REPORT TO COUNTY COUNCIL

Bill 98 - Building Homes and Improving Transportation Infrastructure Act

To: **Warden and Members of County Council**

From: **Director of Community Planning**

RECOMMENDATIONS

1. **That County Council receive Report CP 2026-126 entitled "Bill 98 – Building Homes and Improving Transportation Infrastructure Act" and endorse the comments, as generally outlined in this report, for the purposes of informing the County's submissions to the Province on the proposed changes.**

2. **And further, that Report CP 2026-126 be circulated to the Area Municipalities for information.**

REPORT HIGHLIGHTS

- The Province is continuing with very aggressive consultation timelines (i.e. 30 and 45 days) for its most recent set of proposed changes to the *Planning Act, Development Charges Act, Building Code Act, Municipal Act*, and other legislation.
- On March 30, 2026, Bill 98 (*Building Homes and Improving Transportation Infrastructure Act*), received first reading. There are a total of thirteen different provincial consultations that were launched with the release of the Bill. These consultations include matters that are part of changes through Bill 98, as well as other similar matters being consulted on concurrently.
- Given the extremely tight commenting deadlines, staff are actively working on responses to the Province on behalf of the County, as generally outlined in this report.
- The provincial legislative environment around housing, economic and infrastructure development continues to rapidly evolve and increase in complexity and uncertainty, with multiple previous Bills still awaiting implementing regulations, shifting in intent, or being further revised (including via Bill 98).

IMPLEMENTATION POINTS

The comments and recommendations contained in this report will have no immediate implementation requirements. However, several existing Acts are proposed to be amended, and new regulations may be put in place which will require implementation through processes under the *Planning Act*, *Municipal Act, Development Charges Act,* and other related legislation. Comments regarding the potential implications of these changes are provided in this report.

Staff will continue to monitor the Environmental Registry for Ontario (ERO) and Ontario Regulatory Registry (ORR) for further information and changes.

Financial Impact

There are no immediate implications beyond this year's approved budget.

Communications

Communication is proposed through the inclusion of this report on the County Council Agenda and related communications and circulation to the area municipalities and may also be shared with other municipal organizations (e.g. AMO, WOWC, etc.) and stakeholders to assist with coordinated advocacy.

2023-2026 STRATEGIC PLAN

Oxford County Council approved the 2023-2026 Strategic Plan on September 13, 2023. The Plan outlines 39 goals across three strategic pillars that advance Council's vision of "Working together for a healthy, vibrant, and sustainable future." These pillars are: *(1) Promoting community vitality, (2) Enhancing environmental sustainability, and (3) Fostering progressive government*.

The recommendations in this report supports the following strategic goals.

Strategic Plan Pillars and Goals

PILLAR 1	PILLAR 2	PILLAR 3
		
Promoting community vitality	**Enhancing environmental sustainability**	**Fostering progressive government**
Goal 1.2 – Sustainable infrastructure and development	Goal 2.2 – Preserve and enhance our natural environment	Goal 3.2 – Collaborate with our partners and communities Goal 3.4 – Financial sustainability Goal 3.5 – Advocate for Oxford County

See: Oxford County 2023-2026 Strategic Plan

DISCUSSION

Background

On March 30, 2026, the Province announced a number of proposed changes to the P*lanning Act, Building Code Act, Municipal Act, Development Charges Act*, as well as other acts and regulations, through the proposed Bill 98 (*Building Homes and Improving Transportation Infrastructure Act*).

Community Planning has reviewed the Provincial Technical Briefing, as well as the many ERO and ORR postings related to these proposed changes, as summarized in Table 1 below. Further, planning staff have engaged Finance, and Public Works staff to obtain their input on the proposed changes related to their respective areas of service/expertise.

The timelines for responding to the Province on these various postings (i.e. 30 or 45 days – with deadlines for April 29 or May 14, respectively) are incredibly tight, and staff are actively working on responses to be submitted to the Province on behalf of the County as generally outlined in this report.

Table 1 - Summary of Provincial Consultation Postings

ERO or Regulatory Registry Posting and Topic/Title	Deadline for Comments
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 026-0300	**April 29, 2026**
Draft Projection Methodology Guideline (PMG) to support the implementation of the Provincial Planning Statement, 2024 (PPS, 2024) - ERO 026-0304	**April 29, 2026**
Proposed amendments to the Water and Wastewater Public Corporations Act, 2025 and consequential amendment to the Safe Drinking Water Act, 2002 - ERO 026-0301	**April 29, 2026**
Communal drinking water and wastewater system municipal consent requirements - ERO 026-0302	**April 29, 2026**
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 026-0314	**May 14, 2026**
Streamlining the information and material that planning authorities can require as part of a complete application - ERO 026-0313	**May 14, 2026**
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 number 026-0305	**May 14, 2026**
Proposed Regulatory Approach to Establish a Minimum Residential Lot Size in Urban Areas - ERO 026-0311	**May 14, 2026**

Proposed Changes to Support Standardizing of Parkland Requirements Under the Planning Act - ERO 026-0312	**May 14, 2026**
Proposed Regulation to Prohibit Mandatory Enhanced Development Standards as a Condition of Land Division Approvals - ERO 026-0309	**May 14, 2026**
Proposal to reform site plan control under the Planning Act and the City of Toronto Act, 2006 - ERO 026-0310	**May 14, 2026**
Consultation on upper-tier official plans, secondary plans, and site and area-specific policies - ERO 026-0315	**May 14, 2026**
Changes to the Development Charges Act, 1997 (DCA) to Exempt Non-profit Retirement Homes from Development Charges (DCs) - 26-MMAH009	**May 14, 2026**

Comments

The ERO consultations include a range of proposed changes that are a part of Bill 98. Additionally, there are other Planning Act and housing related matters the Province is consulting on concurrently that are not part of Bill 98 (e.g. potential changes that may require future amendments to legislation and/or regulation, serve as supplementary guidance material).

The current consultations generally state the intent of proposed changes are to 'further support housing, economic, and infrastructure development' which appears consistent with the Province's ongoing efforts to streamline the planning approvals process. Staff anticipate some of the proposed changes could significantly impact implementation at the local level, creating additional administrative, and potentially legal, burdens and pressure for municipalities.

A summary of the proposed changes is provided below along with key questions, concerns, and/or comments identified through initial staff review. The summary is generally grouped by topic/service area.

Bill 98 Legislative Changes

A) Bill 98 Proposed to Amend? the Planning Act

Standardizing Parkland Dedication (ERO 026-0312)

Bill 98 proposes modifications to the Planning Act to implement certain changes originally made through Bill 23 (the *More Homes Built Faster Act, 2022)* that incorporated provisions to enable developer-identified parkland.

Bill 98 is proposing the criteria for the lands that may be proposed to address municipal parkland dedication requirements. As described by the ERO posting, developers would be permitted to identify the lands to satisfy their parkland dedication requirements, including certain encumbered lands (e.g. woodlands) and privately owned publicly accessible spaces (e.g. plazas, courtyard gardens, walkway blocks), provided the lands meet prescribed suitability criteria related to matters such as accessibility, usability, environmental constraints, and title encumbrances.

The proposed changes would also establish an appeal process whereby a developer could appeal a municipality's refusal to accept developer-identified parkland to the Ontario Land Tribunal. Where the Tribunal determines that the lands meet the prescribed criteria, it would be required to order the municipality to accept the conveyance. Overall, the proposed changes would

standardize the criteria for determining the suitability of land for parkland and reduce municipal discretion in determining whether the lands to be provided as parkland through the development process are actually appropriate in terms of addressing the municipality's parkland needs and requirements.

