

Clarington

May 14, 2026

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

By email: PlanningConsultation@ontario.ca

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

File No: PLN 1.1.38

Thank you for the opportunity to provide comments on the proposed legislative changes introduced by Bill 98 - *Building Homes and Improving Transportation Infrastructure Act, 2026*.

Clarington staff supports the Province's efforts to improve clarity, predictability, and efficiency in the planning system.

Staff have identified several areas of concern where proposed changes may limit the Municipality's ability to respond to the local context.

The Province is requested to maintain municipal discretion in the use and scope of Secondary Plans, ensure flexibility in establishing development standards, retain site plan control as an important planning tool, preserve the Municipality's ability to deliver functional and operational parkland, and recognize variations between urban contexts across Ontario.

For consideration, please find enclosed Report PDS-039-26, including Detailed Comments forming Attachment 1, as the Municipality's comments on Bill 98 - *Building Homes and Improving Transportation Infrastructure Act, 2026*.

Please note the Report is subject to Council's ratification at its upcoming meeting on May 25, 2026.

Yours sincerely,



Lisa Backus, MCIP, RPP
Manager of Community Planning, Planning and Infrastructure Services

If this information is required in an alternate accessible format, please contact the Accessibility Coordinator at 905-623-3379 ext. 2131.

Report To:	Planning and Development Committee		
Date of Meeting:	May 11, 2026	Report Number:	PDS-039-26
Authored By:	Amanda Crompton, Principal Planner; Sarah Allin, Principal Planner		
Submitted By:	Darryl Lyons, Deputy CAO, Planning and Infrastructure		
Reviewed By:	Mary-Anne Dempster, CAO		
By-law Number:		Resolution Number:	
File Number:	PLN 1.1.38		
Report Subject:	Bill 98: Building Homes and Improving Transportation Infrastructure Act, 2026 – Comments		

Recommendations:

1. That Report PDS-039-26, and any related delegations or communication items, be received;
2. That Report PDS-039-26, including the Detailed Comments forming Attachment A, be endorsed as the Municipality's comments to the Province on the *Building Homes and Improving Transportation Infrastructure Act, 2026* (Bill 98) (Environmental Registry of Ontario Postings: 026-0300, 026-0305, 026-0309, 026-0310, 026-0311, 026-0312, 026-0313, 026-0314 and 026-0315) and forwarded to the Minister of Municipal Affairs and Housing; and
3. That all interested parties listed in Report PDS-039-26, be advised of Council's decision.

Report Overview

On March 30, 2026, the Province introduced Bill 98, the *Building Homes and Improving Transportation Infrastructure Act, 2026*, an omnibus bill proposing amendments to several statutes of relevance to municipalities, including the *Planning Act*, *Building Code Act*, and *Municipal Act*. Bill 98 is accompanied by multiple Environmental Registry of Ontario (ERO) consultation postings, as well as a Provincial Technical Briefing outlining additional proposed policy initiatives not yet reflected in legislation.

The purpose of this report is to inform Council of the proposed provincial legislative and regulatory changes, summarize their implications for the Municipality of Clarington, and seek Council's endorsement to submit staff comments to the Province in advance of the applicable ERO comment deadlines.

Bill 98 continues a broader provincial trend toward increased standardization of land use planning and development regulation, with potential implications for municipal autonomy, flexibility, and service delivery. Key areas of interest to Clarington include proposed reforms related to the standardization of Official Plans and Secondary Plans; restrictions on municipal green and enhanced development standards; limitations on site plan control; the introduction of a province-wide minimum residential lot size; changes to parkland dedication requirements that allow for developer-identified lands, including those with encumbrances; and streamlining of complete application requirements.

In general, staff support efforts to improve clarity, predictability, and efficiency in the planning system. However, staff have identified several areas of concern where proposed changes may limit the Municipality's ability to respond to the local context. These include maintaining municipal discretion in the use and scope of Secondary Plans, ensuring flexibility in establishing development standards, retaining site plan control as an important planning tool, preserving the Municipality's ability to deliver functional and operational parkland, and recognizing variations between urban contexts across Ontario.

In addition to Bill 98, the federal and provincial governments announced a new \$8.8-billion infrastructure funding partnership, referred to as the Canada-Ontario Partnership to Build Fund, intended to support housing-enabling infrastructure, with funding tied to potential Development Charge reductions. While the funding is intended to offset some financial impacts, further details and municipal implications remain subject to future agreements and direction.

This report recommends that Council endorse the staff comments contained in Attachment A for submission to the Province as the Municipality of Clarington's formal response to Bill 98 and the associated ERO postings.

1. Background

- 1.1 On March 30, 2026, the Province released Bill 98, the Building Homes and Improving Transportation Infrastructure Act, 2026 (Bill 98). Bill 98 is another omnibus bill that proposes amendments to several statutes relevant to municipalities, including the *Planning Act*, *Building Code Act* and *Municipal Act*.
- 1.2 A 45-day comment window was provided to receive feedback on all proposed changes and consultation documents. Staff comments included in this report and Attachment A focused on the following Environmental Registry of Ontario (ERO) postings:
- [ERO 026-0300](#): 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 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 026-0309](#): Proposed Regulation to Prohibit Mandatory Enhanced Development Standards as a Condition of Land Division Approvals
 - [ERO 026-0310](#): Proposal to reform site plan control under the Planning Act and the City of Toronto Act, 2006
 - [ERO 026-0311](#): Proposed Regulatory Approach to Establish a Minimum Residential Lot Size in Urban Areas
 - [ERO 026-0312](#): Proposed Changes to Support Standardizing of Parkland Requirements Under the Planning Act
 - [ERO 026-0313](#): Streamlining the information and material that planning authorities can require as part of a complete application
 - [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 026-0315](#): Consultation on upper-tier official plans, secondary plans, and site and area-specific policies
- 1.3 The Province also released a [Technical Briefing](#) that provides an overview of the changes proposed through Bill 98, as well as several related initiatives that are not currently reflected in the legislation. These include, among other items, the proposed initiation of a section-by-section review of the Ontario Building Code, consultation on the disclosure of municipal Development Charges (DCs) in new home purchase and sale agreements, and the standardization of GO station design to reduce construction costs.

- 1.4 In addition to Bill 98, on March 30, 2026, the federal and provincial governments announced the Canada-Ontario Partnership to Build fund that would provide a combined \$8.8 billion over 10 years for infrastructure investments in Ontario. The key elements of this funding announcement include the following:
- The goal of the funding is to support housing-enabling infrastructure projects across the Province.
 - The federal and provincial government would jointly agree on a list of priority municipalities where DCs are considered cost-prohibitive and where growth is critical to support Ontario's future. Municipalities on this list would be required to commit to reducing DCs by approximately 30 to 50 per cent, and to maintain those reductions for a minimum of three years.
 - The funding is intended to offset the financial impact associated with DC reductions; however, municipalities are expected to also support the reductions, reflecting a shared responsibility among all three levels of government.

