks. Furthermore, there is a potential for project proponents to submit preliminary drawings that lack the level of detail usually required for a permit. Such incomplete data creates a liability risk for the City.

- b. **Report, but not issue a building permit:** The CBO's role would be to provide a Technical Report that only assesses Building Code safety, professional design standards, and the qualifications of the designers. Procedurally, the CBO is only required to begin this review and provide the report once the notification form is submitted and the required fee is paid. This legislative change effectively reduces the role of building officials to an advisory role without any authority to enforce non-compliance of construction and to ultimately ensure public safety.
- c. **Occupancy Opinion:** Because Metrolinx is not bound by the *Building Code Act*, the CBO would provide a Written Opinion on occupancy safety rather than a traditional Occupancy Permit. This is a significant shift in the CBO's authority respecting construction. While an occupancy permit is a legal grant of permission to occupy/use a space, this prescribed Written Opinion is a technical audit. It documents whether the building meets safety requirements without giving the CBO the traditional authority to "grant" or "withhold" the right to occupy. This removes any authority for building officials to prevent premature occupancy of an unfinished building, which could potentially expose occupants to hazardous conditions.

The financial impact of the proposal is unknown because the Province has not yet prescribed the fee amounts via regulation. Should the Province proceed with this legislative change, it is recommended that the new "Report Fee" be structured to cover the full cost of the City's technical reviews. This ensures the Building Services Section can maintain its service levels without a revenue loss.

Staff do not support these proposed changes as they:

- eliminate the authority of the CBO and building officials to meaningfully enforce the requirements of the Building Code and ensure public safety;
- pose a safety risk for premature occupancy of an unfinished building;
- create inconsistency and uncertainty for building officials, consultants, and general contractors, that are accustomed to decades of building industry construction practice respecting the role of CBOs and Inspectors;
- may create additional challenges for building officials in the performance of their duties under the *Building Code Act* for non-Metrolinx projects; and,
- erode public accountability.

#### **4.6 ERO 026-0304, Draft Projection Methodology Guideline (PMG) to support the implementation of the Provincial Planning Statement, 2024 (PPS, 2024)**

The Province is seeking feedback on a further revised draft Projection Methodology Guideline (PMG). The purpose of the PMG is to assist municipalities with developing population and employment forecasts, identifying land needs requirements to plan their communities, and

implement provincial policies. If finalized, this proposed guidance would replace the existing 1995 PMG.

The Province initially sought comments on a proposal to release a new PMG through ERO 025-0844 in the last quarter of 2025. Following the review of all comments received, the Province has now released a revised draft PMG for comments.

As required under the PPS, 2024, planning authorities must base population and employment forecasts on the Ontario population projections published by the Ministry of Finance (MOF) and may modify, as appropriate. Sufficient land must be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of at least 20 years, but not more than 30 years, informed by provincial guidance.

The proposed guidance outlines methodologies and appropriate data sources for municipalities to use to prepare these forecasts and land needs assessments. The proposed guidance is organized into four main sections: Establishing Municipal Population Projections, Developing Housing Needs Forecasts, Developing Employment Forecasts, and a Land Needs Assessment.

#### **Staff Comments:**

Policy 2.1.1 in the 2024 PPS states that, notwithstanding the policy that requires municipalities to base population and employment forecasts on the Ontario population projections published by the Ministry of Finance, municipalities may continue to forecast growth using population and employment forecasts previously issued by the Province for the purposes of land use planning.

The Growth Management Strategy, prepared by Watson & Associates for Pickering Forward, based their forecasting on the methodology previously issued by the Province. The proposed revisions to the draft PMG do not therefore have any implications for Pickering Forward, but it would or may impact any forecasting work as part of the next municipal comprehensive review.

Although the proposed revised PMG has no bearing on the current official plan review, staff wish to reiterate the following concerns that were expressed through the City's staff to-staff comments submitted on ERO 025-0844 in October 2025 to the Province. While the proposed new process offers more flexibility to municipalities, the requirement to prepare their own 'bottom up' population and employment forecasts instead of the Region doing a 'top down' comprehensive projection for all municipalities in the Region, will result in downloading significant work to lower-tier municipalities. The changes will require increased municipal resources to undertake this work.