Staff Comments

Providing greater clarity regarding what lands would be ineligible for parkland dedication, including lands that are contaminated or subject to natural and/or manmade hazards is appreciated. However, staff remain concerned that the proposed framework may permit lands containing, or adjacent to, natural heritage features (e.g. woodlands not associated with wetlands) and/or other constraints to be provided as parkland if they satisfy the minimum prescribed criteria. In some cases, such lands may provide limited functional recreational or programming value and may not align with broader municipal parkland objectives, or service level considerations.

The proposed appeal framework may also further limit municipal discretion in assessing parkland suitability and increase administrative and legal burdens associated with the review of developer-identified lands and potential Ontario Land Tribunal proceedings.

Given these proposed changes, the Area Municipalities may wish to consider the increased need for and/or benefit of developing or updating parks plans or parks master plans to ensure they clearly articulate local parkland needs, service standards, and suitability criteria to better support their future decisions with respect to the acceptance or refusal of developer-identified parkland.

Standardized Official Plans (ERO 026-0300)

Proposed amendments to Section 16 of the Planning Act would introduce requirements for municipalities to standardize the structure and organization of Official Plans (OP). The Bill establishes transition provisions (including for Oxford) that would require the changes to be implemented after January 1, 2029, with the intent being that required updates would occur through the normal OP review cycle to avoid additional municipal administrative burden and costs.

The proposed standardized Official Plan framework includes:

- A prescribed and standardized table of contents that stipulates the specific titles and content of sections and subsections;
- A prescribed set of ten OP schedules (mapping), and the specific titles and content of the schedules;
- A prescribed list of the specific land use designations (to a maximum of twelve), each of which must permit the provincially legislated uses being prescribed in the Bill.
- Permission for municipalities to still have goals and objectives at the beginning of each section of an OP; and,
- The ability for the Minister to provide written directions, which may allow for flexibility or additional requirements as it pertains to the specific chapters, sections, schedules, and land use designations being prescribed.

Staff Comments

It is noted that the proposed timeline for Council adoption of a new County OP is estimated to be either late 2028, or early 2029. As such, the proposed transition provisions would require that the new County Official Plan conform to these new requirements at the time of adoption, if adoption occurs after January 1 of 2029.

Oxford's current OP functions as a single, comprehensive land use policy document for the County and all eight (8) area municipalities. As written, the OP framework within Bill 98 would apply to all Official Plans. However, the Province is also consulting concurrently (ERO posting #026-0315, as discussed further below) on providing separate standardized frameworks for upper tier and lower tier official plans, with details to be informed through ongoing consultation. So, it appears that, even if these changes are prescribed now, they may still get amended again.

Focusing on the standardized format as is to be prescribed within Bill 98, staff note the following:

1. *The Format is overly rigid and lacks flexibility and adaptability,* including:

    - Staff recognize and generally support the goal of trying to consolidate and standardize OP land use designations. Oxford's OP currently contains roughly 35 different land use designations to cover the County and eight Area Municipalities. Some further consolidation and/or standardization of these designations is likely possible and could potentially help to improve the usability, readability, and consistency of the document. However, the Province is proposing a cap of only 12 designations (only 9 of which appear relevant to Oxford County). Further, the proposed designations appear to be overly generalized and lacking the flexibility necessary to address the many and varied land use considerations applicable across a range of urban and rural settlement areas and land uses contexts (e.g. large urban centres, villages and hamlets, rural/agricultural areas).

      For example, the proposed framework only appears to provide two designations for residential use ("Mixed Use Areas" and "Neighbourhoods"), which would provide insufficient flexibility and granularity to capture and address the diversity of residential forms and servicing contexts across the County, particularly within rural settlement areas.

      Similarly, while the multiple industrial and commercial categories in the current OP could potentially be consolidated into the proposed "Employment Area" or "Mixed Use" designations, having only two employment designations is too prescriptive. For example, permissions for "mixed use" in certain circumstances may not always be appropriate (e.g. where mixing commercial and industrial uses may be appropriate, but not also residential). It is also unclear what the difference would be between the proposed 'Employment Areas' and 'Major Facilities" designation based on the permitted uses identified.

    - There appears to be insufficient flexibility to incorporate existing best OP practices. For example, in Oxford the three urban municipalities (Woodstock, Tillsonburg, and Ingersoll) each have their own OP chapters to allow or more tailored land use planning policies for those municipalities, while still within the context of a single OP. The proposed framework would not seem to allow for such an approach, as the only chapters and sections which may be contained in an Official Plan are those listed in the Bill. Rather, such an approach would appear to require 'Ministers direction' to provide the necessary flexibility (i.e. creating unnecessary additional process/time/requirements), with no guarantee it would be approved by the Minister.

- In addition, it is unclear whether municipalities could have more sections per chapter than currently prescribed (generally limited to two) and whether corresponding subsections are even permitted. If not, this restriction would unduly limit the ability of municipalities to appropriately structure and tailor their OP policies to reflect their varied local contexts and reduce the overall readability, effectiveness, and organization of OP policies.
- Where a prescribed chapter, section, or schedule is not applicable in a particular municipality, they would still need to be included in OP, but stated as 'not applicable'.

2. *Contradicts and lacks integration with Provincial Planning Statement, 2024 (PPS),* including:

- Bill 98 will remove the Planning Act requirement that OPs contain policies that identify goals, objectives, and actions to mitigate greenhouse gas emissions. However, the PPS still requires that municipalities plan to reduce greenhouse gas emissions and prepare for the impacts of a changing climate. So, it is unclear whether/how the proposed OP framework would allow for those requirements to be addressed.
- The proposed framework includes a land use designation for "resource areas" (e.g. aggregate facilities and uses) to permit mineral aggregate extraction. However, the PPS only permits mineral aggregate extraction as an interim use in prime agricultural areas (i.e. all lands outside of a settlement in Oxford), with lands to be rehabilitated and returned to agriculture following extraction. As such, designating these lands as "resource areas" would require an OPA for a new proposal, reduce municipal control over post-extraction land use, limit long-term agricultural protection, and create unnecessary policy confusion.
- Similarly, the PPS requires that municipalities plan for and map 'natural heritage systems', while the proposed OP framework only seems to recognize requirements for natural heritage features and areas. This inconsistency also applies to the framework for 'water resources' as well as agricultural systems as the terms used, requirements, etc. doe not appear to algin with the current PPS and related guidance materials.

3. *Will increase the type and number of Official Plan Amendments*

- Staff suspect that one of the unstated goals for standardizing Official Plans is to reduce the number of Official Plan Amendments (OPAs) required for development to help 'speed up' the process. To provide some context in this regard, of the 460 planning applications per year that Oxford has averaged over the last 5 years (i.e. County and Area Municipal applications combined), only 22 were OPAs (i.e. less than 5% of total applications) roughly four of which were municipally initiated to respond to Provincial legislative changes and/or maintain minimum land supply requirements.
- The Province is also proposing to prescribe the permitted uses for each of the 12 proposed land use designations. If so, only the mandatory minimum permitted uses (in accordance with the PPS) should be prescribed to continue to allow municipalities to identify and permit additional uses where it is appropriate to do so – as prescribing the only uses permitted will simply increase the need for otherwise unnecessary OPAs.