2. Summary and Key Comments

- 2.1 This section provides an overview of the proposed changes under Bill 98, as well as related initiatives that are not currently reflected in the legislation, that are of direct interest to the Municipality of Clarington, along with staff comments on the associated implications. Detailed staff analysis of the proposed changes is provided in Attachment 1.
- 2.2 Generally, Bill 98 represents a continued shift towards increased provincial control over land use planning and development standards, which may limit the Municipality's ability to tailor planning tools to local conditions and community priorities.

Streamlining and Standardization of Official Plans and Secondary Plans

- 2.3 Bill 98 introduces a mandatory standardized structure and prescribed land-use designations for municipal Official Plans to improve consistency and navigation across Ontario. Municipalities would be required to align with the standardized format upon their next official plan update or review.
- 2.4 Staff previously provided comments on this matter as part of the consultation on simplifying and standardizing Official Plans undertaken by the Province in fall 2025, via [PDS-073-25](#).
- 2.5 As provided previously and currently, staff does not object to the standardization of the table of contents and schedules as proposed, provided municipalities will retain the autonomy to establish land use designation policies that are appropriate to the local context (e.g. built form, height, density) in consideration of supportive infrastructure (e.g. servicing, transportation, transit, community amenities and services).

- 2.6 The Province is also seeking feedback on a proposal to create a distinct framework for Secondary Plans and Site-and-Area-Specific Policies (SASPs) with the aim of increasing consistency across municipalities.
- 2.7 Staff does not object to the creation of a framework for Secondary Plans and SAPSs. Staff request that municipalities retain discretion to determine where the preparation of a Secondary Plan is necessary. Municipalities should retain discretion to implement, update, and maintain secondary plans.

Reduced Municipal Authority Over Green and Enhanced Development Standards

- 2.8 Bill 98 repeals municipal powers to require environmental or “green” building standards that exceed the Ontario Building Code. Specifically, the proposed changes would remove references to “sustainable design” from site plan control, clarify zoning cannot be used to require sustainable elements, and prohibit mandatory green building/construction standards.
- 2.9 Clarington’s green municipal framework is currently under development. While staff continue to support green development standards, the framework is now being developed as a voluntary program as opposed to a mandatory one in response to restrictions on green construction standards imposed by Bill 17, the *Protect Ontario by Building Faster and Smarter Act, 2025* and Bill 60, the *Fighting Delays, Building Faster Act, 2025*.

Reforms to Site Plan Control

- 2.10 The Province is proposing significant legislative and regulatory reforms to the site plan control process.
- 2.11 Staff has previously provided comments on changes to site plan control via Reports on previous Bills, including [PDS-051-22](#), [PDS-054-22](#), [FSD-024-24](#), and [PDS-073-25](#).
- 2.12 In response to previous provincial changes and to accelerate application review timelines, staff have undertaken a comprehensive review of the site plan control process and are implementing several improvements. One enhancement already in place is the transition to electronic submissions for all applications. This change has improved efficiency and enabled real-time status updates on submissions to keep applicants better informed throughout the review process.
- 2.13 Additional improvements are proposed, including: the introduction of a formal escalation process when timelines are exceeded or cross-departmental issues remain unresolved; the provision of standardized templates to improve submission quality and reduce the number of resubmissions; and the expanded use of digital platforms to improve internal coordination, automate routine communications and notifications, and track performance metrics.
- 2.14 A summary of the five potential reforms to site plan approvals, along with staff comments on each, is included in the table below.

Table 1: Potential Reforms to Municipal Site Plan Approvals

	Potential Reform	Comments
1	Removing site plan control as a land use planning tool.	<p>Staff strongly objects. Site plan control is an important tool used to ensure sites are developed in a way that is safe for the public, ensuring:</p> <ul style="list-style-type: none"> • New developments blend with adjacent properties, minimizing issues like privacy, lighting, and noise. • Functional layout of parking, loading, waste disposal, and safe vehicular/pedestrian access; and • Proper site grading, drainage, and utility services to prevent environmental hazards or infrastructure overload.
2	Requiring municipalities to have a maximum of three circulations after which a mandatory meeting is triggered to resolve issues.	Staff is generally supportive. This alternative should consider how to address cases in which the municipality receives a second or third submission for circulation that does not address the comments provided on a previous submission.
3	Scoping the site plan review process to a standard site plan approval checklist of functional aspects of a site (e.g., health and safety). Additional studies or plans may not be requested.	Staff objects. As noted above, the site plan review process addresses several key elements that are essential to building safe, functional and well-designed communities.
4	Requiring municipal arbitration process/ review panel for site plan applications that have exceeded the government's 60-day timeline and a specified number of circulations.	Staff have concerns that the introduction of an arbitration process or review panel could place additional strain on municipal resources and lead to additional delays due to the number of applications expected to proceed through arbitration.
5	Requiring municipalities establish different site plan approval streams for different kinds of proposed development, with corresponding scope of matters that may be controlled.	<p>Staff don't object to establishing different approval streams but request the province to clarify the definition of "different kinds of proposed development". For example, does this refer to land use, scale of the development/ project or the scope of materials that would be required in support of the application.</p> <p>The municipality could consider formalizing a major and minor site plan application process whereby applications for which supporting technical studies are not required (i.e., Plans only) could be handled through a simple stream.</p>

Establishment of Minimum Lot Sizes

- 2.15 Bill 98 sets a minimum lot size of 175 square metres (approximately 1900 square feet) on parcels of urban residential land outside the Greenbelt area.
- 2.16 Staff previously provided comments on this matter as part of [PDS-073-25](#). At that time, staff comments outlined that provincially standardized minimum lot sizes and zoning requirements were not supported.
- 2.17 For reference, current minimum lot sizes in Clarington vary by housing type and range from approximately 170 square metres for street townhouses to 550 square metres for semi-detached and duplex dwellings. Generally, the minimum lot size for a single detached dwelling is 460 square metres, which equates to a lot frontage of approximately 15 metres.
- 2.18 Staff strongly objects to a prescribed province-wide urban residential minimum lot size. Each municipality and neighbourhoods within urban areas have different characteristics and are equipped with varying levels of infrastructure, services, and amenities that are considered when establishing minimum lot sizes and determining what needs to be accommodated on each urban residential lot.
- 2.19 The proposed minimum lot size of 175 square metres is too small to be applied across all urban residential lots within the Province for all permitted built forms, and will be particularly challenging to implement: (i) on single detached and semi-detached lots (ii) within contexts where auto-reliance is high and on-site parking is essential; (iii) with respect to the provision of adequate private amenity space; (iv) in accommodating required servicing and utility infrastructure; and (v) in providing sufficient space for snow storage.
- 2.20 The Province is requested to maintain municipal discretion to establish appropriate minimum lot sizes based on local context to ensure proper function of the site and neighbourhood. If a minimum lot size is to be prescribed, it is recommended that the minimum lot size be established by dwelling type.

