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## **Bill 98 - Building Homes and Improving Transportation Infrastructure Act, 2026**

### **Information Report**

Report Number: INFO-2026-11

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In accordance with the Procedure By-law, any member of Council may make a request to the Town Clerk that this Report be placed on an upcoming Committee of the Whole agenda for discussion.

### **Purpose**

The purpose of this report is to provide Council with an overview of The *Building Homes and Improving Transportation Infrastructure Act, 2026* (Bill 98), including the bill's proposed amendments to the *Planning Act*, as well as other Provincial consultation initiatives related to development and land use planning.

### **Background**

On March 30, 2026, the Province introduced Bill 98 ([ERO 026-0300](#)), an omnibus bill proposing amendments to multiple statutes, including the *Planning Act*, the *Development Charges Act*, the *Municipal Act*, and various infrastructure and transportation-related statutes. Bill 98 builds on earlier provincial housing and approvals-streamlining initiatives, including Bill 17 – *Protect Ontario by Building Faster and Smarter Act, 2025*, and Bill 60 – *Fighting Delays, Building Faster Act, 2025*, which received Royal Assent on June 5, 2025 and November 27, 2025, respectively. Collectively, these initiatives reflect an ongoing provincial focus on standardization and streamlining the development approvals process.

In addition to the legislative amendments proposed through Bill 98, the Province is concurrently conducting other related consultations, which are intended to inform additional amendments in the future. This report addresses the specific changes proposed through Bill 98, as well as those other related consultations that the Province has posted to the Environmental Registry of Ontario (ERO).

**Attachment 1** outlines preliminary comments on the proposed amendments and responds to questions posed through the ERO on Secondary Plan and Site and Area Specific Policies (ERO 026-0315), Complete Application Requirements (ERO 026 0313), and on proposed changes to Site Plan Control (ERO 026-0310). As most ERO consultation deadlines fall on May 14, 2026, this information report is being brought forward to ensure Council is informed of the proposed changes and staff's comments in advance of the submission deadlines.

## **Discussion**

### **Proposed Amendments to the *Planning Act***

#### **Official Plan Standardization**

Bill 98 proposes to standardize the structure and content of municipal official plans, with the stated intent to simplify and shorten official plans while improving consistency and predictability across the Province. Key proposals in Bill 98 include:

- Lower-tier and single-tier municipalities would be required to organize their official plans using a provincially prescribed format set out in Schedule 1 to the *Planning Act*, including prescribed chapters, land use designations, and schedules.
- The Minister of Municipal Affairs and Housing would be authorized to issue binding directions on the content, organization, and implementation of official plans.
- These amendments would come into force for certain municipalities (including Newmarket) on January 1, 2028. Following that date, municipalities would be required to transition to the standardized official plan format upon adoption of a new or updated official plan.

In addition to the above-described Bill 98 amendments, the Province is also consulting on whether secondary plans and site- and area-specific policies should be integrated into official plans within the standardized framework, rather than maintaining them as standalone policy documents ([ERO 026-0315](#)).

#### **Implications for Newmarket:**

- Staff are reviewing the scope and format of the Town's new Official Plan to ensure conformity with the proposed standardized structure even though the Town will not be obligated to follow that structure for official plan updates that happen before January 1, 2028.
- Through the Official Plan Review, the Town is also proposing to integrate the Urban Centres Secondary Plan into the new Official Plan. This is not a Bill 98 requirement, but it is anticipated to be a requirement in the future following the further consultations that are occurring.

#### **Site Plan Control**

Bill 98 proposes amendments to the *Planning Act* related to Site Plan Control:

- to remove references to sustainable design,
- to specify that site plan control cannot address certain matters related to the protection and conservation of the environment,
- to specify that a municipality cannot require an owner to provide electric vehicle charging stations (with similar provisions added for zoning bylaws); and
- to prevent municipalities from imposing requirements related to matters to be prescribed by regulation.