For example, some potential gaps which may cause OPAs include:

- The proposed 'Prime Agricultural Area' designation does not permit residential uses (i.e. it is unclear if existing rural residential lots are permitted, or new rural residential lots could be created through a surplus farm dwelling severance).
- Parks would only be permitted within 'Parks and Open Space Uses' designation, Infrastructure only within the "Major Facilities' designation, and stormwater management facilities not permitted anywhere. Oxford's OP currently permits these uses within multiple designations - subject to meeting policy requirements and being appropriately zoned, to avoid the need for unnecessary OPAs.
- The 'natural environment and water resource areas' designation doesn't permit existing uses, when allowing agricultural uses to continue is a PPS requirement.

4. Lacks important implementation tools/approaches for Official Plans

- There are many important and useful OP policy implementation tools and approaches that are not currently captured by the prescribed framework. For example, the "Future Urban Growth" (FUG) designation is a key growth management tool used in Oxford's OP that allows for the appropriate phasing of growth and related infrastructure within a designated settlement, by limiting development on the lands until secondary planning, servicing, and/or other development phasing considerations are comprehensively addressed. The proposed Provincial framework does not currently include an equivalent designation or mechanism to allow for the appropriate manage and phase longer-term growth.

Limiting 'Enhanced Development Standards' (ERO 026-0300 and 026-0309)

As part of the release of the previous Bill 60 (*Fighting Delays, Building Faster Act, 2025)* the Province sought input on the municipal use of enhanced development standards (EDS) at the lot level, outside of buildings (see Report CP 2025-328).

Their intent for these changes is to add consistency and certainty to development standards and approval processes across Ontario. The Province acknowledges that this change will 'create a shift from a mandatory to voluntary approach' and result in 'shifting burden from the development sector to municipalities for sustainability measures and/or unintended environmental impacts'.

To facilitate this goal, the Province is proposing to amend the *Planning Act, Municipal Act* and *Building Code Act* to clarify that municipalities cannot require EDS, and more specifically:

- Removing the ability to require sustainable design, permeable paving materials, and standards for the protection and conservation of the environment, through site plan control.
- That zoning by-laws and site plan approval cannot require electric vehicle supply equipment;
- Clarifying that matters relating to building construction, including any environmental standards required by a by-law, are not subject to site plan control or by-laws under the *Municipal Act* and *Building Code Act.* Further changes to site plan approvals are proposed to clarify that municipalities may not prescribe any construction standards for the protection or conservation of the environment through site plans agreements.

- Provide the Minister with unrestricted regulation-making authority to limit what municipalities can require as conditions for severance, subdivision, and site plan applications. That said, the current focus appears to be limited to implementing restrictions on conditions for sustainable design and the protection and conservation of the environment.

Staff Comments

Municipalities currently use a range of land use planning and other tools (e.g. zoning by-laws, site plan control, development agreements, general design standards, etc.) to ensure that various important site level development standards are met. There is no definition of 'enhanced development standards' in the *Planning Act* or the PPS and, as a result, these requirements currently vary across jurisdictions.

Examples of EDS may include requiring features such as:

- bioswales, permeable pavement, and other passive stormwater management features;
- specific plantings/landscape elements such as specifications for street trees, vegetation within parking lots, native species plantings etc.; and
- active transportation elements, such as bicycle parking, bike or car share parking, benches, walkways/trial connections, etc.

Staff are concerned the proposed changes, and specifically the language that would preclude standards or requirements related to the 'the protection and conservation of the environment', is far too broad and fails to recognize that not all 'environmental or conservation' related requirements are related to EDS. There are many long standing basic environmental protection and mitigation measures (many from Provincial PPS guidance materials) that are necessary to implement various PPS requirements and/or by-laws under the *Municipal Act*, for example:

- Implementation of tree and erosion and sediment control by-laws, and related requirements;
- Ability to impose conditions and requirements of Environmental Impact Studies to ensure 'no negative impact' to natural heritage features and areas;
- Ability to impose conditions and requirements to ensure that development only occurs in certain areas (e.g. outside habitat of endangered and threatened species and/or fish habitat) in accordance with provincial and federal requirements; and,
- Ability to impose conditions and requirements to ensure implementation of Agricultural Impact Assessments (AIAs) recommendations that are environmental in nature (e.g. protection or restoration of soils, planting of vegetation, grading approaches, etc.).

The proposed changes would also provide the Minister with regulation-making authority to limit what municipalities can require as conditions of site plans, severances, and subdivision control. The legislative wording does not limit the regulation-making authority solely to EDS, so a future regulation/amendment could potentially expand the limitations on conditions beyond just EDS.

At minimum, staff would recommend that language be incorporated into the *Planning Act* to scope the application of this change to specific types of EDS in specific locations or circumstances. Further clarifying what constitutes EDS would help to ensure a shared understanding (e.g. municipalities, applicants etc.), thereby speeding up the approvals process and avoiding appeals.

If the proposed changes are enacted as currently written, considerable municipal staff time and resources will likely need to be spent amending affected municipal plans, by-laws, and tools (e.g. tree by-laws, site plan guidelines, design standards, etc.) and consulting with/informing the public and other stakeholders (e.g. accessibility and environmental advisory groups) of the changes.

Minimum Lot Sizes (for parcels of, fully serviced, urban residential land) (ERO 026-0311)

Proposed changes to the Planning Act would authorize the Minister to establish a minimum lot size of 175 m^2 (1883.7 ft^2) for parcels of urban residential land outside of the Greenbelt Area. This would apply to lands zoned for primary residential use and serviced by municipal water and wastewater and be implemented through municipal zoning by-laws. Any minimum lot frontage or lot depth requirements that prevent achieving this lot size would be deemed inapplicable.

The ERO posting clarifies that municipalities may permit smaller lots but could not require larger minimum lot sizes for parcels of urban residential land. However, it is understood that other applicable land use planning requirements (e.g. PPS) could continue to be evaluated through the consent or subdivision process. The Province has stated that this change is intended to support housing supply and affordability by facilitating smaller lots, thereby increasing opportunities for infill development and home ownership.

Staff Comments

The proposed legislative changes raise several uncertainties and considerations, including:

- Lack of a clear rationale or technical basis for the proposed 175 m^2 threshold;
- Lack of clarity regarding what minimum frontage and depth standards would be considered to prevent the implementation of the prescribed minimum lot area;
- Potential to expand the scope of regulation beyond just lot area (e.g. lot coverage); and
- Whether municipalities could require larger lot sizes in site-specific circumstances (e.g. to address drainage, geotechnical, or hydrogeologic constraints)

In Oxford, the zoning requirements for minimum lot area in a fully serviced settlement are based on type of dwelling, with typical requirements for an interior lot in Table 2 below:

Table 2 - Minimum Parcel Size Comparison

Dwelling Unit Type	Current Minimum Lot Areas (m^2)
Single Detached Dwelling	290 m^2 – 465 m^2
Semi-Detached Dwelling	270 m^2 – 315 m^2
Street-fronting Townhouse Dwelling (Interior Units)	150 m^2 – 240 m^2
Street-fronting Townhouse Dwelling (End Units)	240 m^2 – 330 m^2

The proposed minimum lot size of 175 m^2 is substantially less than the current zoning standards for most low-density residential forms and would be a significant reduction in the current minimum lot area requirements for single-detached and semi-detached dwellings and toward the lower end of the minimum lot area range for a street fronting townhouse.