In addition to downloading this work, the Province emphasizes the need for collaboration between lower-tier and upper-tier municipalities, as well as with other orders of government, agencies, boards, to achieve the outcomes at all steps of the forecasting and land needs assessment process. This will result in Pickering re-establishing the working groups that previously existed, through Regional Official Plan Reviews, with the same stakeholders, while taking on these new responsibilities.

Staff do not support this revised methodology. Each area municipality within a Region (and the Region itself) could use a different methodology to forecast population and employment for their jurisdiction. A real concern exists that resources will be spent arguing methodology to obtain the highest population and the greatest number of jobs per municipality, rather than getting to the desired outcome of allocating population and employment to designate land and allocate servicing allocations to municipalities. Given the Province's interest in facilitating development, staff recommend the Province provide Regional-wide totals for population and employment so inter-municipal disputes regarding allocations (and thus resulting servicing and other infrastructure allocations) are avoided and land use designations can proceed logically, expeditiously, and in a financially responsible manner.

#### **4.7 ERO 026-0310, Proposal to reform Site Plan Control under the *Planning Act* and the *City of Toronto Act, 2006***

The Province of Ontario has indicated that, despite recent legislative changes intended to streamline and expedite the development approvals process, including amendments through multiple bills that:

- modified complete planning requirements;
- removed the ability to require pre-consultation; and,
- restricted the use of site plan control for most residential developments of 10 or fewer units.

They have found that site plan control is not being implemented consistently or efficiently across municipalities.

The Province has identified that approvals under Section 41 of the *Planning Act* and Sections 114 of the *City of Toronto Act, 2006*, are taking too long, resulting in increased costs and delays in development. As a result, the Province is proposing further reforms to accelerate approvals and reduce associated costs.

The Province is seeking feedback on five distinct reform options. These are not mutually exclusive and may be implemented individually or in combination.

The proposed reform options are summarized below.

##### **a. Complete Elimination of Site Plan Control**

Remove site plan control entirely as a land use planning tool from the *Planning Act* and *City of Toronto Act, 2006*, thereby, eliminating municipal authority to review or impose conditions on development prior to building permit issuance.

##### **b. Cap on Circulation with a Mandatory Resolution Meeting**

Limited circulation to a maximum of three rounds, after which a mandatory meeting is required with all municipal department representatives and the applicant to work through and resolve all outstanding issues.

**c. Standardized Checklist with Certified Professional Sign-off**

Limit site plan review to a provincial standard checklist of health, safety, and functional matters. Certified professionals retained by the applicant would approve studies and reports. Municipalities could not require additional studies or drawings beyond the checklist. Meeting the checklist requirements would result in the issuance of site plan approval.

**d. Municipal Arbitration Panel as Ontario Land Tribunal (OLT) Alternative**

For applicants who have exceeded the 60-day timeline, establish a local arbitration or review panel as a faster, lower-cost alternative to a hearing at the OLT. Decision-making timelines would be prescribed.

**e. Tiered Approval Streams for Complexity**

Introduce multiple approval streams for different development types and scales. A full site plan process would apply only to large, complex projects. Smaller or simpler developments would be triaged to an expedited stream or exempted from site plan control entirely.

**Staff Comments:**

The following comments identify the most significant concerns associated with each reform option.

Proposed Reform	Major Issues and Concerns
Complete Elimination of Site Plan Control	<ul style="list-style-type: none"> <li>• Removes the City’s only pre-building permit mechanism to review critical site-specific matters, including grading, drainage, servicing, vehicular and pedestrian access, fire route, lighting, waste management, snow storage, and accessibility.</li> <li>• Eliminates the ability to impose conditions of approval, such as road widening, servicing requirements, fencing, and mitigation measures for noise, vibration, wind and dust.</li> <li>• Removes the City’s ability to secure parkland or cash-in-lieu contributions, and to obtain public access easements.</li> <li>• Eliminates the legal mechanism to require financial securities, reducing the City’s ability to ensure completion of required works.</li> <li>• Significantly impacts coordination of phased and adjacent developments, increasing the risk of fragmented and uncoordinated development patterns.</li> <li>• Removes the City’s ability to implement urban design and streetscape standards, resulting in lower-quality public realm outcomes.</li> <li>• Eliminates the ability to address key technical matters such as contamination, archaeology, environmental and construction management impacts prior to construction.</li> </ul>