Parkland Dedication Reforms

- 2.21 Bill 98 advances parkland dedication changes first introduced under Bill 23, the *More Homes Built Faster Act, 2022*, providing greater flexibility in how parkland is conveyed or credited. Bill 98 proposes requiring municipalities to accept developer-identified land for parks, including those with encumbrances and Privately Owned Publicly Accessible Space (POPS) to count towards parkland dedication requirements.
- 2.22 The proposed changes would introduce the following: provisions to facilitate easements for POPS; authorization for municipalities to require agreements for encumbered land that can be registered on title; the establishment of a credit system whereby encumbered land and POPS arrangements would receive a minimum credit of 70 percent; and the establishment of a 90-day timeframe for municipal decisions regarding the acceptance of developer-identified parkland, after which a developer could appeal a non-decision to the Ontario Land Tribunal (OLT).

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- 2.23 Comments on proposed changes to parkland requirements were provided previously in response to Bill 23 via [PDS-054-22](#).
- 2.24 The process for identifying the appropriate location, size and configuration of parks is currently done through a comprehensive and municipally led planning process, such as a secondary plan, or detailed review of a development application. These processes allow the Municipality to consider the broader community structure and recommendations stemming from the Parks, Recreation and Cultural Master Plan (PRCMP).
- 2.25 Staff are concerned that allowing developers to identify parkland may result in the conveyance of small and fragmented parcels, which can limit their usability while increasing municipal operational and maintenance costs. The creation of fewer, less functional parks could have negative long-term impacts on community livability and recreational service delivery and detrimentally impact the Municipality's ability to implement the PRCMP.
- 2.26 Staff are further concerned that requiring municipalities to accept encumbered parkland could impact the Municipality's ability to ensure access to quality, safe, and functional park spaces for residents. Encumbrances, such as easements, stormwater infrastructure, underground parking or environmental constraints can significantly limit the usable area of a park and pose potential safety and liability risks.
- 2.27 In addition, accepting encumbered lands and POPS would require additional resources, including Legal, to ensure that appropriate agreements are secured. Staff recommend the minimum credit be lowered to 50% or less, given the administrative and operational burden associated with the acquisition and long-term management of encumbered land as part of our municipal park system.
- 2.28 The Province is now seeking feedback on parkland suitability criteria that would be prescribed in a future regulation.
- 2.29 The suitability criteria, as currently drafted, use subjective terminology, which may create challenges during negotiation and implementation. The Province is requested to provide greater clarity and definitions for terms such as "contaminated lands", "lands adjacent to natural features" and "lands that would not support park use". Parkland must meet established levels of service and include specific amenities to function effectively as part of the public parks system.

Streamlining of Complete Application Requirements

- 2.30 The Province is proposing a standardized list of information that planning authorities can require to deem an application complete, and is seeking feedback on a framework that organizes this information into two categories: Core Studies, which could always be required, and Contingent Studies, which could only be required when a specific on-site or surrounding condition exists.

- 2.31 Staff generally support the proposed organization of each study and the objectives identified for each study type and support a flexible approach to determining when specific information and supporting materials are required.
- 2.32 Staff request that a Sun/Shadow Study be added to the list of Contingent Studies to evaluate potential shadow impacts on sensitive uses, including surrounding neighbourhoods and parks and open spaces, generated by taller buildings.
- 2.33 Staff also request that Subwatershed Studies and Master Drainage Plans be added to the list of Contingent Studies. These types of Studies/Plans may be required for larger applications, such as for Settlement Area Boundary Expansions.

3. Financial Considerations

- 3.1 The full financial implications of the proposed changes cannot be determined at this time, as several matters remain under consideration by the Province. There is potential for indirect operational impacts, particularly if arbitration is introduced for site plan applications or if OLT proceedings are introduced for encumbered parkland. In this case, the same planning staff would be required to support arbitration proceedings and OLT hearings, reducing capacity to process other development applications and potentially slowing overall application timelines.
- 3.2 There may also be financial implications associated with encumbered parkland. Increased reliance on cash-in-lieu (CIL) of parkland contributions to assemble neighbourhood parks could pose financial challenges, particularly if CIL rates do not keep pace with rising land values.
- 3.3 As additional information on the new funding partnership between the federal and provincial governments becomes available, as detailed in Comment 1.4, staff will evaluate any potential financial impacts on the Municipality.
- 3.4 Changes to the scope and format of the Official Plan Review resulting from Bill 98 and other amendments to provincial legislation over the last few years may necessitate an additional budget request to support the Review in 2027.

4. Strategic Plan

- 4.1 The changes proposed have the potential to affect how actions within the [2024-2027 Clarington Strategic Plan](#) can be implemented, particularly where outcomes depend on development regulation and land-use planning.

5. Climate Change

- 5.1 The changes proposed have potential to impact Clarington's ability to implement several climate change related actions embedded in the Strategic Plan. Specifically, Bill 98 and related initiatives propose to:

- Repeal provisions in the *Planning Act* that previously required official plans to include goals, objectives, and policies related to climate change mitigation and adaptation;
- Eliminate municipal authority to require enhanced or “green” development standards beyond the provincial Building Code; and,
- Restrict the use of site plan control to secure sustainable design elements, removing references to “sustainable design” in enabling legislation.

6. Concurrence

6.1 Not Applicable.

7. Conclusion

7.1 This report has been prepared to inform Council of recently proposed provincial legislative changes and to seek Council’s endorsement to submit the detailed comments contained in Attachment A to the Province regarding Bill 98 in advance of the May 14, 2026, deadline.

7.2 It is respectfully recommended that Council adopt the recommendation as presented.

Staff Contact: Amanda Crompton, Principal Planner, acrompton@clarington.net; Sarah Allin, Principal Planner, sallin@clarington.net; Lisa Backus, Manager of Community Planning, lbackus@clarington.net.

Attachments:

Attachment 1 – Staff Comments on Bill 98, *Building Homes and Improving Transportation Infrastructure Act, 2026* and related Environmental Registry of Ontario Consultation Postings

Interested Parties:

List of Interested Parties available from Department.

Attachment 1 to Report PDS-039-26 – DRAFT

Table 1: Staff Comments on Bill 98, the Building Homes and Improving Transportation Infrastructure Act