The Province is also consulting on further changes related to site plan control under the Planning Act ([ERO 026-0310](#)). The stated intent of the additional consultations is to refocus site plan control authority to matters related to health, safety, accessibility, protection of adjoining lands, and functional site matters required prior to building permit issuance (e.g., access and circulation, servicing and drainage, lighting, waste management facilities, and parking and loading). The further consultations contemplate additional narrowing of municipal authority over exterior site and right-of-way elements, and also contemplate removing Site Plan Control as a land-use planning tool under the *Planning Act*.

#### Implications for Newmarket:

If enacted, the Bill 98 site plan control amendments may result in some revisions to the Town's new draft official plan to ensure standards for the protection or conservation of the environment to be implemented at the site plan control stage are voluntary and not mandatory. Similarly, provisions related to electric vehicle supply equipment at the site plan stage must also be voluntary, not mandatory. Other implications for the Town will only be known once the province prescribes any additional prohibitions by regulation.

Possible changes resulting from the further consultations (further to what is currently proposed in Bill 98) could:

- Limit municipal site plan review to a prescribed checklist, and restrict the Town's ability to require studies, drawings, or information beyond those prescribed in the checklist.
- Establish a maximum of three circulation or resubmission cycles, after which a mandatory meeting would be required to resolve outstanding issues.
- Require the Town to establish an arbitration process for certain delayed site plan applications, where permitted, as an alternative dispute-resolution mechanism to Ontario Land Tribunal (OLT) appeals.
- Require municipalities to create a site plan approval process to triage and fast-track simpler applications, while reserving the full process for larger and/or more complex developments.
- Fully remove any requirements for site plan control under the *Planning Act*.

#### **Minimum Residential Lot Sizes ([ERO 026-0311](#))**

Bill 98 proposes to establish a minimum residential lot area standard for fully serviced urban residential lands. Key elements of the proposal include:

- A minimum lot area of 175 m<sup>2</sup> (approximately 1,900 ft<sup>2</sup>) for residential parcels located on urban residential land.
- “Urban residential land” means a parcel of land, outside of the Greenbelt Area, that is within an area of settlement on which residential use, other than ancillary residential use, is permitted by by-law and that is served by municipal water and sanitary services.
- Any minimum frontage and/or depth standards that would have the effect of requiring a lot size larger than the prescribed minimum area would be of no force or effect to that extent.
- Other planning considerations, including conformity with policies in the Provincial Planning Statement (PPS, 2024), would continue to apply to lot creation and land division decisions.

### Implications for Newmarket:

If enacted, the Bill 98 amendments related to minimum lot size would:

- Add new provisions to the *Planning Act* that prevent a zoning bylaw from requiring a minimum lot size that is larger than the minimum lot size prescribed by the Province through regulation, for parcels of urban residential land. Municipal zoning standards that conflict with the provincially prescribed minimum lot size would be inapplicable.
- Require staff to identify locations where existing frontage and/or depth zoning standards effectively prevent the creation of residential lots at the provincial minimum lot area and update the standards as necessary.
- Necessitate updates to land division review processes, including consent and minor variance evaluations, particularly with respect to how staff assess neighbourhood lot fabric, compatibility, and the planning implications of reduced minimum frontage and/or depth zoning standards.

### **Complete Application Requirements ([ERO 026-0313](#)):**

In addition to the above-described Bill 98 amendments, the Province is consulting on a proposal to further standardize and constrain municipal complete application requirements by establishing a provincially prescribed list of information and materials to deem an application complete. Key elements include:

- The prescribed list would be organized into “core” submissions expected to apply to most development applications and “contingent” submissions, which could only be required where specific site conditions or regulatory triggers exist.
- These possible changes build on the Province’s earlier approvals streamlining initiative advanced through Bill 17 – *Protect Ontario by Building Faster and Smarter Act*, 2025, and its associated regulatory consultation on complete application requirements ([ERO 025-0462](#)).
- The proposed changes would reinforce provincial authority to prescribe what information, materials, and studies may or may not be required for complete application purposes, with such requirements prevailing over broader or more discretionary submission requirements set out in municipal official plans.