	<ul style="list-style-type: none"> <li>• Removes Development Charge triggers tied to site plan approval, creating uncertainty for growth-related funding.</li> <li>• Introduces significant risk to public safety, infrastructure performance, and long-term development quality.</li> </ul>
<p>Cap on Circulations with Mandatory Resolution Meeting</p>	<ul style="list-style-type: none"> <li>• Limits the iterative review process required to resolve complex, multi-disciplinary technical issues.</li> <li>• May force premature resolution meetings before all issues are fully identified or understood.</li> <li>• Reduces opportunities for collaboration between staff and applicants, which often leads to improved design and technical outcomes.</li> <li>• Increases the likelihood that unresolved issues are deferred to the building permit or construction stage, where they are more costly and difficult to address.</li> <li>• Does not account for the role or timelines of external agencies (e.g., conservation authorities, regional municipalities, provincial agencies, and utility providers), whose review processes are often iterative and may lack resources to review applications within prescribed timelines.</li> <li>• Creates pressure to prioritize speed over quality of review.</li> </ul>
<p>Standardized Checklist with Certified Professional Sign-Off</p>	<ul style="list-style-type: none"> <li>• A standardized one-size-fits-all checklist cannot adequately address complex site conditions such as floodplain, contamination, heritage resources and servicing constraints.</li> <li>• Limits municipal discretion to request additional studies or information based on site-specific conditions or findings from initial review.</li> <li>• Shifts responsibility for review to applicant-retained consultants, who may not be fully familiar with municipal standards, local conditions, or area-specific requirements.</li> <li>• Introduces potential inconsistencies in the quality and rigor of submissions across projects and consultants.</li> <li>• Applicant-retained consultants are often required to advocate on behalf of their clients. This creates potential for real or perceived conflicts of interest in self-certified submissions, reduces independent oversight, and may erode public accountability.</li> </ul>
<p>Municipal Arbitration Panel (OLT Alternative)</p>	<ul style="list-style-type: none"> <li>• Requires the establishment of a new governance structure, procedures, and qualified panel members.</li> <li>• Introduces additional administrative and resource burden on the City.</li> <li>• May duplicate or conflict with existing appeal mechanisms.</li> <li>• Could encourage earlier escalation of disputes rather than resolution through collaborative review.</li> </ul>
<p>Tiered Approval Streams by Complexity</p>	<ul style="list-style-type: none"> <li>• Risks complex applications being inappropriately classified into expedited streams, resulting in insufficient review.</li> </ul>

	<ul style="list-style-type: none"> <li>• Adds administrative complexity in managing multiple approval streams and ensuring consistency across departments and external agencies.</li> <li>• Does not eliminate the need for detailed review in complex neighbourhoods such as the City Centre and Seaton.</li> <li>• Requires updates to municipal processes, By-law, staff workflows, and municipal fee structure.</li> <li>• External agencies' timelines (e.g. conservation authority, provincial agencies and regional municipalities) may not align with expedited timelines, creating new bottlenecks.</li> </ul>
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While the Province's objective to improve timelines and reduce costs in the site plan approval process is recognized and supported, the proposed site plan control reforms are overly broad and would fundamentally weaken the City's ability to ensure safe, functional, and well-designed developments.

The City of Pickering is already actively addressing approval timelines through internal process improvements. In February 2025, Council endorsed Streamlining the Development Applications Review Process study, which identified 50 recommendations and established a focused work plan of 22 key initiatives (Resolution # 665/25). Implementation is currently underway and includes:

- developing Standard Operating Procedures (SOPs) for *Planning Act* applications and financial securities;
- assessing and optimizing the City's application tracking system to automate certain processes;
- aligning workflow and improving tracking of critical review timelines;
- establishing key performance indicators (KPIs) and reporting annually to Council;
- creating an online application submission portal and payment tracking tools;
- expanding delegated authority to streamline decision-making;
- enhancing public communication through plain language notices;
- finalizing a comprehensive Site Plan Approval Manual, outlining the City's minimum requirements and standards; and,
- reviewing building, engineering and planning fees to ensure full cost recovery.

This initiative directly addresses the root cause of delays, process inefficiencies, coordination challenges, and resourcing, without removing the essential planning function of site plan control.

Accordingly, the proposed Provincial reforms, particularly the elimination of site plan control and the introduction of rigid, standardized approaches, are not supported. These changes would reduce municipal oversight, limit the ability to address site-specific issues, and increase risks to public safety, infrastructure, and development quality. A more effective approach would focus on targeted process improvements, supported by appropriate resources and flexibility, rather than the removal or significant weakening of a critical planning tool.