Minimum lot area provisions in fully serviced settlement areas primarily serve as a control on residential density and lotting structure, while detailed built form, servicing, and safety considerations are managed through other zoning standards (e.g. frontage, depth, setbacks, lot coverage, landscaped open space, parking, and servicing design requirements). If these other complementary controls were to remain intact, reducing or removing minimum lot area alone is unlikely to compromise core matters such as stormwater management, fire access, accommodating utilities, and provision of sufficient on-site parking.

However, it should be noted that the Province is also proposing to render lot frontage and lot depth provisions inapplicable if they restrict minimum lot size, so there is concern that they may also choose to do the same for other zoning standards they deem to limit their prescribed minimum lot size in the future. Further, minimum lot area remains an important provision to apply at the lot creation stage (i.e. subdivision or consent), to ensure that any lots created will be able to reasonably accommodate permitted uses in compliance with all other zoning standards (i.e. avoid the creation of undersized/constrained lots that are functionally unbuildable for the permitted housing types, or typical homeowner expectations, without future variances).

Staff have previously advised the Province that a more effective approach for achieving their stated goals (e.g. supporting housing supply and affordability) would be to establish reasonable and achievable minimum residential density standards for all fully serviced settlement areas in the Province, as opposed to a rigid and uniform Province wide minimum lot size standard. Density-based regulation would help to better ensure efficient infrastructure use and housing supply outcomes, while also providing greater flexibility for municipalities to implement provincial objectives in a manner that can be tailored to reflect local context, including recognition of differences between large urban areas with transit and ample servicing capacity and public services, and smaller rural settlements with more limited infrastructure capacity and services.

Simply reducing the minimum lot area is not expected to substantially increase the development potential of most existing fully serviced parcels in Oxford. If the Province chooses to proceed with minimum lot size regulation it should, at minimum, calibrate the lot size standard to reflect differences in settlement scale and servicing context (e.g. differentiated standards for large urban centres versus smaller rural settlements) and unit type (i.e. for a small single detached unit vs. a duplex or triplex). For example, setting the same uniform lot size threshold for Toronto as Mt. Elgin ignores the major differences in existing density, character, and level of supporting infrastructure and public services between those two communities.

Further, the creation of lots based solely on minimum lot size does not ensure they can be reasonably developed in conformity with other zoning requirements or for the size and type of dwelling someone may desire (i.e. create unreasonable expectations of use). As such, relief of current lot frontage and lot depth provisions would certainly be required, and in most cases, relief from required rear yard, front yard, and interior yard widths and depths would likely also be necessary to fit any dwelling onto a 175 sq m lot – meaning there will be an increase in minor variance requests in an attempt to make such lots ‘developable’, many of which are unlikely to be supportable.

Zoning standards are not developed or applied in isolation; they are assessed in detail as part of subdivision and consent processes, where site-specific conditions such as grading, stormwater management, parking layout, and servicing constraints can all be comprehensively evaluated to determine appropriate lot size standards for the type of dwellings proposed and associated zoning provisions. Accordingly, any provincial standards should maintain the flexibility for municipalities to apply context-specific zoning standards by, at minimum, retaining the authority to establish reasonable minimum frontage, setbacks, lot coverage, and landscaped open space requirements, as these are the primary zoning tools for ensuring the functionality of the lots and development.

Facilitating Communal Services through Proposed Changes to the Safe Drinking Water Act and Municipal Act (ERO 026-0302)

Proposed changes through the Bill 98 are described on the ERO as being meant to allow for the use of non-municipal (i.e. private) communal water and wastewater systems for new housing developments. If approved, the changes would amend the *Municipal Act, 2001* to:

- Require developers to apply for municipal consent to build these systems.
- Allow the province to set standardized criteria and conditions through regulations.

Importantly, if applicants meet the prescribed requirements set out below, municipalities would then be required to approve these systems, with no recourse to refuse them.

- Location-based criteria;
- Proper system designs;
- Financial assurances (e.g., reserve funds);
- Compliance with technical and operational standards;
- Any additional regulatory conditions.

Overall, the Province's stated goal is to streamline approvals and provide certainty to developers, making it easier to build housing supported by alternative water and wastewater systems. As part of the ERO posting the Province is also seeking feedback on what should be prescribed for the requirements listed above.

Staff comments

The PPS states that municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support the protection of the environment and minimize potential risks to human health and safety. Consistent with this direction, and the County's obligation to ensure long term, safe, and sustainable servicing, it is important that municipalities retain the ability to refuse communal systems where municipal services are already planned or available to service planned growth and development.

Municipalities such as Oxford have invested substantially in the development of robust municipal systems and aligned them with the related financial and infrastructure planning tools (e.g. Development Charges, Master Plans, Environmental Assessments etc.). These tools are intended to ensure that growth is coordinated with infrastructure and public service facilities so that they are financially viable over their life cycle (e.g. asset management planning) and are available to meet current and projected needs.

As such, the County does not support the use of communal systems in Oxford. All eight Area Municipalities have one or more planned growth centres (i.e. designated Large Urban Centres or Serviced Villages) with full municipal services that are expected to be able to accommodate their forecasted growth over the planning period. As such, there is currently no demonstrated need to establish new or expanded growth areas on communal services from either a land use planning or infrastructure perspective. It is important that the County continues to retain the authority to prohibit these systems for as long as we deem it appropriate.

For these reasons, the Province should instead create an 'opt in' framework (e.g. via Council resolution of the applicable water and/or wastewater authority) for municipalities to indicate their interest or willingness to be subject to the proposed changes to the *Municipal Act*.

In addition, the Province should consider the following:

- While development supported by communal sewage services can be more compact and provide more dense housing than can be achieved by development served by private individual on-site sewage services, there are potential consequence for these developments. The locations of this type of development often do not meet other planning objectives such as being in proximity to services, recreation, employment and education, having a range of modes of transportation available and efficient land use.
- The Province currently requires a Municipal Responsibility Agreement (MRA) between the developer and a municipality responsible for water and wastewater treatment under the Municipal Act, prior to issuing a non-municipal drinking water system licence or an Environmental Compliance Approval (ECA) for privately-owned communal wastewater systems servicing residential developments. However, determining the appropriate amount for securities and/or annual contributions at the outset can be difficult. In some cases, the funds collected upfront are 100% of the cost of building a new facility. However, this does not account for extra costs that the municipality could incur such as remediation, additional studies or monitoring, staffing, upgrading the system to the municipal design standards, and integration into existing computer systems, and over time cost increases due to inflation and changing standards.
- Unlike municipal systems which are subject to O. Reg. 588/17 (Asset Management Planning for Municipal Infrastructure, under the *Infrastructure for Jobs and Prosperity Act*), there is currently no equivalent regulatory framework requiring asset management for private systems, limiting oversight of long-term maintenance and financial sustainability.
- Private communal services have a greater likelihood to malfunction because of inadequate management practices. This risk has been well documented by MECP and supported by enforcement actions and convictions published on the Ontario Court Bulletins.
- Wastewater treatment systems that rely on holding tanks can leak, causing contamination of local groundwater resources, especially if not well-maintained or located in areas with vulnerable aquifers. Spills and overflows may impact municipal infrastructure and reporting, clean up and remediation would be performed by municipal staff.
- Communal sewage systems also represent a risk to source water and limit the available locations for new municipal and private wells. Further, communal systems are generally not captured under existing Source Water Protection Plans, limiting the regulatory tools available to manage risk unless additional municipal resources are allocated.