Comments on Bill 98					
Item Number	ERO/ORR Number	Title of ERO/ORR Post	Section	Overview of Proposed Change	Staff Comments
1	026-0300	Proposed <i>Planning Act</i> , <i>Building Code Act</i> , 1992 and <i>Municipal Act</i> , 2001 Changes (Schedules 1, 2 and 7 of Bill 98)	Planning Act s 16 (Contents of an Official Plan) Streamlining and Standardizing Official Plans	Proposed amendments to the <i>Planning Act</i> intend to streamline and standardize municipal official plans by establishing a standardized structure for lower- and single-tier municipalities official plans, including a prescribed table of contents and schedules, including a standardized set of land use designations.	<p>Staff remains concerned about the extent to which standardization could undermine the purpose of a municipal official plan, which is to set out the long-term vision for how a community wants to grow, and to make sure that growth is coordinated and meets the community's needs.</p> <p>Staff does not object to the standardization of the table of contents and schedules as proposed, provided municipalities will retain the autonomy to establish land use designation policies that are appropriate to the local context (e.g. built form, height, density) in consideration of supportive infrastructure (e.g. servicing, transportation, transit, community amenities and services).</p> <p>Staff does not support the standardization of official plans where standards are imposed to the extent that the result is the development of standardized built communities.</p> <p>The Province is requested to clarify how land use designations in the Oak Ridges Moraine Conservation Plan will be accommodated within the proposed structure. Oak Ridges Moraine land use designation policies (e.g. Natural Core Area) list permitted uses that may not align with or be more restrictive than the standardized set of land use designations (e.g. for the Prime Agricultural Area or Rural Lands). Similarly, clarity is requested as to how to address rural settlements within the Oak Ridges Moraine Conservation and Greenbelt Plans.</p> <p>The Province could support municipalities with additional resources to support the development of policies for the Indigenous Engagement chapter of official plans.</p> <p>Staff previously provided comments on this matter as part of the consultation undertaken by the Province in fall 2025, via PDS-073-25.</p>
2			<i>Planning Act</i> s 16 Transition to new Official Plan Framework	Proposed changes to the <i>Planning Act</i> would establish transition rules for the new official plan framework, allowing the existing framework to remain in effect for a municipality until a new official plan or an official plan amendment under section 26 is adopted after the applicable transition date. As Clarington is a large and fast-growing municipality, the identified transition date is January 1, 2028.	<p>Staff would support transition provisions that require new official plans to conform to a new framework at the next scheduled five- or ten-year review, as proposed. This would better enable municipalities to plan and budget for the update.</p> <p>Staff does not support transition provisions where compliance is required by a specified date. Such an approach would lack regard for the timing of</p>

					municipalities' most recent official plan review cycle and would put undue pressure on municipal resources and budgets by requiring another update in advance of the five-year cycle.
3			<i>Planning Act</i> s (14) (18.1), (24) Complementary Changes to Support Implementation of Streamlining and Standardizing Official Plans	<p>Changes are proposed to the <i>Planning Act</i> intended to support implementation of the proposed new official plan framework, including:</p> <ul style="list-style-type: none"> • Removing redundant requirement for municipalities to include climate change policies in their official plans, • Providing that for an already approved protected major transit station area (PMTSA), only official plan amendments changing the boundaries of the PMTSA or the planned population and jobs for the area would require the Minister's approval, and • Providing the Minister with authority to exempt lower-tier municipalities from requirement to conform with upper-tier official plan to facilitate implementation of testing for the proposed official plan framework. 	Staff supports the proposed change to enable Council to approve policies or amendments to policies relating to the use of lands within PMTSAs. This would remove an additional layer of approval and speed up implementation of policy in these critical strategic growth areas.
4			<i>Planning Act</i> s 41(4), Site Plan: Prohibit Mandatory Municipal Enhanced Development Standards and Green Building Standards	<p>Changes are proposed to the <i>Planning Act</i>, <i>Municipal Act</i>, 2001, and <i>Building Code Act</i>, 1992 that would have the effect of:</p> <ul style="list-style-type: none"> • Removing municipal authority to require certain mandatory Enhanced Development Standards (EDS) at the lot level, outside of buildings (e.g., green development standards), that are not specifically required for health or safety (e.g., stormwater management) • Providing even greater clarity that green building/construction standards are voluntary and cannot be imposed by municipalities. <p>Specifically, the proposed changes would:</p> <ul style="list-style-type: none"> • Remove references to "sustainable design" from site plan control • Clarify zoning cannot be used to require sustainable elements (e.g. electric vehicle parking), • Expressly provide that mandatory green building/construction standards are not permitted, including as part of site plan control (including those for the protection or conservation of the environment), and • Remove 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). 	Clarington's green municipal framework is currently under development. While staff continue to support green development standards, the framework is now being developed as a voluntary program as opposed to a mandatory one in response to the Province's Bill 17 and Bill 60 restrictions on green construction standards.
5			<i>Planning Act</i> s 34(3.1), (3.2), (3.3) Minimum Lot Sizes	Changes are proposed to the <i>Planning Act</i> to create a regulation-making authority to allow the Minister of Municipal Affairs and Housing to set a minimum lot size on parcels of urban residential land, outside the Greenbelt Area.	Staff does not support a prescribed province-wide urban residential minimum lot size. Each municipality and neighbourhoods within urban areas have different characteristics and are equipped with varying levels of infrastructure,

				<p>A parcel of urban residential land is defined in the <i>Planning Act</i> as a parcel within the settlement area of a municipality that is zoned for residential use (other than ancillary residential use) and is fully serviced by public sewage and water.</p> <p>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.</p> <p>It is noted a regulation under this authority would not apply directly to the subdivision or consent process, but could be relevant to such applications</p>	<p>services, and amenities (stormwater management, transit service, nearby parkland etc.) that are considered when establishing minimum lot sizes and determining what needs to be accommodated on each urban residential lot.</p> <p>Staff previously provided comments on this matter via Report PDS-073-25. The comments continue to apply.</p>
6			<p><i>Planning Act</i> s 42 Encumbered Parkland and Privately Owned Public Spaces (POPS)</p>	<p>Bill 23, the <i>More Homes Built Faster Act, 2022</i>, added subsections 42 (4.30) to (4.39) to the <i>Planning Act</i>, which, once brought into force, would provide for:</p> <ul style="list-style-type: none"> • developer-identified lands, including those with encumbrances and privately owned public spaces (POPS), to count towards any municipal parkland dedication requirement, • the landowner to appeal to the Ontario Land Tribunal (OLT) in cases where the municipality rejects developer-identified land, with the OLT required to order the land to be conveyed to the municipality if it meets prescribed criteria. 	<p>Staff strongly opposes requiring municipalities to accept developer-identified land for parks, including lands with encumbrances and POPS, to satisfy municipal parkland dedication requirements. These changes will detrimentally impact the Municipality's ability to implement the Parks, Recreation and Culture Master Plan (PRCMP) and deliver access to quality, safe and functional park spaces for residents.</p> <p>Developer identified lands could result in small, fragmented parks limiting their development ability while increasing operational costs. The potentially fewer functional parks will have long-term impacts on community livability.</p> <p>There may also be financial implications associated with encumbered parkland. Increased reliance on cash-in-lieu (CIL) of parkland contributions to assemble neighbourhood parks could pose financial challenges, particularly if CIL rates do not keep pace with rising land values.</p> <p>Comments opposing the proposed changes that required municipalities to accept developer-identified and encumbered lands towards parkland dedication were provided previously in response to Bill 23 via PDS-054-22. The comments continue to apply.</p>
7				<p>Changes are proposed to the <i>Planning Act</i> to facilitate the following:</p> <ul style="list-style-type: none"> • easements for POPS, • authorize municipalities to require agreements for encumbered land (i.e., strata lands) that can be registered on title, • provide for a credit system whereby encumbered land and POPS arrangements would receive a minimum credit of 70%, and • establish a timeframe of 90 days for municipal decisions related to acceptance of developer-identified parkland, 	<p>Staff strongly oppose the proposed changes.</p> <p>Requiring municipalities to accept encumbered parkland could impact the Municipality's ability to ensure access to quality, safe, and functional park spaces for residents. Encumbrances, such as easements, stormwater infrastructure, underground parking or environmental constraints can significantly limit the usable area of a park and pose potential safety and liability risks.</p> <p>Furthermore, accepting encumbered lands and POPS would require additional resources, including Legal, to ensure that appropriate agreements are secured. This may have implications for approval timelines. Staff also</p>