## **Prescribed Professions ([ERO 026-0314](#))**

In addition to the Bill 98 amendments described above, the Province is consulting on a proposal to expand the list of “prescribed professions” (e.g., landscape architects) whose certified submissions must be accepted, in the first instance, as satisfying prescribed complete application requirements. Key elements include:

- Submissions prepared and certified by prescribed professionals are deemed sufficient for complete application purposes, thereby limiting a municipality’s ability to request revisions or additional information as a condition of completeness.
- Currently, the list of prescribed professionals (as specified in regulations) includes Professional Engineers, meaning that certain engineering submissions must currently be accepted as “complete” upon submission.
- Under the “prescribed professionals” framework, municipalities still review the substance and technical merits of submission materials in the review process (e.g., for official plan and zoning by-law amendments, subdivision, consent, and site plan control). However, municipalities may not withhold a completeness determination in relation to any report prepared by a “prescribed professional”.

### Implications for Newmarket:

If regulations are issued to prescribe additional professions, this would:

- Require updates to the Town’s development application checklists, pre-consultation practices, and any related Official Plan policies to ensure alignment with provincially prescribed submission requirements.
- Reduce municipal discretion to require revisions to studies, reports, or technical materials prepared by prescribed professionals prior to deeming an application complete.
- Shift a greater portion of issue identification and resolution from the completeness stage to later stages in the development review process, with potential implications for review timelines and staff workload distribution.
- Increase the likelihood of non-decision appeals as applications could be deemed complete notwithstanding that certain studies, reports or technical materials may not be sufficiently satisfactory to support a planning decision on the application.

## **Climate Change ([ERO 026-0309](#))**

Bill 98 proposes to remove the current mandatory requirement that official plans contain goals, objectives and actions to mitigate climate change. In addition to the proposed Bill 98 amendments, the Province is consulting on further limiting the role of climate change and broader environmental policy within statutory planning instruments. Key elements of the additional consultation include:

- 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). The regulation prohibits “sustainability” conditions as part of subdivision and severance approvals.

### Implications for Newmarket:

Changes resulting from the further consultations will:

- Create a shift from a mandatory to a voluntary approach for enhanced development elements (i.e. green development standards) that are not required for purposes of health and safety or environmental functionality (i.e. stormwater management).
- Require staff, as part of the new Official Plan Review, to carefully review climate change, natural heritage, and environmental policy language to ensure compliance with evolving provincial requirements, while advancing local objectives to the extent permitted.
- Constrain the Town’s ability to require sustainability and climate-related measures through statutory approvals, including green building and energy efficiency standards, green infrastructure or climate resilience measures, active transportation and bicycle parking requirements, and other environmentally focused development design elements, except where such measures are related to health and safety (e.g. stormwater management), or are clearly authorized by provincial legislation or the Ontario Building Code.

Increase the importance of non-statutory tools (e.g., corporate policies, guidelines, incentives, partnerships, capital planning, and education or engagement initiatives) to advance local climate and sustainability objectives and to support alignment with development approval where possible. Key considerations include:

- The extent of policy changes required in the new Official Plan to ensure legislative compliance
- Potential implications for existing and future Town-led sustainability and climate initiatives, and
- The need to monitor forthcoming regulations and provincial guidance to confirm compliance.

### **Parkland and Privately Owned Public Spaces (POPS) ([ERO 026-0312](#))**

Bill 98 further amends the not-yet-in-force provisions of the Planning Act introduced by Bill 23 related to parkland dedication. These provisions require municipalities to accept developer-identified parkland and POPS for the purposes of meeting parkland dedication requirements if certain criteria are met.

Key elements of the proposal include:

- Allowing “encumbered land” (e.g., land subject to easements and/or containing below-grade infrastructure), including POPS arrangements, to be credited toward parkland dedication requirements.
- Establishing eligibility and valuation criteria through regulation for encumbered lands and POPS.

- Requiring municipalities to make a decision within 90 days of a request to convey developer-identified encumbered land and/or POPS.
- Providing a right of appeal to the OLT where a municipality refuses a request or fails to make a decision within the prescribed 90-day timeframe.
- Authorizing the OLT, where prescribed criteria are met, to order the land to be conveyed and deemed to count toward parkland dedication.
- Capping credited land area at 70% of the conveyed land, unless the municipality determines that a higher percentage should be recognized based on site-specific conditions.