- Private communal services may discharge treated wastewater to the same receivers as municipal services which puts pressure on the assimilative capacity of the receiving watercourse and could impact the amount of assimilative capacity remaining for use by municipally owned systems in the area. This could limit expansion of the municipal services and the associated settlement area, further compromising municipal planning objectives.

B) Proposed Changes to Water and Wastewater Public Corporations Act, 2025 (ERO 026-0301)

Proposed changes through the Bill 98 are described on the ERO and include amendments to the *Water and Wastewater Public Corporations Act, 2025* and the *Safe Drinking Water Act, 2002* to prohibit private ownership in any new water and wastewater public corporation and require 100% public sector ownership. The following review of the proposed changes was undertaken by County Public Works staff.

If approved, the changes would amend the *Water and Wastewater Public Corporations Act, 2025* to:

- Require that all new water and wastewater public corporations remain fully publicly owned, prohibiting private ownership.
- Ensure continuity of existing contracts, including employment, insurance, and collective agreements, when services are transferred to a new public corporation.
- Protect employee rights, including successor rights and pay equity, during transitions.
- Prevent the transfer of existing municipal water and wastewater debt to new public corporations.

In addition, proposed amendments to the *Safe Drinking Water Act, 2002* would clarify that systems owned by these public corporations are considered municipal drinking water systems and are subject to the same regulatory requirements.

Staff Comments

As staff noted in report CP 2025-328, concerns were previously identified regarding the creation of the *Water and Wastewater Public Corporations Act*. However, the current proposed amendments address key aspects related to ownership and governance, and staff do not have specific concerns with these changes. Broader concerns regarding water and wastewater servicing models remain as previously outlined.

With respect to municipal debt, staff note that the proposed amendments would prevent the transfer of existing water and wastewater debt to a new water and wastewater public corporation. While this provides clarity regarding financial responsibility, it may have implications for participating municipalities, as water and wastewater-related revenues could be removed without a corresponding transfer of associated debt. This could impact municipal debt capacity, annual repayment limits, and potentially credit ratings.

C) Proposed Changes to the Development Charges (DC) Act (ORR MMAH009)

The proposed amendments to the *Development Charges Act, 1997* introduce a new statutory exemption from development charges for qualifying non-profit retirement home developments.

This exemption would apply to retirement homes as defined under the *Retirement Homes Act, 2010* that are developed by eligible not-for-profit corporations in good standing. The exemption would not apply to development charges payable prior to Royal Assent but would apply to any future installment payments. The following review and commentary was provided by Financial Services staff.

While the proposed amendment is limited in scope, it is noted that any exemption from development charges must be funded from non-development-charge sources. In addition, given the varying ownership and operating structures within the retirement home sector, there is no reference regarding the duration a development would be required to remain operated by an eligible not-for-profit operation in order to ensure ongoing alignment with the intent of the exemption.

Other Concurrent Proposed Planning Act Changes (Not part of Bill 98)

In addition to the proposed changes affected through Bill 98, the Province is consulting on additional proposed changes concurrently, this includes:

- Future legislative amendments (e.g. to the Planning Act).
- Existing or new regulations (e.g. complete application requirements and prescribed professionals). In these circumstances no additional consultation or approval by the Province would be required and the Province could choose to release regulation at any time.
- Revised guidance to support PPS implementation.

These consultations are expanded on below.

A) Consultation on Upper-tier Official Plans, Secondary Plans, and Site and Area-Specific Policies (SASPs) (ERO 026-0315)

In addition to proposed legislative changes through Bill 98, the Province is seeking input on whether the proposed standardized OP table of contents, schedules, and land use designations need to include further requirements to address:

- Whether additional (separate) requirements are needed for upper tier OPs (e.g. specific land use designations, elements of standardized framework that may not be applicable and any additional considerations)
- Standardizing the approach to secondary plans and site/area-specific policies (SASPs), including: clarifying their appropriate use and geographic scope; requiring secondary plans to be standalone documents/processes from OPAs, but still subject to the same Planning Act process requirements; and exempting upper-tier secondary plans from Minister's approval.

The stated intent of these changes is to improve consistency, transparency, and usability of planning documents, and to clearly distinguish between high-level Official Plan policy and more detailed, area-specific planning.

Staff Comments

As it pertains to the concept of prescribing further requirements to distinguish between upper tier and lower tier planning responsibilities, staff note the following:

1. *Currently no recognition or consideration of combined Official Plan frameworks.*

Staff have concerns that the proposed framework, if applied too prescriptively, would not provide the necessary flexibility to accommodate a single, combined OP for both the upper tier and lower tier municipalities, as per the current Oxford model.

Oxford's single OP currently provides for a highly coordinated planning system that applies across the County and all eight (8) Area Municipalities. This model is deliberately structured to eliminate duplication, achieve efficiency, and facilitate coordination on matters that cross municipal boundaries or spheres of jurisdiction. As such, any Provincial limitations on the ability to maintain such a model would result in:

- Unnecessary duplication of policy, background studies, and consultation processes;
- Increased administrative and financial burden for both the County and Area Municipalities;
- Reduced consistency in policy application across municipal boundaries;
- Weakened coordination of growth management, infrastructure planning, and service delivery; and
- An increase in the number of OPAs needed to facilitate development.

Oxford's current OP and service delivery model represent a proven best practice in two-tier planning that has both been recognized by the Province and recently adopted, and/or currently under consideration, by a number of other two-tier municipalities. It serves to significantly reduce policy duplication and ensure consistent and coordinated policy direction on cross-boundary matters, such as growth management, settlement expansion, housing, employment, infrastructure, natural heritage systems, and natural hazards. It also enables the integration of land use planning with servicing capacity, asset management, and long-term capital planning to better support financially sustainable development outcomes.

As the Province's objectives of reducing duplication and increasing standardization are already fully addressed by Oxford's single OP model, staff expect that the current absence of specific recognition for this model is simply an oversight by the Province. As such, staff will make sure the many clear advantages of Oxford's model are well articulated in the County's comments and will not be inadvertently limited by the Province's desire for greater standardization.

2. *Requirements for Secondary Planning need to reflect how implementation works in practice*

Staff generally support providing greater clarity on the application of secondary planning tools. However, a prescriptive, one-size-fits-all, approach raises significant concerns with respect to feasibility and flexibility in implementation, including:

- Secondary planning is an essential tool for comprehensively planning for growth (e.g. planning for intensification within settlement areas, as well as settlement area expansions) by establishing an integrated, area-based framework to help ensure that growth and related infrastructure and public service facilities are provided for in a

coordinated and efficient manner, while accommodating projected needs. As such, staff would not support the prescription of specific scenarios or applications that may limit how secondary planning can be used to effectively plan for and manage growth.