#### **4.8 ERO 026-0311, Proposed Regulatory Approach to Establish a Minimum Residential Lot Size in Urban Areas**

The Province is seeking feedback on a proposed regulation under the *Planning Act*, to set a minimum lot size of 175 square metres (approximately 1,900 square feet) on parcels of urban residential land (fully serviced) outside the Greenbelt Area.

The Bill proposes to amend the *Planning Act* to limit the ability of municipalities to pass a Zoning By-law that imposes a minimum lot area for residential land that is greater than the 175 square metres. An additional subsection is proposed that would deem Zoning By-law provisions regulating lot frontage and depth to be of no effect if they would require a lot to be larger than 175 square metres.

The Province is of the opinion that this regulation would foster conditions for increased housing supply and affordability in urban areas by helping facilitate the creation of smaller lots over time, leading to increased opportunities for home ownership in urban areas since smaller lots are generally more affordable.

Other considerations would continue to apply to decisions on land division applications, such as policies in the PPS, 2024 that prohibit development (including lot creation) in certain circumstances. In addition, the regulation-making authority would be scoped to zoning and would not apply to subdivision control, and any municipal zoning requirement for minimum frontage and/or minimum depth that would not allow for the minimum lot size standard to be met would be inapplicable.

#### **Staff Comments:**

Staff support the Province's goal of increasing housing supply and streamlining approvals, but note that lot area, frontage, and setbacks work together to ensure development is safe, serviceable, and consistent with subdivision control and community design objectives.

Zoning By-law 8149/24 (outside Seaton) structures low-density residential areas into First (R1), Second (R2), and Third (R3) Density zones, with minimum lot areas generally ranging from larger detached-lot standards in R1, to transitional low-rise forms in R2, to more compact townhouse standards in R3.

A legislated minimum lot area of 175 square metres could override local standards and create uncertainty about how existing zone permissions would apply (e.g., whether lots could be created at 175 square metres in established low-density zones while still meeting other requirements such as setbacks, height, and lot coverage). Because current standards were designed for much larger lots, the remaining framework may not function as intended.

Staff also seek clarity on whether 175 square metres is only a floor, or whether it is intended to enable lot creation that does not align with the applicable zone's broader standards. This affects consistent zoning/subdivision control and the City's ability to plan for orderly development based on servicing capacity and neighbourhood design objectives.

From a built-form perspective, applying a 175 square metres lot standard to typical low-density housing may constrain site functionality. Experience in compact areas (e.g., Seaton and Duffin Heights) suggests smaller lots can reduce rear yard space, limit access to rear yards, and make it difficult to accommodate features such as entrances to additional dwelling units, with potential implications for safe occupancy and emergency access.

Additional dwelling units support affordability and multi-generational living, but require safe, unobstructed access for occupants and emergency services. Reduced lot sizes may limit side-yard or rear access pathways, creating functional and safety challenges.

Smaller lots may also make it harder to meet on-site parking needs (often accommodated through private driveways), increasing reliance on on-street parking and pressure on the municipal right-of-way. They can also increase the proportion of impervious surface, reducing space for landscaping and trees and increasing stormwater runoff beyond what existing systems were designed to handle, potentially contributing to localized drainage issues.

As the changes are intended to facilitate intensification through severances in established neighbourhoods, staff note potential conflict with Council-adopted policies (including the Established Neighbourhood Design Guidelines) intended to maintain compatibility with existing character, built form, and lotting patterns in areas such as Bay Ridges, Dunbarton, Rougemount, Rosebank, and West Shore.

Overall, while the 175 square metres standard may increase housing supply, staff are concerned it could undermine the City's ability to apply complementary zoning standards (e.g., frontage, setbacks, access), with unintended impacts on site functionality, infrastructure capacity, and neighbourhood design.

Staff recommend the Province provide municipalities flexibility to apply appropriate local zoning standards where needed to keep development safe, functional, and aligned with servicing and neighbourhood objectives.

#### **4.9 ERO 026-0312, Proposed Changes to Support Standardizing of Parkland Requirements Under the *Planning Act***

Bill 23 previously added, but did not yet bring into effect, provisions to the *Planning Act* that would permit certain encumbered lands (e.g., lands containing underground parking structures or stormwater infrastructure) and privately-owned public spaces (POPS) to be credited towards municipal parkland dedication requirements. The Province is now seeking feedback on the criteria that will be used to determine which lands are eligible to be credited as parkland.

