



REPORT GROWTH AND SUSTAINABILITY COMMITTEE

DATE: May 4, 2026

REPORT NO: PD-16-2026

SUBJECT: **Recommendation Report Update on Provincial Legislation Changes- Bill 98, Building Homes and Improving Transportation Infrastructure Act**

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OVERVIEW:

- The Province is introducing a new piece of legislation which impact growth and operations in the Township, Bill 98, *Building Homes and Improving Transportation Infrastructure Act*
- Bill 98 imposes changes to various Acts such as the *Planning Act, City of Toronto Act, Building Code Act, Municipal Act*.
- There have also been several postings on the Environmental Registry of Ontario (ERO) which are requesting comments on further legislative changes.
- This report will focus on the potential changes that will impact the Township of West Lincoln and is for information purposes.

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RECOMMENDATION:

1. That, Recommendation Report PD-16-2026 titled "Recommendation Report, Update on Provincial Legislation Amendments – Bill 98, *Building Homes and Improving Transportation Infrastructure Act*" dated May 4, 2026, be received; and,
2. That Administration provide comments back to the Province on the proposed changes to site plan approval.

ALIGNMENT TO STRATEGIC PLAN:

Theme # 1

- **Strategic Responsible Grown**

BACKGROUND:

On March 30, 2026 the Province introduced a new piece of legislation, Bill 98, *Building Homes and Improving Transportation Infrastructure Act*. Bill 98 imposes to make changes to various Acts, such as the *Planning Act*, *Building Code Act*, and *Development Charges Act*. The Provincial Planning Statement (PPS, 2024) has set a goal to build 1.5 million homes by 2031. In addition to *Bill 17, Protect Ontario by Building Faster and Smarter Act, 2025* and *Bill 60, Fighting Delays, Building Faster Act, 2025*, Bill 98 aims further accelerates housing construction and transportation through streamlining municipal approvals, reduce development related costs, and by reducing regulatory barriers.

This report is to provide information to Council regarding key amendments that will have impact on the Township of West Lincoln. The proposed changes are anticipated to receive Royal Assent sometime in May.

CURRENT SITUATION:

Below is a summary of the changes being made through Bill 98 ([ERO-300](#)). Closing dates for comments is May 14, 2026. The full description of each amendment can be found online via the Environmental Registry of Ontario (ERO) links provided throughout this report

[First Reading- Bill 98, Building Homes and Improving Transportation Infrastructure Act](#)

Planning Act

Prohibit Enhanced Development Standards as a Condition of Land Division Approvals. ([ERO 026-0309](#))

The Province is proposing a regulation under the Planning Act to limit the ability to require certain enhanced development or sustainability standards as a condition of land division approvals. The proposed regulation would apply to standards that are not required for health and safety, accessibility, or the protection of adjoining lands.

Proposed Amendments:

- Remove municipal authority to require mandatory enhanced development standards as a condition of land division approvals.
- Limit conditions of approval to matters related to health and safety, accessibility, and protection of adjoining lands.
- Restricting measures related to sustainability or similar enhanced development standards unless otherwise required.
- Establish a framework where certain enhanced development measures would no longer be mandatory and may instead be voluntary.

Municipalities will no longer have the authority to require sidewalks or pedestrian clearways, trees, shrubs, paving materials, bicycle parking (unless for residential purposes fewer than 25 dwelling units) and EV Parking Standards.

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

The Province is proposing to reform the site plan control process. The proposal identifies that current site plan approval timelines often exceed 60-day timeframe and outlines potential changes for a more consistent and coordinated process.

Potential Reforms:

- Remove site plan control as a planning tool under the *Planning Act*.
- Establish a maximum of three circulation rounds, after which a mandatory meeting would be required to resolve outstanding issues.
- Introduce a standardized site plan approval checklist focused on functional matters (e.g., health and safety), with limitations on requesting additional studies beyond the checklist.
- Require acceptance of reports and studies prepared by qualified professionals.
- Establish or require a municipal arbitration process or site plan review panel for applications exceeding timelines, as an alternative to Ontario Land Tribunal appeals.
- Require municipalities to establish different site plan approval streams based on development type, including potential exemptions or expedited processes for less complex development.

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

The Province is proposing to establish a minimum lot area size of 175 square metres on urban residential lands outside the Greenbelt Area. This proposal will be for parcels within the settlement area that is zoned for residential use and is fully serviced by municipal water and sanitary.

Standardizing Parkland Requirements ([ERO 026-0312](#))

The Province is proposing modifications to the parkland dedication provisions that were introduced through Bill 23 that have not come into force and effect. The modifications will establish criteria for the acceptance of parkland, including lands with encumbrances and privately owned publicly accessible spaces (POPS). The proposal also outlines requirements related to land suitability, documentation, notice regulations, and appeal processes.