- A secondary planning exercise typically involves a broad range of supporting studies (e.g. planning justification, environmental assessment, environmental impact, transportation impact, functional servicing strategy, public service facilities needs assessment, fiscal impact etc.) to support the development of a land use plan and related policies and implementation measures for the specific secondary planning area. In Oxford, the resulting land use plan and any area specific implementation policies are typically incorporated into the OP through official plan amendment (OPA), while the remainder of the secondary planning components (i.e. supporting studies and technical/background information) remain in a Council approved secondary plan document that resides outside of the OP (i.e. not incorporation of the entire secondary plan document into the OP like some municipalities).
- Based on Oxford's considerable experience, the Provincial proposal to establish a statutory process for secondary plans that is separate from the current OPA process will simply increase duplication and red tape, rather than eliminate it. In practice, such an approach would likely still necessitate an OPA to implement the relevant secondary plan policy direction, resulting in two parallel approval processes for the same planning exercise (rather than the current one). This is likely to create inefficiency, increase confusion, extend timelines, and add administrative burden. As such, staff will request that municipalities retain the flexibility to maintain their current, more efficient, implementation approaches.
- The Province's concern that some municipalities have a large number of secondary plans does not, in and of itself, indicate inefficiency or over-complexity. Rather, it likely reflects the past and present efforts of that municipality to proactively and comprehensively plan for growth and supporting infrastructure. That said, if other municipalities in Ontario have more inefficient and/or cumbersome Secondary Planning processes and implementation approaches, those may benefit from review and streamlining to be more like Oxford's. Further, once a secondary planning area is fully or substantially developed, municipalities should review their OP policies to determine if any of the policies specific to that secondary plan can be eliminated and/or simplified.

3. Site and Area-Specific Policies (SASPs) must remain flexible planning tools to meet Provincial objectives and requirements

Site and Area-Specific Policies (SASPs) are important and flexible planning tools. As such, staff have concerns with the Province considering potential limitations on the use of SASPs, including:

- Loss of a responsive and context-specific planning tool to address localized conditions including, but not limited to, infrastructure constraints, environmental features, cultural heritage resources, compatibility with existing uses, and redevelopment opportunities.
- SASPs are typically formally implemented through an OPA process, so are already subject to the statutory requirements of the Planning Act, including notice, consultation, and appeal mechanisms. As such, they do not introduce any additional layers of approval or complexity, nor do they operate outside of the existing planning framework.
- It is essential that municipalities retain flexibility in how SASPs can be utilized, as they are fundamental to achieving coordinated, efficient, and context-sensitive planning outcomes.

These tools are inherently context-driven, so must be scalable and adaptable to reflect differences in geography, growth pressures, infrastructure capacity, and community priorities. A standardized or prescriptive approach to their form, scope, or process would limit the ability of municipalities to respond to site-specific and area-specific conditions, which would undermine their effectiveness as planning implementation tools. Ultimately, if site and area specific matters can't be appropriately studied and addressed through such tools, the result will likely be less developments getting approved.

B) Removal of or Changes to Site Plan Control (ERO 026-0310)

The Province is proposing potential reforms to site plan control to streamline approvals, avoid OLT hearings, and create a 'more predictable, cost effective, and co-ordinated site plan approval process'. Proposed reform options include:

1. Removing site plan control as a land use planning tool in the *Planning Act*;
2. Limiting to a maximum of three circulations, after which a mandatory meeting with relevant staff and the applicant must occur to resolve any outstanding issues;
3. Further scoping the site plan review process to an exhaustive 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. No additional studies and plans beyond those in the approval checklist could be required. Site plan approval is issued if technical and drawing requirements identified in the checklist are met;
4. Establishing a municipal arbitration process / site plan review panel, consisting of the applicant and municipal development review team, for applications that have exceeded the statutory 60-day approval deadline and three circulation requirement. An arbitration process / decision-making timeline for the site plan review panel could also be required.
5. Requiring municipalities to establish different site plan approval streams and scope for different kinds of development. For example, only large or complex development can be subject to a 'full' site plan process, whereas less complex developments could be subject to an 'expedited stream', or be exempted from site plan completely.

The Province has requested feedback on the proposed reform options, and any other reforms that can expedite site plan approvals, which it will use to inform future changes to site plan.

Staff Comments

1. Removal of Site control as planning tool in the Planning Act

The Province has initiated multiple changes to the scope and implementation of site plan control since 2022, through multiple bills. The Province is concerned that many municipalities still have outdated documents and apply aspects of site plan control that have been prohibited (e.g. aesthetic landscape design) resulting in inconsistent implementation. As a result, one option they are now proposing is to potentially remove site plan control completely.

In Oxford, extensive effort has been spent reviewing and providing feedback to the Province on their many and ongoing changes to site plan control and tying to determine how to implement and communicate the changes that have already been enacted. As a result, most area municipalities in Oxford have not yet updated their site plan control by-law and guidelines to reflect all of the

changes. As such, it will be reiterated to the Province that the impact of constantly changing land use planning legislation and policy has been a much bigger impediment to the timeliness and predictability of development approvals than the application of site plan control.

In Oxford, site plan applications are generally processed in a very short timeframe (provided a complete and quality submission is received) and the application fees are minimal. Further, the site plan approval process provides the primary mechanism for reviewing and regulating a broad range of important site design related matters including, but not limited to, access, parking and loading, snow storage, servicing, drainage, building location, and building orientation. Without site plan control, it is not clear how these important site design matters could be effectively addressed.

As such, staff would strongly advise that the province not consider the elimination of site plan control as a planning tool entirely. If some prohibited site plan requirements are still being applied by some municipalities in error, the Province should instead focus on training/education and provision of guidance materials (e.g. updating existing and outdated online guidance materials) to ensure awareness of those prohibitions (e.g. limitations on urban design, landscaping) and provide support for municipalities to complete the necessary updates to their planning documents.

2. *Limiting to a maximum of three circulations, after which a mandatory meeting with relevant department staff and the applicant must occur to resolve any outstanding issues*

The proposal to limit circulations to a specific number appears arbitrary, with no stated reasoning and does not recognize the importance of complete, quality submissions at the outset and municipal resource impacts from having to review multiple circulations, or resubmissions. This approach also risks applicant's failing to submit all requested materials until the last circulation, which could result in last minute demands on municipal staff and resources to accommodate the proposed 'mandatory meeting' process, when outstanding issues could have been better resolved informally in advance. Staff already work with applicants through a variety of communication measures (e.g. e-mail, phone calls, meetings) to find solutions and negotiate consensus, where possible.

Staff would instead suggest that the Province re-establish the authority of municipalities to require pre-application consultation, due to its demonstrated ability to ensure complete and quality applications are submitted at the outset of the process and improve the predictability of the application process and timelines.

3. *Further scoping the site plan review process*

Staff support the idea of an approval checklist for site plan, not as an 'exhaustive approval checklist', but rather as a pre-consultation tool. However, the Province has recently prohibited municipalities from requiring mandatory pre-consultation as of the application process. In fact, the Province's proposed option to 'restructure the site plan review process' to a checklist of 'functional aspects of a site' and reports/studies essentially replicates what pre-consultation would achieve.

Although unclear, if the goal of a provincial checklist is to limit municipal review of an application to a prescribed list of items – staff do not support such an overly prescriptive approach. A reasonable alternative may be to provide recommendations (i.e. guidelines) for a more standardized format for pre-consultation comments (e.g. checklist of requirements, description of local review/approval process, consistency with legislative requirements), while still ensuing municipalities retain the authority to determine local application requirements and review/approval

processes. This would help to provide some consistency in site plan expectations across the Province for applicants who work in different municipalities with different processes.