The proposed criteria for evaluating parkland eligibility are outlined below:

##### Ineligible for Parkland

- contaminated lands;
- natural and human-made hazard lands;

- lands within and adjacent to natural heritage features if a park would interfere with or compromise the natural heritage features and areas;
- lands in the Natural Heritage System of the Greenbelt Plan or in the Natural Core or Natural Linkage Areas of the Oak Ridges Moraine Conservation Plan;
- lands that would not support park use – lands that would not accommodate fill and/or soil depths to accommodate structural footings as per the Ontario Building Code or support tree planting;
- lands with financial encumbrances – lands with liens, charges, etc. registered on title; and,
- Lands that are privately-owned and not accessible to public at all times.

Required Criteria

- accessible by all users directly from the public realm and readily visible from the public realm; and,
- land must be of a size and shape that is capable of serving park or public recreational purposes.

The Province is also seeking feedback on the 70% credit that encumbered parklands and POPS are proposed to be granted towards a development’s overall parkland dedication.

**Staff Comments:**

Staff generally support the proposed criteria identifying lands that are ineligible for parkland dedication. However, further clarification is requested regarding the criterion: “Lands within and adjacent to natural heritage features if a park would **interfere with or compromise the natural heritage features and areas.**” Specifically, it is unclear whether the responsibility for demonstrating potential impacts rest with the applicant or the municipality. Additional guidance from the Province on this matter would improve consistency in implementation.

With respect to parkland credit rates, the City’s current Parkland Conveyance By-law (November 2024, under appeal) establishes credit rates of 80% for encumbered lands (strata parks) and 50% for POPS. The Province’s proposed regulations would set both rates at 70%. While the proposed rates differ from those approved by Council, they generally result in a comparable overall parkland yield. The table below provides a comparison of the parkland credit between the City’s current parkland conveyance By-law and the Province’s proposed credits.

	<b>City Parkland Conveyance By-law (November 2024 – Under Appeal)</b>	<b>ERO 026-312</b>
Encumbered Lands / Strata Parks	80%	70%
POPS	50%	70%

Staff do not support applying a 70% credit rate to POPS. Unlike publicly owned parkland, POPS are typically smaller in size, privately owned, and not under municipal control. As a result, the City has limited ability to design, program, or maintain these spaces in accordance with municipal standards and community needs.

The City supports the introduction of credit rates for encumbered parkland, recognizing that such spaces can contribute meaningfully to the parkland system when appropriately designed. However, the City recommends that the Province reduce the credit rate for POPS to 50%. A lower credit would better reflect their limited size, private ownership and reduced functionality compared to publicly owned parkland and would help ensure that municipalities continue to secure high-quality accessible, and programmable park spaces to serve growing communities.

#### **4.10 ERO 026-0313, Streamlining the information and material that planning authorities can require as part of a complete application**

The Province established that planning authorities vary widely in the type, number, and scope of studies they require from applicants before a planning application is considered complete, and the wide variation across the Province adds unpredictability to the application process, can increase costs for applicants, and can contribute to delays in the development process.

Accordingly, the Province is proposing amendments to achieve greater clarity and predictability regarding complete application requirements across the province, by seeking feedback on a proposed list of information and material that has been categorized into two types of studies and when they could be required:

- a. **Core Studies:** Core studies address fundamental planning and engineering matters such as environmental impacts, existing servicing capacity, transportation impacts, and public health and safety, and planning authorities typically require these to assess most planning applications. The Province is proposing that the only information and material planning authorities may require as part of a complete application are: Environmental Impact Statements (Studies), Environmental Site Assessments, Functional Servicing Reports, Geotechnical Reports, Hydrogeological Reports, Planning Justification Reports, and Transportation Impact Studies.
- b. **Contingent Studies:** Contingent studies could only be required when a specific on-site or surrounding condition exists in the local municipality that makes the study relevant for the consideration of the planning application. For example, certain studies may only be needed if a subject property is located on or near airports, rail corridors, significant natural hazards, or major facilities, or when the property contains particular environmental, cultural, or resource-based features on site. The proposed list of contingent studies that may be required include studies such as Agricultural Impact Assessments; Air Quality/Odour Studies; Arborist reports; Cultural Heritage Impact Assessments; Financial Impact Analysis, and Land Use Compatibility Studies.