### Implications for Newmarket:

If implemented, these amendments would:

- Require the Town to establish clear evaluation criteria through the new Official Plan for assessing requests to convey encumbered lands and POPS.
- Affect negotiations related to the form, function, and location of parkland dedication.
- Pose challenges to secure functional, publicly accessible, high quality park space, particularly on higher-density or constrained development sites where POPS and encumbered lands are more common.
- Increase risk of OLT involvement in parkland dedication disputes and reduce municipal discretion retained to refuse or discount unsuitable lands/POPs, depending on how eligibility criteria are finalized.

## **Other Consultations**

In addition to the Bill 98 ERO postings, the Province is undertaking related consultations that may affect municipal growth planning and implementation.

### **Draft Projection Methodology Guideline (PMG), 2026 ([ERO 026-0304](#))**

- Intended to support the implementation of PPS, 2024 base population and employment forecasts. Comments are due April 29, 2026.
- The draft PMG would replace the 1995 PMG and provide updated guidance to assist municipalities in preparing population, housing, employment, and land needs forecasts.
- The Guideline is organized into four sections: Municipal Population Projections; Housing Needs Forecasts; Employment Forecasts; and Land Needs Assessment (20–30 year horizon).

## **Next Steps**

Staff will continue to monitor the progression of Bill 98 through the legislative process, review and respond to the additional consultations under the Environmental Registry postings, and assess the alignment of the Town’s draft Official Plan policies with emerging provincial direction.

## **Consultation**

This report was circulated to Planning, Buildings, Climate, Finance and Legal staff for review and comment. Consolidated comments on the consultations on Secondary Plan and Site- and Area-Specific Policies, Complete Application Requirements, and Site Plan Control are provided in **Attachment 1**.

## **Conclusion**

Bill 98 represents a shift in Ontario's land use planning and growth management framework. Collectively, the proposed changes signal a continued move toward standardized planning frameworks, streamlined approvals, and increased provincial oversight. These shifts have important implications for Newmarket's Official Plan Review and broader municipal operations.

## **Council Priority Association**

This report aligns with the following Council Priority: Community and Economic Vibrancy

## **Human Resource Considerations**

If enacted, Bill 98 may require additional staff time to update internal development review practices, official plan policies, and zoning by-laws, and support the Official Plan Review as provincial requirements are clarified. At this time, these activities are anticipated to be managed within existing staff resources. However, resource needs will be re-evaluated as additional details are released through regulation and as operational impacts become clearer.

## **Budget Impact**

There is no immediate budget impact associated with this information report. Staff will continue to assess these potential impacts of Bill 98 and any further amendments that result from the additional consultations.

## **Attachments**

**Attachment 1** – Town Comments on Secondary Plan and Site- and Area-Specific Policies (ERO 026-0315), Complete Application Requirements (ERO 026-0313), and Reforms to Site Plan Control (ERO 026-0310).

## **Approval for Distribution**

Paul Freeman, Chief Planner, Buildings and Planning Services  
Peter Noehammer, Commissioner, Buildings and Planning Services

## **Report Contact**

For more information on this report, contact [info@newmarket.ca](mailto:info@newmarket.ca).

## **Secondary Plan and Site- and Area-Specific Policies (026-0315)**

**Question 1: *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?***

Secondary Plans are appropriate where coordinated, area-specific direction is needed beyond the Official Plan, such as to manage growth, infrastructure sequencing, or land use compatibility. They are particularly well-suited to growth and intensification areas (including MTSA, corridors, and centres) where land use, built form, infrastructure, and the public realm must be carefully aligned; new neighbourhoods or greenfield areas that require a comprehensive framework for land use, servicing, community facilities, and phasing; and areas with specific compatibility considerations, such as interfaces between residential and employment uses, major roads, rail corridors, or other significant infrastructure.

**Question 2: *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)?***

Allowing secondary plans to be organized as stand-alone documents could improve usability for residents and applicants, and facilitate more efficient updates, particularly where the plans contain detailed mapping, design guidance, and implementation direction. This approach could also support a more streamlined Official Plan.

Key challenges, however, would include managing overlap and ensuring consistency between documents; avoiding duplicated, conflicting, or inconsistent policies; providing clear direction on document hierarchy where conflicts arise; and maintaining effective version control over time, especially where Official Plans and the secondary plans are subject to concurrent amendments or appeals.