				<p>after which a developer could appeal a non-decision to the OLT.</p>	<p>have concerns that potential appeals to the OLT could further strain municipal resources and result in additional delays.</p> <p>Staff recommend the minimum credit be lowered to 50% or less, given the administrative and operational burden associated with the acquisition and long-term management of encumbered land as part of our municipal park system.</p> <p>Further, staff recommend that a clear and consistent framework be established—either by the Province in consultation with municipalities, or by individual municipalities—to guide how the credit rate is calculated and applied.</p>
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Table 2: Staff Comments on 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

Changes to Various Regulations Under the <i>Planning Act</i> to Facilitate the Electronic Submission of Information and Materials to Approval Authorities and Allow Notices to be Given Electronically to the Province					
Item Number	ERO/ORR Number	Title of ERO/ORR Post	Section	Overview of Proposed Change	Staff Comments
8	026-0305	Changes to Various Regulations Under the <i>Planning Act</i> to Facilitate the Electronic Submission of Information and Materials to Approval Authorities and Allow Notices to be Given Electronically to the Province		<p>To support the government’s move towards building a digital Ontario, the government is seeking feedback on proposed changes to various regulations under the <i>Planning Act</i> that would:</p> <ul style="list-style-type: none"> • remove the requirement for information and material to include an original or certified copy, and • allow required notices to be given electronically to the Ministry of Municipal Affairs and Housing. <p>Proposed changes to remove the requirement for information and material to include an original or certified copy and allow required notices (i.e., notices of: public meeting, open house, application/complete application and adoption of a proposed official plan or plan amendment) to be given electronically to the Ministry of Municipal Affairs and Housing would affect the following regulations:</p> <ul style="list-style-type: none"> ○ O. Reg. 543/06: Official plans and plan amendments ○ O. Reg. 545/06: Zoning by-laws, holding by-laws and interim control by-laws ○ O. Reg. 544/06: Plans of subdivision ○ O. Reg. 197/96: Consent applications <p>These proposed changes would facilitate the electronic submission of information and material to approval authorities. They are intended to help streamline and expedite review of land use planning matters and are</p>	<p>Staff is generally supportive of the Province’s move towards facilitating the electronic submission of information and material to approval authorities.</p> <p>Staff has previously provided comments in support of a transition to digital submission official plans and official plan amendments that require Ministry approval.</p>

Changes to Various Regulations Under the <i>Planning Act</i> to Facilitate the Electronic Submission of Information and Materials to Approval Authorities and Allow Notices to be Given Electronically to the Province					
Item Number	ERO/ARR Number	Title of ERO/ARR Post	Section	Overview of Proposed Change	Staff Comments
				complementary to the broader government move towards building a digital Ontario.	

Table 3: Staff Comments on Consultation on Enhanced Development Standards

Comments on Consultation on Enhanced Development Standards					
Item Number	ERO/ARR Number	Title of ERO/ARR Post	Section	Overview of Proposed Change	Staff Comments
9	026-0309	Proposed Regulation to Prohibit Mandatory Enhanced Development Standards as a Condition of Land Division Approvals		<p>The Province has suggested enhanced development standards at the lot level vary across jurisdictions, which results in inconsistent requirements, added complexity, and may add to project costs for some developments. Consultation was undertaken previously as part of Bill 60 initiatives to help identify understand the issue and explore solutions (025-1101).</p> <p>The government is seeking feedback on a proposed Minister’s regulation that would have the effect of removing authority to require, as a condition of land division approvals, mandatory enhanced development standards at the lot level (outside of buildings), that are not specifically required for health, safety, accessibility or protection of adjoining lands (e.g., stormwater management).</p> <p>A regulation would be created under the <i>Planning Act</i> to prohibit “sustainability” conditions as part of land division approvals.</p>	<p>Municipalities use development standards as conditions of approval, as appropriate, to implement strategic policy directions, such as those relating to energy conservation, air quality, and climate change that are also consistent with the Provincial Planning Statement, 2024.</p> <p>Standards relating to climate resiliency and sustainability, and low impact development measures that reduce strain on or complement conventional infrastructure should be among the types of standards municipalities are able to consider outside of buildings when supporting gentle intensification of neighbourhoods through land division approvals.</p> <p>Comments were provided previously on this matter in response to ERO Posting 025-1101 via PDS-073-25.</p>

Table 4: Staff Comments on the Proposal to reform site plan control under the *Planning Act*

Proposal to reform site plan control under the <i>Planning Act</i>					
Item Number	ERO/ARR Number	Title of ERO/ARR Post	Section	Overview of Proposed Change	Staff Comments
10	026-0310	Proposal to reform site plan control under the <i>Planning Act</i>	<i>Planning Act</i> s. 41	<p>The Province has suggested Site plan control is not working as it was intended and can take years instead of the 60-day legislated timeline set out in the <i>Planning Act</i>. The government has heard that a reform of site plan is required to speed up the approvals process and reduce overall associated costs.</p> <p>Province has previously proposed changes to the site plan control as part of Bill 109, Bill 23, Bill 185, Bill 17, and Bill 60.</p>	In response to previous provincial changes and to accelerate application review timelines, staff have undertaken a comprehensive review of the Site Plan Control process and are implementing several improvements. One enhancement already in place is the transition to electronic submissions for all applications. This change has improved efficiency and enabled

Proposal to reform site plan control under the <i>Planning Act</i>					
Item Number	ERO/ARR Number	Title of ERO/ARR Post	Section	Overview of Proposed Change	Staff Comments
				<p>The following potential reforms to municipal site plan approvals reflect both Provincial and stakeholder concerns that the site plan process is taking too long. These potential reforms are intended to generate discussion on these challenges and work towards solutions that would enable a faster, more predictable, cost effective and coordinated site plan approval process.</p>	<p>real-time status updates to keep applicants better informed throughout the review process.</p> <p>Additional improvements are proposed, including: the introduction of a formal escalation process when timelines are exceeded or cross-departmental issues remain unresolved; the provision of standardized templates to improve submission quality and reduce the number of resubmissions; and the expanded use of digital platforms to improve internal coordination, automate routine communications and notifications, and track performance metrics.</p> <p>Comments were previously provided on the changes to Site Plan Control via Reports on previous Bills, including PDS-051-22, PDS-054-22, FSD-024-24, and PDS-073-25. Staff have consistently requested the Province maintain municipalities' use of site plan control to implement development standards that align with strategic and policy directions relating to energy conservation, air quality, and climate change resilience that are also consistent with the Provincial Planning Statement, 2024.</p>
11				<p>The government is seeking feedback on suggested reforms and/or other reforms you feel will speed up site plan approvals. Proposed reforms are outlined below:</p> <ol style="list-style-type: none"> 1. Remove site plan control as a land use planning tool in the <i>Planning Act</i> and the <i>City of Toronto Act, 2006</i>. 	<p>Staff strongly objects to Proposed Reform No. 1 that would remove site plan control as a land use planning tool. Site plan control is an important tool used to ensure sites are developed in a way that is safe for the public, ensuring:</p> <ul style="list-style-type: none"> • New developments blend with adjacent properties, minimizing issues like privacy, lighting, and noise; • Functional layout of parking, loading, waste disposal, and safe vehicular/pedestrian access; and • Proper site grading, drainage, and utility services to prevent environmental hazards or infrastructure overload. <p>The Province is requested to not remove site plan control (Proposed Reform No. 1) as a land use planning tool</p>
12				<ol style="list-style-type: none"> 2. Require municipalities to have a maximum of three circulations after which a mandatory meeting is triggered with all relevant municipal department representatives and the applicant to work through and resolve all outstanding issues. 	<p>Staff generally supports Proposed Reform No. 2, where municipalities would have a maximum of three circulations, prior to a meeting being triggered. This alternative should consider how to address cases in which the municipality receives a submission for circulation that does not address the comments provided on a previous submission.</p> <p>As noted above, the Site Plan Control process is under review, with several improvements proposed, including an approach</p>