#### **Staff Comments:**

Although the list of “Core Studies” is proposed to be exhaustive, the proposed list of “Contingent Studies” appears to be non-exhaustive and gives examples of other studies. In order for a municipality to do its due diligence with respect to a development proposal and to make decisions that are informed and in the public interest, it is critical that municipalities

retain the ability and discretion to require other studies where the local context and circumstances warrant them.

Therefore, staff has no concerns with this proposal, as it would not affect our ability to require studies, whether they are “core” or “contingent”.

#### **4.11 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**

Bill 17 made changes to the *Planning Act* to create regulation-making authority for the Minister to scope complete application requirements by, among other things, providing that municipalities would be required to accept studies from certified professionals in professions specified in regulation. Further to these legislative changes, new and amending regulations were filed in early 2026 to specify professional engineering as a “prescribed profession” for the purposes of a complete application.

The Province is now seeking feedback on adding additional certified professionals, e.g., registered landscape architects, for the purposes of a complete application.

The prescribing of certified professionals by regulation means that municipalities would be required to accept technical studies and reports prepared by these professionals in the first instance as satisfying complete application requirements (without requiring further review or revisions) which may help further speed up development approvals and reduce initial application costs associated with the development proposal.

The Province stipulated that Municipalities could still request additional information or undertake a review of the technical information submitted, but these requests would not affect the decision-making timelines in the Act or the applicant’s right of appeal to the Ontario Land Tribunal after the decision timeline has expired.

#### **Staff Comments:**

This proposal, initially introduced through Bill 17 in mid 2025, suggested that municipalities should accept and implement studies from certified professionals without review and oversight by staff or peer review consultants. The City, through Report PLN 12-25 submitted comments on Bill 17, opposing the proposal on the basis that the submission of a study by a certified professional does not automatically ensure that the document is without error, and that the acceptance of the study as infallible would place Council in a position of relying on, and making decisions on, studies even if the information they contain is identified by staff as being inaccurate or incomplete.

The Province has since revised its proposal, as summarized in the above preamble, clarifying that municipalities would be required to accept technical studies and reports prepared by certified professionals in the first instance as satisfying complete application requirements, and that would not remove the ability to require additional information or have the study reviewed

or peer reviewed after the development application has been submitted and deemed complete. Staff welcomes the Province's revision to its initial proposal and has no further concerns with it.

#### **4.12 ERO 026-0315, Consultation on secondary plans, and site and area-specific policies**

Feedback is being sought on a distinct framework for Secondary Plans and Site- and Area-Specific Policies (SASPs) to increase consistency across municipalities.

Proposed changes for Secondary Plans and SASPs could include:

- identifying the types of areas where secondary plans could be used;
- separating secondary plans from the primary official plan, so they would exist as a standalone document while being subject to the same process requirements; and,
- exempting secondary plans from Minister's approval.

#### **Staff comments:**

A municipal official plan is the parent document to secondary plans, and it contains policies that generally applies city-wide, whereas secondary plans contain detailed policies geared towards a particular geographic area in the city.

There can be a variety of reasons to identify a distinct area for more detailed planning (i.e., new urban areas like Northeast Pickering, intensification areas like the City Centre and the Kingston Road Corridor, heritage areas like the Whitevale Heritage Conservation District or Waterfront Nautical Village). Secondary plans and site- and area-specific plans should be approved as amendments to the primary official plan, not as stand-alone documents.

Notwithstanding staff's opposition to the standardized framework for official plans, should the Province proceed with such a framework, it should be revised to allow for a chapter to be added for secondary and site- and area-specific plans with related schedules. This approach would keep policy documents together, simplifying research on land use permissions or prohibitions in a municipality. Staff supports secondary and site- and area-specific plans having the full authority of an official plan and being exempt from Ministerial approval.

#### **5.0 Conclusion:**

It is recommended that Council endorse the comments contained in Report PLN 09-26, as the City of Pickering's detailed comments on Bill 98 and the identified ERO Postings 026-0300, 026-0304, 026-0305, 026-0309, 026-0310, 026-0311, 026-0312, 026-0313, 026-0314, and 026-0315, and that Council authorize the Chief Administrative Officer to submit the Council endorsed comments on the identified ERO Postings to the Ministry of Municipal Affairs and Housing website by the April 29, 2026 and May 14, 2026, deadlines.

#### **Attachment:**

None

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**Recommended for the consideration of Pickering City Council By:**

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