**Question 3: *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?***

Newmarket is currently integrating its Secondary Plans (Urban Centres Secondary Plan and Shining Hill Secondary Plan) and site- and area-specific policies (SASPs) into the new Official Plan.

Given this context, the Province should consider transition provisions, including a phased implementation approach that reflects local capacity. This is particularly important in light of the significant municipal investment in existing secondary plans and SASPs, many of which incorporate policies that reflect, or have been tested through OMB/OLT decisions. Municipalities will require sufficient time to map existing secondary plans and SASP areas to any new designation or policy framework, align definitions and policy language, and update supporting schedules, infrastructure assumptions, and servicing strategies.

Where a secondary plan continues to direct growth or intensification, municipalities should retain the ability to update it through targeted amendments to address changes in provincial policy, servicing or transportation master plans, hazard or natural heritage mapping, and evolving Council priorities. Conversely, where an area is largely built out, the framework should support integrating only those secondary plan policies that remain relevant into the Official Plan, rather than requiring wholesale incorporation.

If principles are established to guide the evaluation and transition of existing secondary plans and SASPs, they should be practical, flexible, and outcome-based. For example:

- Consider consolidation or deleting policies only where an area is substantially built out.
- Prioritize a transition framework for secondary plans and SASPs that continue to direct significant growth or intensification.
- Confirm that servicing, transportation, stormwater, parks, and community facility assumptions remain aligned with current capital planning.
- Identify policy conflicts with provincial policy or Official Plan direction and focus updates on resolving the conflicts, rather than wholesale integration.
- Retain detailed, area-specific direction where they are still needed to manage built form, compatibility, public realm outcomes, or complex matters related to land use transition.
- Recognize policies shaped by OMB/OLT decisions and avoid reopening settled matters unless there is a clear policy or legislative basis to do so.
- Clearly specify how conformity will be assessed during the transition period, including which document prevails in the event of a conflict, and provide a reasonable grace period for municipalities to complete updates.

**Question 4: *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?***

Exempting secondary plans from Ministerial approval (except for lower-tier municipalities under an upper-tier planning authority) could help streamline approvals while maintaining a statutory planning framework and public accountability. Potential benefits include greater certainty for residents and development proponents. A key disadvantage, however, is the lengthy and protracted appeal processes, which could delay implementation and undermine the intended efficiency gains.

**Question 5: *What level of flexibility should municipalities retain to effectively implement, update, and maintain secondary plans under the proposed framework?***

Municipalities should retain the flexibility to initiate, structure, update, and maintain secondary plans where and when they are needed to respond to local planning objectives and circumstances.

**Question 6: *In addition to considering a combined “Community Areas” use designation described above, are there other designations that would be useful for upper-tier official plans that would help avoid duplication with lower-tier official plans?***

We agree with the recommendation to use a combined Community Area designation at both the upper-tier and local level Official Plan levels. While Newmarket no longer has an upper-tier

planning authority, the Town is proposing to implement a Community Areas designation in the new Official Plan to achieve the same policy intent.

**Question 7: Are there any parts of the standardized table of contents, schedules, and land use designations outlined in ERO 025-1099 that would need to be modified or would not apply to official plans for upper-tier municipalities?**

### **Urban Design and Built Form**

Urban design remains a required *Planning Act* consideration and, from a local municipal perspective, is implemented primarily through built form and public realm policies. These typically address matters such as building height and massing, transition and compatibility, streetscape standards, active frontages, and design guidance for growth and intensification areas.

The standardized Official Plan table of contents should clearly identify where municipalities are expected to address urban design and built form policies. For example, within a “Community Design” or “Complete Communities” section, within each land use chapter, or in a dedicated urban design and built form chapter. These are important elements in an Official Plan. Establishing expectations and clear direction would support consistency across municipal plans while allowing flexibility in local policy organization.

### **Cultural Heritage and Archaeological Resources**

Cultural heritage conservation and archaeological resources are also *Planning Act* considerations, implemented by local municipalities through Official Plan policies, schedules (e.g., cultural heritage built and landscape resources, heritage conservation districts), and development review requirements, heritage impact assessments, and archaeological assessments where warranted.