4. Establishing a municipal arbitration process / site plan review panel

It is unclear what a mandatory 'municipal arbitration' process would achieve, as it would appear to add unnecessary bureaucracy, or duplicate existing meeting processes that municipalities already utilize to achieve this purpose. This change would also appear to download responsibility for arbitration from the OLT to municipalities, while still maintaining an applicant's appeal rights. Recognizing that municipal staff already have mandatory delegated approval authority for site plans and actively work together to evaluate applications, it is unclear what the benefit of a formal panel would be in terms of streamlining the review process or reducing the burden on the OLT.

5. *Requiring municipalities to establish different site plan approval streams*

Some Area Municipalities already establish different site plan approval streams depending on the type or scope of development (i.e. regular and minor site plans and amendments). However, staff believe that the scoping of matters that may be regulated via site plan should remain within municipal authority, recognizing that local considerations and planning context can affect the level of detail an application may be required to have.

Prescribing categories or types of development that are subject to different site plan streams, without allowing municipalities to refine or adapt these categories, risks creating unintended gaps in the site plan process that prevent proper review of important site specific matters and planning consideration and reducing the effectiveness and flexibility of the tool. For example:

- Separating applications based on the type or number of required studies, could fail to recognize the potential scope and/or level of review required for various studies.
- Amendments to existing site plans can be more complex than they appear (e.g. may depend on the nature of the site and area, when the original site plan was approved and/or supporting technical studies were undertaken etc.).
- Streaming based on land use, without adequate flexibility, could create implementation challenges for sites where multiple uses are proposed (e.g. commercial-residential mixed use)

Regarding the Province's proposed option of prescribing additional exemptions from site plan control, as it is not clear what further exemptions are being considered by the Province (i.e. there is no proposed draft wording for future legislation or regulatory changes), it is difficult for staff to suggest any specific comments in this regard.

C) Complete Application Requirements (ERO 026-0313)

A planning application is considered 'complete' when it contains all the information required by the relevant sections of the *Planning Act*, relevant Minister's regulation(s), as well as the additional materials or requirements set out in the applicable OP. Once an application is deemed complete by a municipality the statutory timelines for municipal review and decision on the application are triggered. Through Bill 17 (The *Protect Ontario by Building Faster and Smarter Act, 2025*) the Province gave themselves regulation-making authority to prescribe what studies or reports a municipality could or could not require as part of a complete application. Bill 17 also amended the *Planning Act* such that municipalities cannot adopt updates to their OP policies pertaining to complete application without first receiving a decision from the Minister.

On February 22, 2026 (CP 2026-37), County Council directed staff to submit updated OP policies pertaining to complete application requirements (also known as OPA 352) to the Minister for review and approval. At the time of the writing of this report, no decision or feedback has been received from the Minister.

The Province is now proposing to prescribe the only information and material that planning authorities may require as part of a complete application. Municipalities may select from the proposed list, which is divided into 7 'core' studies and 22 'contingent' studies. The previous ERO posting 025-0462 suggested that Province was only going to prohibit municipalities from requiring sun/shadow, wind, urban design and lighting studies, however, the current proposal would now limit municipalities to only being able to require studies identified in the regulation.

Staff comments

The proposed approach would apply to all *Planning Act* applications which are subject to complete application requirements (e.g. OPA, zoning, subdivision, consents, and site plan control).

Complete application requirements are essential for ensuring that all key information that municipalities require to properly assess the merits and impacts of a development proposal is included with the application up front, so that an informed and timely decision can be made.

The following additional comments are structured by theme.

1. Overall list of study requirements

Staff considered what studies and information would be relevant to require as part of a complete application when preparing the complete application list for OPA 352 (see report CP 2026-37). This list included existing requirements already referenced throughout the OP and those resulting from County and Area Municipal staff experience reviewing of a broad range of planning applications.

The Province's proposed list of studies and corresponding explanation for the proposed approach for study requirements is included and compared to the list from OPA 352 in Attachment 1.

Many of the studies omitted from the Provincial list are important for addressing key policies and development review criteria contained in Oxford's Official Plan. Removing the ability to require these studies as part of a complete application could limit the ability of municipalities to determine whether OP criteria have been met, and whether a proposed development is appropriate, early in the process. If the required information remains unavailable or insufficient at the time of decision, it may result in delay or cause refusal of the application. The prescription of an exhaustive list would also limit the flexibility to adjust to emerging technologies (e.g. battery storage facilities and renewable energy), evolving fields of study, or changing Ministerial requirements, given the time it would take for the Province to make the necessary legislative and regulatory changes.

The Province is also seeking feedback on the objectives or purpose for each of the twenty-nine different studies (i.e. effectiveness of language; conformity with legislation; consistency with provincial legislation/policies, or municipal plans; and potential gaps). Staff would suggest that the proposed objectives be communicated through guidance materials rather than regulation, to provide greater flexibility and allow for input from partner ministries, many of whom are already

developing/updating PPS related guidance materials that could help guide the scope and structure of the required studies.

2. Including descriptions and objectives of studies in regulation

Staff do not support the proposed use of use of prescribed high level descriptive provincial objectives (e.g. providing enough information to determine an application's supportability, meeting provincial legislation or municipal plan policies) that would need to be met for the proposed list of reports/studies that could now be required as part of a complete application. This approach risks using overly broad language for a prescriptive purpose and significantly underestimates the range of relevant considerations that existing provincial guidelines contain.

3. Limiting study types to certain development applications

Staff agree that the scope, level of detail, and applicability of complete application requirements may vary depending on the type of application/development and stage in the planning process. Ideally, applications that contemplate changes to land use (i.e. Official Plan and Zoning By-Law amendments) address considerations that are highly impactful to compatibility, safety, and sustainability over the long term (e.g. environmental impact studies, engineering requirements, contaminants), while plans of subdivision and site plan serve more as the later stages of development review and can often be scoped to more technical requirements. Regardless, the requirements for the various types of development applications (OPA, zoning, subdivision, consents, and site plan control) must remain sufficiently flexible to ensure all planning and technical matters can be reviewed and addressed at the appropriate stages in the process.

4. Terms of Reference

Staff support maintaining the ability of municipalities to develop their own terms of reference to identify the breadth of information required for a particular report or study, as this helps ensure agreement on scope and approach early in the process and avoid issues during the review of the proposal. This is particularly relevant for studies that are stronger when tailored to site-specific circumstances and utilize methods where provincial guidance does not yet exist, is outdated, or in draft. For example, Environmental Impact Studies benefit from a terms of reference so that simpler applications affecting limited areas or natural features are not subject to the same requirements as a large-scale development that affecting multiple features or species with complex habitat characteristics. This is similarly true for Agricultural Impact Assessments.

5. Reestablish pre-consultation tools

Staff recommend that the Province re-establish municipal authority to require pre-consultation, but also improve and standardize the pre-consultation process (e.g. identifying statutory timelines for the provision of comments, clarifying appeal rights associated with complete applications in relation to pre-consultation comments). This could help to address delays and reduce costs associated with applicant inaction, where requirements have been communicated by staff.

This alternative approach recognizes that both municipalities and applicants are accountable for providing information and reviewing submissions in a timely matter. Similarly, it would align with previous Provincial efforts to address inactive applications through new municipal powers – such as introducing the "use it or lose it" powers through Bill 185 that allow municipalities to remove or re-allocate water allocation from stagnant approvals to support new projects and growth.

D) Prescribed professionals (ERO 026-0314)

The Province is proposing to expand the list of prescribed professions for the purposes of complete application requirements under the Planning Act, building on regulatory changes introduced through Bill 17 (the *Protect Ontario by Building Faster and Smarter Act, 2025)*, the proposed amendments would permit additional certified professionals, such as “registered landscape architects”, to prepare technical studies and reports that municipalities would be required to accept for the purposes of deeming an application complete.