Proposed Amendments:

- Establish criteria for developer-identified parkland to count toward parkland dedication, including lands with encumbrances and POPS arrangements.
- Permit landowners to appeal a municipality’s refusal of proposed parkland conveyance to the Ontario Land Tribunal, with authority for the Tribunal to order conveyance if criteria are met.
- Define ineligible lands for parkland dedication, including:
 - Contaminated lands
 - Hazard lands
 - Lands within certain protected natural heritage systems.
 - Lands unsuitable for park use (e.g., inadequate soil conditions)
 - Lands with financial encumbrances or lack of public access
- Establish minimum criteria for parkland usability, including accessibility, visibility, and appropriate size and configuration for public use.
- Introduce requirements for supporting documentation, including surveys, plans, and owner attestations.
- Require municipalities to provide notice of refusal within specified timelines, including reasons and appeal information.
- Establish requirements for records to be provided to the Ontario Land Tribunal in the event of an appeal.

Streamlining Information and Material that Planning Authorities can Require as Part of a Complete Application ([ERO -0313](#))

The Province is proposing a regulation for municipalities across the province to use a standardize list of information and material that planning authorities can require as part of a complete application to improve consistency. The regulation proposes two categories of studies; Core Studies and Contingent Studies. Core studies are fundamental studies that could always be required and contingent studies could only be required when considered relevant to a specific application on a site-specific basis or site condition that exists within the municipality.

Core Studies	Contingent Studies
Environmental Impact Statement	Aeronautical Report
Environmental Site Assessment	Aggregate/Minerals/Petroleum Resource Impact Assessment
Functional Servicing Report	Agricultural Impact Assessment
Geotechnical Report	Air Quality/Odour Study
Hydrogeological Report	Arborist Report
Planning Justification Report	Archaeological Assessment
Transportation Impact Study	Cultural Heritage Impact Assessment
	Contamination Management Plan
	Economic Viability Assessment or Financial Impact Analysis
	Human-made Hazard Impact

	Study/Assessment
	Land Use Compatibility Study
	Minimum Distance Separation Formulae
	Natural Hazard Impact Study/Assessment
	Noise/Vibration Study/ Assessment
	Rail Safety and Risk Mitigation Report
	Servicing Options Report
	Sun/Shadow Study

The Section 41 of the *Planning Act* sets out the minimum information requirements for a *Planning Act* application to be deemed complete. Currently Municipalities across Ontario have the discretion to request additional information and studies beyond the scope of the Section 41. The Township of West Lincoln's Official Plan (Section 18.16.1) sets out the requirements of a complete application, including any additional studies that may be required. Through the pre-consultation process, the Township identifies additional information and studies required to deem an application complete.

Proposed Changes to Various Regulations to Specify Additional “Prescribed Professions” for Complete Applications ([ERO-0314](#))

The Province is proposing amendment on previous changes to identify additional qualified professionals whose studies and reports must be accepted as part of a complete application. The proposal would expand the list of “prescribed professions” beyond professional engineers to include additional qualified professionals, such as registered landscape architects. The proposed changes would require municipalities to accept studies and reports prepared by professionals as meeting the complete application requirements.

Proposed Amendments:

- Expand the list of “prescribed professions” whose work must be accepted for complete applications.
- Require municipalities to accept studies and reports prepared by specified certified professionals without requiring additional review or revisions at the completeness stage.
- Apply the requirement across planning application types governed by the *Planning Act*.
- Maintain the ability for municipalities to request additional information or undertake further review after an application is deemed complete.

Standardized Official Plans ([ERO 025-1099](#)) Commenting period closed

The Province has completed consultation on the proposed standard structure for Official Plans for all lower and single-tier municipalities. The standardization includes a set list of 12 land use designations, which will be the only land use designations used in lower tier and single tier municipalities. The structure limits the length of official plans by including 10 standard chapters with standardized sub sections and standardized set of Schedules and Appendices as Chapter 11.

Amendments/Changes:

- Introduce a standardized structure and chapter format for official plans across municipalities
- Establish standardized land use designations (e.g., neighbourhoods, mixed use, employment areas, natural heritage, agricultural areas)
- Require official plans to be consolidated into a single comprehensive document, with potential limitations on secondary or area-specific plans
- Introduce standardized schedules, overlays, and mapping requirements
- Limit the length of official plans through page or word limits
- Restrict the use of detailed development standards within official plans, directing such matters to zoning by-laws
- Introduce transition requirements for municipalities to update official plans within specified timeframes
- Enable electronic submission of official plans and related materials to the Province

The Township of West Lincoln is required to have a standardized Official Plan by January 1, 2029.