The standardized table of contents should clearly indicate where heritage and archaeological policies are expected to appear. Clear placement in the standardized table of contents or nested within a “Community Design” section would help ensure heritage policies remain visible and appropriately weighted, and reduce the risk of inconsistent interpretation during the application review stage.

### **Housing and Affordable Housing**

Housing, particularly affordable housing, continues to be a core provincial priority and a key *Planning Act* consideration. At the local level, housing objectives are implemented through land use permissions, intensification policies, and density policies, minimum or target densities, and, where applicable, affordable housing targets, partnerships, Inclusionary Zoning and other *Planning Act* tools. The standardized table of contents should clearly signal where housing and affordability policies are to be addressed so they are easy to locate, apply, and interpret during development review.

### **Climate Change and Sustainability**

While Bill 98 proposes to remove the requirement for Official Plans to include climate change policies, it does not prohibit municipalities from including climate-related direction. From a local municipal perspective, climate adaptation, infrastructure resilience, and environmental protection remain relevant to land use planning, including flooding and erosion hazards,

stormwater management, urban heat mitigation, and protecting natural features. The standardized table of contents should clarify whether climate-related policies are expected to be:

- addressed through infrastructure, hazard, natural environment, and community design policies, or
- included within a distinct section that allows municipalities to articulate local climate-related direction aligned with provincial intent.

Clarifying this would reduce uncertainty for municipalities and help appropriately scope policy direction, recognizing that climate policies may be included where they support provincial objectives, or as permissive or encouraging policies, even if no longer mandatory.

### **Land Use Designations and Schedules (Local Official Plans)**

From a local municipal perspective, the standardized approach should support clear, readable land use designations and schedules that are directly used in day-to-day planning and development review. Schedules should provide sufficient detail to illustrate the community structure and key systems and constraints, such as intensification areas, corridors, natural heritage and hazard lands, and servicing and transportation networks, while remaining practical to maintain and update as conditions change.

### **Complete Application Requirements ([ERO 026-0313](#))**

**Question 1-1: *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?***

Generally, yes, subject to conditions. The proposed list captures most of the core information and material required to assess typical planning applications and provides a reasonable baseline for province-wide consistency. However, its effectiveness will depend on maintaining sufficient flexibility to respond to site-specific conditions, local policy contexts, and different application types. A standardized list alone may not be comprehensive in all circumstances unless it is accompanied by clear mechanisms that allow municipalities to require additional, well-justified information where warranted.

**Question 1-1: *If not, why? What information or material is missing from the proposed list?***

- Arborist Reports, topographical and boundary surveys, grading plans and site works drawings should be identified as Core submission requirements, as they are routinely required to assess site conditions, constraints and feasibility at the time of application.

We further recommend adding the following items to the “Contingent” list, to the extent they remain within the *Planning Act* complete application framework and are required based on application type, scale, or site context:

- Elevations and massing diagrams (e.g. renderings, building massing models) sufficient to assess height, scale, transition, neighbourhood fit, and potential adverse impacts on lower-scale areas.

- Urban design studies and related assessments, including angular plane analysis and, where relevant, key view or visual impact assessments
- Shadow studies, where building height or massing may affect parks, public streets, or adjacent sensitive land uses
- Streetscape, landscape, and vegetation plans, such as streetscape plans, landscape plans, tree preservation and replacement plans, and vegetation enhancement strategies
- Parking and site circulation materials, including parking studies, parking structure layouts, internal circulation diagrams, and pavement marking plans.
- Construction management and construction traffic management materials, where needed to address local access, safety, and impacts on adjacent streets and land uses
- Site lighting materials, such as photometric plan or lighting impact assessments, where spillover effects or public realm safety considerations are relevant.
- Soil management plans, where on-site soil movement or export could affect grading, drainage, or construction feasibility.
- Source water protection materials, including Section 59 notices and, where applicable, source water protection studies, risk assessments, and risk management plans.

**Question 1-2: *Should any of the types of studies identified in this proposal be removed from the proposed list?***

No.