Proposal to reform site plan control under the <i>Planning Act</i>					
Item Number	ERO/ORR Number	Title of ERO/ORR Post	Section	Overview of Proposed Change	Staff Comments
					similar to Proposed Reform No. 2 that establishes a formal escalation process when timelines are exceeded, or cross-departmental issues remain unresolved.
13				3. Further scope the site plan review process to a standard site plan approval checklist of functional aspects of a site (e.g., those related to health and safety), with use of certified professionals for acceptance and approval of reports and studies. A municipality is not permitted to request additional studies and plans beyond what is included in the standard site plan approval checklist. If technical and drawing requirements identified in the checklist are met, site plan approval is issued.	Staff objects to Proposed Reform No. 3. As noted above, the site plan review process addresses several key elements that are essential to building safe, functional and well-designed communities.
14				4. Establish or require a municipal arbitration process / site plan review panel for site plan applications that have exceeded the government's 60-day timeline and a specified number of circulations. Participants in this process would include the applicant and the municipal development review team. This would be an alternative to a hearing at the OLT with a goal of speeding up approvals and cutting down on associated costs. An arbitration process / site plan review panel decision-making timeline could be applied to ensure timely decisions on approvals.	Staff have concerns that the introduction of an arbitration process or review panel could place additional strain on municipal resources and lead to additional delays due to the number of applications expected to proceed through arbitration.
15				5. Establish or require municipalities to establish different site plan approval streams for different kinds of proposed development, with corresponding scope of matters that may be controlled. This would mean that a "full" site plan process would only be permitted for larger, complex development initiatives resulting in fewer matters being regulated through site plan control. Less complex development would be triaged to a more expedited stream or could be exempted from site plan control completely.	Staff don't object to establishing different approval streams but request the province to clarify the definition of "different kinds of proposed development". For example, does this refer to land use, scale of the development/ project or the scope of materials that would be required in support of the application. The municipality could consider formalizing a major and minor site plan application process whereby applications for which supporting technical studies are not required (i.e., Plans only) could be handled through a simple stream.

Table 5: Staff Comments on Proposed Regulatory Approach to Establish a Minimum Residential Lot Size in Urban Areas

Proposed Regulatory Approach to Establish a Minimum Residential Lot Size in Urban Areas					
Item Number	ERO/ORR Number	Title of ERO/ORR Post	Section	Overview of Proposed Change	Staff Comments
16	026-0311	Proposed Regulatory Approach to Establish a Minimum Residential Lot Size in Urban Areas		<p>The government is seeking public feedback on a proposed regulation under the <i>Planning Act</i>, if Bill 98 <i>Building Homes and Improving Transportation Infrastructure Act, 2026</i> is passed, to set a minimum lot size of 175 square metres (approximately 1900 square feet) on parcels of urban residential land outside the Greenbelt Area. A parcel of urban residential land is defined in the <i>Planning Act</i> as a parcel within the settlement area of a municipality that is zoned for residential use (other than as an ancillary use) and is fully serviced by public sewage and water.</p> <p>Previous public consultation on the matter of minimum residential lot size in urban settings was held for 30 days from October, 23, 2025 – November, 22, 2025 in connection with the <i>Fighting Delays, Building Faster Act, 2025</i> ERO #025-1100.</p>	<p>Staff strongly objects to a prescribed province-wide urban residential minimum lot size. Each municipality and neighbourhoods within urban areas have different characteristics and are equipped with varying levels of infrastructure, services, and amenities (stormwater management, transit service, nearby parkland etc.) that are considered when establishing minimum lot sizes and determining what needs to be accommodated on each urban residential lot.</p> <p>A one-size-fits-all lot size minimum across Ontario does not recognize the differences in service levels available across municipalities, communities, and neighbourhoods.</p> <p>The proposed minimum lot size of 175 square metres is too small to be applied across all urban residential lots within the Province for all permitted built forms, and will be particularly challenging to implement: (i) on single detached and semi-detached lots (ii) within contexts where auto-reliance is high and on-site parking is essential; (iii) with respect to the provision of adequate private amenity space; (iv) in accommodating required servicing and utility infrastructure; and (v) in providing sufficient space for snow storage.</p> <p>The Province is requested to maintain municipalities' autonomy to implement appropriate minimum lot sizes based on local context to ensure proper function of the site and neighbourhood. At a minimum, the minimum lot size be established by dwelling type.</p> <p>Consideration should be given to implications to stormwater management in existing neighbourhoods where design is based on previous standards.</p> <p>Comments were previously provided on this matter as part of PDS-073-25. The comments are consistent in that staff strongly objects to a province-wide urban residential minimum lot size.</p>

Table 6: Staff Comments on Proposed Changes to Support Standardizing of Parkland Requirements Under the *Planning Act*

Proposed Changes to Support Standardizing of Parkland Requirements Under the <i>Planning Act</i>					
Item Number	ERO/ORR Number	Title of ERO/ORR Post	Section	Overview of Proposed Change	Staff Comments
17	026-0312	Proposed Changes to Support Standardizing of Parkland Requirements Under the <i>Planning Act</i>	Planning Act s 42	<p>The government is seeking public feedback on a Minister's regulation under the <i>Planning Act</i> to prescribe criteria for developer-identified parkland and related implementation matters for the conveyance of developer-identified lands for municipal parkland dedication, to implement provisions in Bill 23, the <i>More Homes Built Faster Act, 2022</i>, that are not yet in force.</p> <p>Bill 23 added provisions to the <i>Planning Act</i> which, once in force, would provide for:</p>	<p>Staff strongly opposes requiring municipalities to accept developer-identified land for parks, including lands with encumbrances and POPS, to satisfy municipal parkland dedication requirements. These changes will detrimentally impact the Municipality's ability to implement the Parks, Recreation and Culture Master Plan (PRCMP) and deliver access to quality, safe and functional park spaces for residents.</p> <p>Developer identified lands could result in small, fragmented parks limiting their development ability while increasing operational costs. The potentially fewer functional parks will have long-term impacts on community livability.</p>

