

May 7, 2026

RE: Comments on 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) and Proposed Regulation to Prohibit Mandatory Enhanced Development Standards as a Condition of Land Division Approvals (ERO 026-300 and ERO 026-0309)

On behalf of WR Community Energy, I am writing to highlight key considerations on the proposed legislative changes under Bill 98, *Building Homes and Improving Transportation Infrastructure Act, 2026*.

WR Community Energy is a non-profit partnership between the municipalities in the Region of Waterloo and local utilities. We exist to ensure energy planning facilitates sustainable growth and aligns new development with economic priorities, environmental aspirations, and long-term cost control. By keeping energy dollars local, investing in efficient infrastructure and aligning land use with utility planning, we help communities grow in ways that are affordable, strengthens the economy, and reduces household operating costs. Local energy planning is not about adding barriers, it is about enabling smarter and more efficient growth that serves both current and future residents.

The proposed changes represent a significant shift in how sustainability and infrastructure planning will be governed in Ontario.

High-Performance Development Standards

We share the Province's desire to accelerate housing and infrastructure delivery, reduce complexity, and promote consistent standards across Ontario. Waterloo Region is already advancing a harmonized regional approach through the High-Performance Development Standards (HPDS) that aims to streamline policies and make it easier to build. The HPDS will be advanced through a voluntary, opt-in pilot program, beginning September 2026. This inter-regional collaboration reduces complexity for industry by providing a consistent and predictable framework for the seven area municipalities.

By moving ahead with a voluntary, opt-in pilot program, it will allow us to refine processes, demonstrate success, and build capacity and support directly with local industry partners. The HPDS Pilot Program will serve as a proof of concept of how sustainable design can be achieved through a streamlined development process

Local Opportunity Within a Changing System

Waterloo Region is well positioned to contribute to provincial objectives around housing and economic growth. We have municipally owned utilities, strong technical expertise, and a long-standing culture of collaboration.

Our recent work has shown that up to 42% of the heating demand could be met through distributed energy sources, using proven technologies and existing assets such as wastewater heat, geothermal systems, and industrial waste heat. This type of local capacity is not just an environmental consideration but a matter of energy security, cost stability long-term, and regional competitiveness.

With energy policies (including [Canada's Clean Electricity Strategy](#), and Ontario's [Energy for Generations](#) plan (Including [PULSE](#))) moving towards distributed energy resources, it becomes increasingly important for municipalities to have visibility into energy demand and consumption patterns. This visibility allows municipalities to align local energy resources with growth, ensuring that the supply and

Implications of Proposed Changes

Several proposed changes affect municipality's role in ensuring energy security including:

- The proposed prohibition on mandatory green development standards;
- The removal of sustainable design from site plan control;
- The elimination of requirements for electric vehicle supply equipment in connection with parking facilities;
- The elimination of requirements for climate change policies in official plans; and
- The introduction of a standardized official plan framework with reduced flexibility.

These changes will establish a new baseline in which municipalities are limited in their ability to require performance outcomes related to energy, water, and site design. To be energy secure, it is best for municipalities to have the ability to draw connections between energy supply and land use planning.

Disconnect in Long-Term Outcomes

Municipalities play a key role in connecting land use planning with energy. Energy security is no longer just a provincial or national consideration; it is increasingly being delivered through local decisions about how and where communities grow. Municipal planning tools are essential to linking energy supply with land use, enabling more efficient, resilient, and locally responsive systems.

We recognize and support the Province's goal of streamlining approvals and enabling faster housing delivery. However, there is a risk that removing key planning tools may shift costs and complexities downstream.

The ability to consider and incorporate efficiency and sustainable design upfront will limit municipalities risk of increased infrastructure strain and higher long-term capital and operating costs. Housing affordability is more than just the upfront purchase price of a home. These impacts will directly impact housing affordability as these costs are often passed directly to homeowners and occupants. We share in the Province's view that affordable energy means more money left at the end of the month for what matters most. As such, the Province needs to be investing and committing to more efficient and high-quality developments that do not require costly retrofits later on.

Ensuring continued flexibility to support electric vehicle supply equipment (EVSE) in parking facilities would better position municipalities to respond to evolving consumer trends and transportation needs. Retrofitting buildings to implement EVSE is costly and far more cost effective to be done at the time of new building construction.

Furthermore, removing sustainable design considerations from planning tools risks creating a disconnect between how communities grow, infrastructure capacities, and long-term servicing needs.

Supporting Affordable and Efficient Housing

Rising energy costs are increasingly linked to housing affordability. In Waterloo Region, nearly one third of households are renters, and many face rising operating costs due to inefficient buildings and outdated infrastructure.

Building homes that are efficient and well connected to local energy systems is far more cost effective than retrofitting them later. Planning for these efficiencies at the start helps residents avoid the financial pressures that lead to housing insecurity, supports stable utility rates, and makes housing more affordable long term.

The approach of a voluntary opt-in pilot program is a way to streamline and support future-proof developments for the builders and developers in Waterloo Region who want to employ the HPDS.

Closing

Bill 98 represents a fundamental shift in the balance between provincial direction and municipal implementation. As currently proposed, careful attention will be needed to ensure that these changes do not inadvertently limit opportunities for municipalities and industry to collaboratively deliver cost-effective, high-performance outcomes that support the Province's housing and infrastructure goals.

It is our position that the best path forward for the Province is to:

- Ensure the inclusion of sustainable design and climate change remain in site plan control and official plans to allow for long-term planning;
- Allow municipalities to require the provision and maintenance of electric vehicle supply equipment in connection with parking facilities; and
- Support streamlining development standards across the province.

WR Community Energy's role is to support collaboration and enable innovation where municipalities and the development industry choose to go beyond minimum requirements.

At a time when communities can better align local energy supply with demand, maintaining municipal visibility, coordination, and authority is critical to improving energy security and long-term system performance.

Sincerely,



Matthew Day
Executive Director, WR Community Energy