The Province previously prescribed professional engineers for the purposes of studies submitted for Official Plan Amendments, zoning by-law amendment, plans of subdivision, consents and site plan on January 21, 2026. Meaning that if Council requires information (i.e. as part of a complete application) it is now "deemed to meet the applicable requirement" for a complete application if it is provided by a professional engineer, regardless of whether all the required information is actually provided. The current proposal seeks to expand this to additional ‘certified professionals’.

Staff Comments

The wording of the proposal continues to suggest that reports prepared by prescribed professionals must also be accepted as ‘final’ studies, which remains a significant concern as, based on staff’s understanding of the *Planning Act* requirements, municipalities still retain the ability to review submitted studies and request additional information following submission. However, such review and information requests would not stop the statutory decision-making timelines, or an applicant’s appeal rights under the *Planning Act*.

Only some of the professionals that currently prepare studies and reports in support of land use planning applications are ‘regulated’ professions (i.e. professional engineers, engineering technicians and technologists, lawyers, architects and Ontario Land Surveyors are regulated by the Province, but land use planners, ecologists, urban designers, landscape architects, etc. are currently not). Accordingly, it could be challenging to define and monitor certain professions without a professional body, certification/licensing program, or other method of qualification. Even so, simply being a member of a profession does not necessarily mean that particular professional has experience or specialization in all, or particular aspects of, the work that may be undertaken by that given profession. Further, from staff’s experience, it does not guarantee the quality, thoroughness, or accuracy of the reports, studies, and professional opinions they may author and/or submit in support of a particular planning application.

Professional engineers have formal professional regulation and accountability mechanisms. However, it is not clear what criteria the Province intends to use to determine what additional professions may be prescribed (i.e. is intent to expand to both regulated and self-regulated professions, what threshold would determine whether profession is appropriate for inclusion etc.), so it is uncertain which additional professions could potentially be prescribed going forward.

The complete application process is an important mechanism for identifying deficiencies in the scope, methodology, or content of technical studies at the outset of the review process. As such, requiring municipalities to accept studies from prescribed professionals as being complete could result in incomplete or inadequate supporting materials entering the formal review process, which could delay decision-making and increase the likelihood of refusals, non-decisions, and appeals.

E) Electronic Application Submissions and Notices to Minister (ERO 026-0305)

The Province is proposing to remove the requirement for information and material to include an 'original or certified copy' for planning applications and permit certain notices (i.e. public meeting, open house, application/complete application, and adoption of an official plan or plan amendment) to be given electronically to the Minister. These changes would affect regulations for Official Plan and Zoning By-Law amendments, Plans of Subdivision, and Consents. The stated intent is to facilitate electronic submission in order to streamline and expedite review of land use planning matters and complement the 'broader government move towards building a digital Ontario'.

Staff Comments

An 'original or certified copy' is not defined in the *Planning Act* or regulations. However, it is understood to be documents, often provided in a hard copy format, that must be prepared by a specified type of professional (e.g. municipal clerk) and may be stamped and/or signed to demonstrate their official or legally enforceable status (e.g. plans or drawings, formal notices, parcel registers, declarations or affidavits that are commissioned etc.). Having greater flexibility for these types of documents may assist in electronic submissions.

Staff are generally supportive of streamlining the administrative aspects of the application process, including opportunities to reduce costs associated with notices. Staff have previously identified additional measures the Province should consider to support greater speed, efficiency, and consistency in the planning process for both municipalities and applicants, including:

- Greater flexibility for providing notice (e.g. website, social media as a substitute to newspaper advertisements) and for public consultation (e.g. combining public meetings for applications requiring upper and lower tier approvals) without requiring enabling policies in an Official Plan;
- Standardizing timing requirements for the issuance of notices and start of appeal periods between different planning application types (e.g. minor variances);
- Modernizing commissioning requirements for applications by permitting electronic commissioning and/or expanding the list of prescribed commissioners by virtue of office.

It is noted that staff have been submitting notices to the Minister electronically for many years, which has MMAH has supported even without the proposed changes.

F) Projection Methodology Guideline (ERO 026-0304)

In August 2025, the Ministry of Municipal Affairs and Housing (MMAH) released a draft updated guidance document to replace the 1995 Projection Methodology Guideline (PMG) to support the implementation of the PPS and provide an updated methodology to assist planning authorities with forecasting and determining land needs for their municipalities.

The update aimed to provide a standardized methodology that is clear, easy to follow, and allows flexibility in approach for municipalities of varying size/resources across the province, in a manner consistent with the PPS and ultimately to provide ample, adequate planned and serviced land for growth while trying to avoid supply imbalances relative to demand.

County staff provided feedback on this initial round of consultation. The Ministry is now providing a second draft for consultation.

Staff Comments

Overall, the County appreciates the changes made to the second draft of the PMG to address the first round of comments. There is some increased clarity with regards to update timing and data to be used by municipalities to ensure clarity and consistency. That said, there are a few additional and/or outstanding comments that staff propose to relay to the Province, as follows:

- Request the Province share it's hypothetical scenarios for municipal feedback before the document is finalized to ensure inclusion of an appropriate range of scenarios, and provide guidance on certain technical matters (e.g. built-up area identification, density calculations);
- Clarify that the guidelines are intended to be used/implemented by municipalities and that proponents of privately initiated settlement area boundary expansions must use municipally adopted projections/forecasts and land need analysis for their justification; and,
- Include direction with regard to stakeholder consultation and engagement

It should be noted that the recently updated Growth Forecast and Land Need Analysis approved by County Council considered the draft guidance released in 2025. Given that this project has been completed, it will not be impacted by the finalization of this guideline. However, future updates (i.e. every 5 years) will be required to consider any finalized guideline.

Other Potential Legislative Changes

Similar to past housing bills, the Province's Technical Briefing for Bill 98 indicates that additional changes continue to be contemplated and/or planned for the future. However, to date, the details have not been released to the ERO, or Regulatory Registry, for matters beyond those outlined above, and are not subject to consultation at this time. Further, the Province has not shared any information regarding when consultation on these matters may occur. As such, staff will continue to monitor for any additional information, as it becomes available.

CONCLUSIONS

Overall, the proposed amendments under Bill 98 and the proposed changes to OPs, secondary plans and SASPs, complete applications, subdivision and consent conditions, and site plan control, could result in a range of potential impacts. Staff anticipate some of the changes could significantly impact how the County structures and administers land use planning policy, ensures growth and infrastructure are coordinated and sustainable, and protects the environment. While some changes may potentially streamline processes or enhance transparency, others risk weakening local autonomy, creating inconsistencies in planning decisions, and increasing potential environmental and financial vulnerabilities over the short and long term.

In the comments submitted to the Province on behalf of the County, staff propose to emphasize the importance of maintaining a balanced, locally informed approach, that supports provincial goals, while also not compromising sound planning principles, municipal decision-making authority, environmental protection, or public confidence.

Finally, staff will continue to monitor for any further updates or other proposed Provincial changes and inform Council of any further changes that may be of significant interest or concern to the County and/or Area Municipalities.

SIGNATURES

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ATTACHMENTS

Attachment 1 – Comparison of Oxford complete application requirements (per OPA 352), vs. Provincial list