**Question 2: *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?***

It would be helpful to clarify how objectives and the scope of required studies are expected to evolve over time in response to changes in provincial policy, legislation, technical standards, and best practices.

**Question 3: *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?***

Yes. Linking required materials to specific application types would improve transparency, predictability, and consistency for applicants, municipalities, and reviewers across the development approvals process.

**Question 4: *Are there studies listed that should only be required for certain types of applications? If so, which ones and why?***

Yes. Required studies should be proportionate to the scale, complexity, and potential impacts of an application, ensuring that submission requirements are fit for purpose and focused on

supporting informed decision-making without imposing unnecessary burden on smaller or lower impact proposals.

**Question 5: *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.***

Yes. Municipal terms of reference are essential to appropriately scope required studies to local conditions, policy framework, and technical requirements, and to ensure submissions are relevant, targeted, and decision-ready.

**Question 6: *Do you have any other input or suggestions of relevance to this proposal?***

None at this time.

### **Proposal to Reform Site Plan Control ([ERO 026-0310](#))**

Please find below comments on the proposed reforms to

**1. Proposal to “*Remove site plan control as a land use planning tool in the Planning Act and the City of Toronto Act, 2006.*”**

It is recommended that the Province retain Site Plan Control as a land use planning tool under the *Planning Act*. Municipal review and approval of plans and drawings are critical to ensuring safe, orderly and coordinated development, particularly with respect to connections to municipal infrastructure and utilities, as well as for more complex site designs. Site Plan Agreements, which are registered on title, are also essential to ensuring development proceeds in accordance with approved plans and drawings. In practice, these agreements are a key mechanism for implementing and securing recommendations and mitigation measures identified in studies submitted in support of a site plan control application.

**2. Proposal to: “*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.*”**

A mandatory meeting requirement may be useful in circumstances where applicants are unable to otherwise secure meetings with municipal staff. The Town already has established processes that allow applicants to meet with development review staff throughout the application process. If the Province proceeds with implementing a mandatory meeting following three site plan circulations, consideration should be given to allowing the requirement to be waived by the applicant. Town staff further recommend that such meetings be supported by formal minutes that clearly identify required actions, assign responsibilities, and timing, and that provide for either party to request a follow-up meeting within a defined period of time, where appropriate.

It is also important to recognize that a site plan application may not be approvable after three submissions for reasons unrelated to municipal delay. In some cases, applicants have not presented accurate information due to a lack of due diligence (e.g., where off-site servicing arrangements involve private property and necessary information has not been provided) or have adequately addressed comments provided through prior review cycles. In addition, perceived delays in processing can arise when a site plan application is submitted in advance of

the required zoning permissions being in place, limiting the municipality's ability to advance the application toward approval.

**Proposal to: “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.”**

Town staff do not support the proposal to limit site plan review to a checklist, with approval being granted solely on the basis of meeting the identified checklist requirements. While greater standardization through the use of checklists may help scope submission requirements and improve clarity for applicants, site plan approval should not be reduced to a checklist exercise. Effective site plan review requires professional judgement and a comprehensive evaluation of site-specific conditions, policy context, technical considerations, and coordination with municipal infrastructure and services to ensure appropriate development outcomes.

**3. Proposal to: “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.”**

Town staff have concerns that this proposed arbitration process, triggered 60 days after a site plan application is deemed complete, could introduce additional cost and delay to the site plan approval process, rather than improving efficiency. Existing provisions under Section 41 of the *Planning Act* already provide applicants with appeal rights to the OLT, which has expertise in land use planning and development matters. Introducing an alternative arbitration forum may duplicate existing processes and may not provide the same level of planning expertise, potentially complicating and prolonging site plan resolution.

**4. Proposal to: “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.”**

This proposal to establish different streams of site plan approval, including exemptions where appropriate, is already being implemented by the Town. If such a requirement is introduced in Section 41 of the *Planning Act*, it is recommended that the legislation require municipalities to establish different approval streams, while retaining municipal discretion to determine the specific criteria, development types, and circumstances that fall within each stream, including which forms of development may be exempt from Site Plan Control. This flexibility is essential to ensure that site plan review processes remain responsive to local conditions, development patterns, and capacity.