Proposed Changes to Support Standardizing of Parkland Requirements Under the <i>Planning Act</i>					
Item Number	ERO/ARR Number	Title of ERO/ARR Post	Section	Overview of Proposed Change	Staff Comments
				<ul style="list-style-type: none"> • developer-identified lands, including land with encumbrances and POPS arrangements, to count towards municipal parkland dedication requirements, • the landowner to be able to appeal to the Ontario Land Tribunal (OLT) in cases where the municipality rejects developer-identified land, with the OLT required to order the land to be conveyed to the municipality if it meets prescribed criteria. 	<p>There may also be financial implications associated with encumbered parkland. Increased reliance on cash-in-lieu (CIL) of parkland contributions to assemble neighbourhood parks could pose financial challenges, particularly if CIL rates do not keep pace with rising land values.</p> <p>Comments opposing the proposed changes that required municipalities to accept developer-identified and encumbered lands towards parkland dedication were provided previously in response to Bill 23 via PDS-054-22. The comments continue to apply.</p>
18				<p>The land suitability criteria that are proposed to be prescribed in regulation would include the following:</p> <ol style="list-style-type: none"> 1. Ineligible Land – land with any of the following conditions cannot be required to be conveyed to municipalities for park and recreational purposes: <ul style="list-style-type: none"> • Contaminated lands – lands that have in or on them any contaminants from industrial or other uses that pose a public health risk. • Natural and human-made hazard lands – hazardous lands and hazardous sites as described in section 5.2 of the Provincial Planning Statement, 2024 (PPS 2024) as well as lands affected by human-made hazards as described in section 5.3 of the PPS 2024. • Lands within and adjacent to natural heritage features and areas are eligible on the condition that a park would not 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 or unless in accordance with policies of the Niagara Escarpment Plan. <ul style="list-style-type: none"> ○ 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. ○ Lands that are privately-owned and not accessible to public at all times. 	<p>The Province is requested to clarify what constitutes contaminated lands, and lands adjacent to natural heritage features.</p> <p>There is a great deal of subjectivity in these criteria. The Province is requested to provide clarity as to how municipalities will be able to evaluate developer- proposed lands for functionality and comfort of use. Where municipalities have a Parks Recreation Master Plan, Official Plan policies, and/or parkland criteria, will such local plans or policies be upheld in the event of an appeal relating to the acceptance of encumbered parkland?</p> <p>More clarity is required on who determines ‘park use’ – whether it is the Municipality or the Developer. “Lands that would not support park use” is vague and subjective. There needs to be a distinction between active and passive lands otherwise developers can identify the least functional lands, a green space with no development opportunity. For a Municipality, park use must meet a specific level of service and include specific amenities.</p> <p>Developer identified lands could result in small, fragmented parks limiting their development ability while increasing operational costs. The potentially fewer functional parks will have long-term impacts on community livability.</p>

Proposed Changes to Support Standardizing of Parkland Requirements Under the <i>Planning Act</i>					
Item Number	ERO/ORB Number	Title of ERO/ORB Post	Section	Overview of Proposed Change	Staff Comments
				<p>2. Land Accessibility/Comfort for Use – parkland must be accessible, visible and comfortable to facilitate public use of it and, in particular, must be:</p> <ul style="list-style-type: none"> • Accessible by all users directly from the public realm and readily visible from the public realm. • Land must be of a size and shape that is capable of serving park or public recreational purposes. 	

Table 7: Staff Comments on Streamlining the information and material that planning authorities can require as part of a complete application

Streamlining the information and material that planning authorities can require as part of a complete application					
Item Number	ERO/ORB Number	Title of ERO/ORB Post	Section	Overview of Proposed Change	Staff Comments
19	026-0313	Streamlining the information and material that planning authorities can require as part of a complete application	<i>Planning Act</i>	<p>The Province is proposing amendments to the <i>Planning Act</i> that are intended to achieve clearer and more predictable complete application requirements across the province. This will ensure that applicants and planning authorities understand what information may be required at the outset.</p> <p>The proposed provincial list identifies the types of information and material that planning authorities can require and is intended to be comprehensive enough so that proposals can be effectively evaluated to ensure that provincial interests in land use planning are upheld. The proposed list of the types of information and material that municipalities may require is not a mandatory list, rather, municipalities can determine from that list what types of information or material are required depending on the specific circumstances.</p>	<p>Staff is generally supportive of a comprehensive list of studies, as proposed, to reduce unnecessary variation in the naming and scoping of studies.</p> <p>Staff's interpretation is that the proposed provincial list continues to allow municipalities to require the information necessary to assess potential development impacts on public safety and the enjoyment of spaces, in support of creating communities where people want to live, work and play.</p>
20				<p>The Ministry is 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:</p> <ol style="list-style-type: none"> 1. Core Studies: Core studies are those that could always be required since planning authorities typically require these to assess most planning application types (i.e., official plan amendments, zoning by-law amendments, plans of subdivision/plans of condominium, site plan control, and/or consents). These studies address fundamental planning and engineering matters such as environmental impacts, existing servicing capacity, transportation impacts, and public health and safety. 	<p>Staff does not object to this approach to categorize information and materials into two types of studies, provided that municipalities retain autonomy to identify which contingent studies are applicable in each situation.</p>

Streamlining the information and material that planning authorities can require as part of a complete application					
Item Number	ERO/ORR Number	Title of ERO/ORR Post	Section	Overview of Proposed Change	Staff Comments
				<p>2. 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.</p>	
21				<p>Is the list of the types of information and material identified in this proposal comprehensive enough for planning authorities to effectively evaluate all planning applications they may receive?</p> <ol style="list-style-type: none"> 1. If not, why? What information or material is missing from the proposed list? 2. Should any of the types of studies identified in this proposal be removed from the proposed list? 	<p>Staff request that the following studies and plans be added to the list of Contingent Studies:</p> <ul style="list-style-type: none"> • Subwatershed Study and Master Drainage Plan to evaluate drainage, stormwater management and watershed impacts across a larger area beyond an individual site. These studies may be required for larger applications where such plans do not already exist, such as Settlement Area Boundary Expansions. • A Sun/Shadow Study to assess potential impacts on existing adjacent sensitive uses, including surrounding neighbourhoods and parks and open spaces, generated by development proposals of at least 10 storeys in height. The Study should provide mitigation measures, through building siting and design, to maintain safe and comfortable public (parks, open spaces) and private spaces (adjacent properties). • Master Block Plan to demonstrate how proposed development will relate and connect to existing or planned development on surrounding lands and guide coordinated implementation of required infrastructure and community facilities. • Retail Market Impact Study to assess current and future market conditions for retail development within a specific area, including recommendations on the type, size, and format of retail.
22				<p>Do you have any feedback on the objectives identified for each of the types of studies listed in this proposal? Are they broad enough to support planning authorities in obtaining sufficient information to evaluate applications, comply with applicable legislation, and determine consistency with provincial policies or conformity with provincial and municipal plans? Is there anything missing?</p> <p>Should the list identify the types of applications that the information and material could be required for (i.e., official plan amendment, zoning by-law amendment, site plan control, plans of subdivision/condominium, consents)? If so, why?</p>	<p>Staff generally support the objectives identified for each study type outlined in the proposal and support a flexible approach to determining in which cases, and for which applications certain information and materials are required.</p> <p>Staff do not support identifying the types of applications that the information and material could be required for. For the most part, this is standardized, but there are unique cases and specific on-site conditions that warrant some degree of flexibility. There may also be more simple applications that don't require the full list.</p>