Electronic Submission Submissions and Notices to Minister ([ERO-305](#))

The Province is proposing to remove the requirement for information and material to include an original or certified copy and allow required notices to be given electronically to the Ministry of Municipal Affairs and Housing.

Proposed Amendments / Changes:

- Remove requirements for information and materials to be submitted as original or certified hard copies
- Permit required notices (e.g., public meetings, open houses, complete applications, and adoption notices) to be provided electronically to the Province
- Apply changes to multiple Planning Act regulations, including:
 - O. Reg. 543/06 (Official Plans and Plan Amendments)
 - O. Reg. 545/06 (Zoning By-laws)
 - O. Reg. 544/06 (Plans of Subdivision)
 - O. Reg. 197/96 (Consent Applications)

Municipal Act, Water and Wastewater Public Corporations Act and Safe Drinking Water Act

Communal Drinking Water and Wastewater System Municipal Consent Requirements ([ERO-0302](#))

The Province is proposing amendments to the Municipal Act, 2001 and the Safe Drinking Water Act, 2002 to establish a framework for municipal consent related to non-municipal communal drinking water and wastewater systems. The proposal would facilitate regulations to prescribe criteria and conditions where municipalities would be required to provide consent for communal systems, supporting the development of new housing and infrastructure.

Proposed Amendments / Changes:

- Amend the Municipal Act, 2001 to require applicants to obtain municipal consent to establish non-municipal communal drinking water or wastewater systems
- Enable regulations to prescribe criteria and conditions under which municipalities would be required to provide consent.
- Require municipalities to provide consent where prescribed criteria and conditions are met, including:
 - Location and servicing criteria
 - Submission of required plans and documentation
 - Provision of financial assurances (e.g., reserve funds or securities)
 - Demonstration that the system will meet operational and safety requirements
- Allow municipalities to impose conditions or enter into agreements to ensure safe and sustainable operation of communal systems.
- Amend the Safe Drinking Water Act, 2002 to align municipal consent requirements with existing approvals for drinking water systems.
- Support greater use of non-municipal communal systems to facilitate development.

Proposed Changes to Water and Wastewater Public Corporations Act ([ERO 026-0301](#))

The Province is proposing legislative amendments to the Water and Wastewater Public Corporations Act, 2025 and the Safe Drinking Water Act, 2002. The proposed changes will prohibit private ownership in any new water and wastewater public corporation to maintain 100% public sector ownership.

Proposed Amendments / Changes:

- Ensure continuity of existing contracts, including employment agreements and collective agreements, when transitioning to a public corporation model.
- Clarify that employee rights are maintained through transition.
- Prohibit the transfer of long-term municipal water and wastewater debt to public corporations, while enabling future regulation of municipal debt matters.
- Amend the Safe Drinking Water Act, 2002 to confirm that drinking water systems owned by public corporations are considered municipal systems and subject to applicable requirements.

Development Charges Act

Exempt Non-profit Retirement Homes from Development Charges ([MMAH009](#))

The Province is proposing to exempt non-profit retirement homes from development charges. The proposal is intended to support the development of housing for seniors by reducing upfront development costs and aligning non-profit retirement homes with other forms of non-profit housing.

Proposed Amendments / Changes:

- Exempt non-profit retirement homes from development charges under the Development Charges Act, 1997.
- Align the treatment of non-profit retirement homes with existing exemptions for other forms of non-profit housing.
- Introduce housekeeping amendments to correct cross-references related to front-ending agreements within the Act.
- Repeal and replace specific provisions to reflect updates from previous legislative changes.

FINANCIAL IMPLICATIONS:

Depending on the outcome of the various consultation processes and new legislation, there could be financial and operational impacts to the Township. Further exemptions to development charges require the Township to budget for these exemptions to fund the necessary infrastructure under the Development Charges Bylaw. Further, changes to site plan approval could limit the ability for the Township to require site plan applications and charge the necessary fees.

INTER-DEPARTMENTAL COMMENTS:

There are no Inter-departmental comments associated with this report.

CONCLUSION:

This Information Report provides Council with a summary of the proposed changes of Bill 98. As legislation regarding Planning, Infrastructure and Development Charges continues to evolve, Administration will continue to provide regular updates to Council.

Administration is recommending providing formal comments to the Province regarding the changes to the Planning Act, specifically site plan approval, parkland dedication and minimum lot sizes.

ATTACHMENTS:

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