Streamlining the information and material that planning authorities can require as part of a complete application					
Item Number	ERO/ORR Number	Title of ERO/ORR Post	Section	Overview of Proposed Change	Staff Comments
23				Are there studies listed that should only be required for certain types of applications? If so, which ones and why?	
24				Should planning authorities maintain the ability to develop terms of reference to specify the breadth of information required for each of the types of studies included in the provincial list? Please elaborate on your response.	While staff would welcome provincial guidance outlining suggested standards for various studies to provide a clearer understanding of and reduce unnecessary variation in what is required, planning authorities should maintain the ability to modify the terms of reference for required studies to address local circumstances, as needed.
25				Do you have any other input or suggestions of relevance to this proposal?	

Table 8: Staff Comments on 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

Proposed Changes to Various Regulations Under the <i>Planning Act</i> and the <i>City of Toronto Act, 2006</i> to Specify Additional “Prescribed Professions” for the Purposes of a Complete Application					
Item Number	ERO/ORR Number	Title of ERO/ORR Post	Section	Overview of Proposed Change	Staff Comments
26	026-0314	Proposed Changes to Various Regulations Under the <i>Planning Act</i> and the <i>City of Toronto Act, 2006</i> to Specify Additional “Prescribed Professions” for the Purposes of a Complete Application		<p>The <i>Protect Ontario by Building Faster and Smarter Act, 2025</i> (Bill 17) made changes to the <i>Planning Act</i> and the <i>City of Toronto Act, 2006</i> 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.</p> <p>Further to these legislative changes, new and amending regulations under the <i>Planning Act</i> were filed on January 22, 2026 to specify professional engineering as a “prescribed profession” for the purposes of a complete application.</p> <p>The government is now seeking feedback on adding additional certified professionals, for example registered landscape architects, for the purposes of a complete application. This change is suggested to help further speed up development approvals and reduce some initial application costs associated with development proposals.</p> <p>The prescribing of certified professionals by regulation means that municipalities would be required to accept technical studies and reports prepared by these professionals as satisfying complete application requirements (without requiring further review or revisions prior to deeming the application complete).</p> <p>Municipalities could still request additional information or undertake a review of the technical information submitted, but these requests do 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.</p> <p>We welcome your thoughts on which additional registered professionals should be added as certified professions for the purposes of a complete application.</p>	<p>Staff do not object to adding additional certified professionals for the purposes of a complete application.</p> <p>The Province is requested to ensure any additional prescribed professions are adequately regulated by independent bodies of accreditation and certification.</p> <p>The regulation should also specify the types of information and supporting material (based on the list of studies proposed in ERO 26-0313) that each prescribed profession is qualified to submit.</p>

Table 9: Staff Comments on Consultation on upper-tier official plans, secondary plans, and site and area-specific policies

Consultation on upper-tier official plans, secondary plans, and site and area-specific policies					
Item Number	ERO/ORR Number	Title of ERO/ORR Post	Section	Overview of Proposed Change	Staff Comments
27	026-0315	Consultation on upper-tier official plans, secondary plans, and site and area-specific policies		<p>The government is seeking feedback on a proposal to create a distinct framework with clear parameters for secondary plans and site and area specific policies (SASPs) with the aim of increasing consistency across municipalities while preserving development permissions.</p> <p>Proposed changes for secondary plans and SASPs could include:</p> <ul style="list-style-type: none"> 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 exempting secondary plans from Minister's approval (lower-tier municipalities in upper-tier municipalities with planning responsibilities would not be exempt from approval by the relevant upper-tier municipality) <p>The government is also seeking feedback on a proposal to simplify and standardize the format of official plans for upper-tier municipalities.</p>	<p>Staff recognize the Province's objective to improve consistency and clarity in the planning framework. However, Secondary Plans are a critical planning tool used to address the unique characteristics, infrastructure constraints, servicing considerations, and community objectives of specific geographic areas.</p> <p>Staff request that the Province clearly distinguish between Secondary Plans and SASPs within any proposed regulatory or policy framework. Secondary Plans provide comprehensive, integrated planning direction for defined areas, whereas SASPs are typically narrow in scope and intended to address specific circumstances or exceptions.</p> <p>Comments relating to the importance of secondary plans and site-specific policies were previously provided via PDS-073-25.</p> <p>Staff have no comments on the proposal to simplify and standardize the format of official plans for upper-tier municipalities.</p>
28				Which types of areas are most appropriate for the use of secondary plans (i.e. new neighbourhoods, growth areas, settlement areas, employment areas, and/or areas where there are land use compatibility concerns)? Are there additional types of areas or policy objectives that should be eligible or prioritized?	<p>Secondary Plans are most appropriately used in areas where detailed, comprehensive, and coordinated planning direction is required to manage growth, change, or complexity beyond what can be addressed through Official Plan policies alone, such as: new neighbourhoods, growth areas, settlement areas, employment areas, and areas where there are land use compatibility concerns.</p> <p>Staff request that municipalities retain discretion to determine where the preparation of a Secondary Plan is necessary.</p>
29				What benefits or challenges, if any, might you anticipate if municipalities had the option to organize secondary plans as standalone documents, while still being subject to the same Planning Act processes that apply to official plans (e.g., notification, public meetings, appeals)?	Staff don't believe this proposal would change what is done in practice at the Municipality of Clarington. Secondary Plans in Clarington are adopted as part of the Official Plan (forming Part VI) but are prepared as standalone documents and made available on the Official Plan webpage to enhance accessibility and transparency.

Consultation on upper-tier official plans, secondary plans, and site and area-specific policies					
Item Number	ERO/ORR Number	Title of ERO/ORR Post	Section	Overview of Proposed Change	Staff Comments
30				Looking ahead, how would a future framework support the ongoing applicability of existing secondary plans and SASPs? Are there any considerations we should keep in mind about how these documents are maintained or updated over time? Should we establish principles to evaluate and transition existing secondary plans and SASPs to a new framework, and if so, what should these principles include?	According to the Clarington Official Plan, Secondary Plans are intended to be reviewed and updated on a five-year cycle from the time of adoption. If a new framework is proposed, adopted Secondary Plans should transition at the time of the next review.
31				Would you support exempting secondary plans from Ministerial approval (except for lower-tier municipalities within an upper-tier municipality with planning responsibilities)? What advantages or risks do you anticipate with this approach?	Staff would support this proposal, as exempting secondary plans from Ministerial approval could streamline the approvals process and help facilitate the timely delivery of development.
32				What level of flexibility should municipalities retain to effectively implement, update, and maintain secondary plans under the proposed framework?	Municipalities should retain discretion to implement, update, and maintain secondary plans in accordance with a proposed framework.