City of Kingston
Report to Council
Report Number 26-128

To:	**Mayor and Members of Council**
From:	**Paige Agnew, Commissioner, Growth & Development Services**
Resource Staff:	**Tim Park, Director, Planning Services**
Date of Meeting:	**April 21, 2026**
Subject:	**Canada-Ontario Partnership to Build Initiative and Ontario Bill 98 – *the Building Homes and Improving Transportation Infrastructure Act, 2026***

Council Strategic Plan Alignment:

Theme: Policies & by-laws

Goal: See above

Executive Summary:

On March 30, 2026, the Prime Minister and the Premier of Ontario announced the new Canada-Ontario Partnership to Build a 10-year $8.8 Billion initiative to encourage more housing development across Ontario.

At the same time the Ontario Minister of Municipal Affairs and Housing tabled Bill 98 – the *Building Homes and Improving Transportation Infrastructure Act, 2026.* Bill 98 is another wide-ranging bill intended to accelerate housing development and transit across the province. Bill 98 also builds on changes passed in *Bill 17*, the *Protect Ontario by Building Faster and Smarter Act* and *Bill 60*, the *Fighting Delays, Building Faster Act.*

Both initiatives announced in March 2026 are a coordinated federal and provincial strategy aimed at reducing development costs, centralize planning rules and regulations, and streamlining transportation and transit infrastructure. These changes will have implications on the City, the planning and development process, and ability to fund the infrastructure needed to support provincial and federal housing targets.

At the time of this report being written, it's anticipated that Bill 98 will receive third reading and receive Royal Assent before the end of May. There are several elements of the bill posted on the Environment Registry and this report provides an overview of the technical elements.

City staff are also actively engaged with ministry officials, and provincial and federal associations on these changes to help influence the program design for the $8.8 Billion fund, advocate for the City's position on legislative changes and offering guidance and advice to decision makers where possible. The purpose of this report to provide Council with an overview of the relevant changes proposed through the Canada-Ontario Partnership to Build and Bill 98 and to identify their anticipated impacts on Kingston.

Recommendation:

This report is for informational purposes only.

Authorizing Signatures:

ORIGINAL SIGNED BY COMMISSIONER

Paige Agnew, Commissioner,
Growth & Development Services

ORIGINAL SIGNED BY CHIEF

ADMINISTRATIVE OFFICER

Lanie Hurdle, Chief
Administrative Officer

Consultation with the following Members of the Corporate Management Team:

Jennifer Campbell, Commissioner, Community Services	Not required
Neil Carbone, Commissioner, Corporate & Emergency Services	Not required
David Fell, President & CEO, Utilities Kingston	
Desirée Kennedy, Chief Financial Officer & City Treasurer	
Jenna Morley, City Solicitor	Not required
Ian Semple, Commissioner, Transportation & Infrastructure Services	

Options/Discussion:

Background

On March 30, 2026, the Prime Minister and Premier of Ontario jointly announced the new 'Canada-Ontario Partnership to Build', at the same time the Minister of Municipal Affairs and Housing tabled Bill 98, the *Building Homes and Improving Transportation Infrastructure Act, 2026* aimed at accelerating housing supply and major infrastructure development across Ontario. Both announcements represent a significant shift in:

- Municipal growth funding frameworks;
- Land-use planning authority;
- Transit governance and integration; and
- Infrastructure delivery models.

Ontario has set an aggressive goal of building 1.5 million homes over the next 10 years. These latest initiatives signal an attempt at a more coordinated federal-provincial effort to accelerate housing construction, reduce development costs, and deliver major infrastructure quicker.

In May of 2025, the province introduced Bill 17, the *Building Faster and Smarter Act* to encourage and streamline development across the province. City staff brought forward a report to Council (Report Number 25-154) on these changes and municipal implications. Following this, in October of 2025 the province introduced Bill 60, the *Fighting Delays, Building Faster A*ct. Staff brought a report to Council (Report Number 25-259) on these changes and related impacts. Bill 98 builds upon the changes passed through both Bill 17 and Bill 60.

As a growing mid-sized municipality with strong institutional presence and constrained urban land supply, Kingston relies on a balanced approach to development that seeks to align growth with infrastructure capacity. The City also continues to exceed provincial housing targets. This directly contributes to paying for cost of growth within the city and keeping up with the speed and demand of that growth. However, these latest legislative changes appear to be geared toward encouraging the development community to build but not necessarily making municipalities whole in the process.

It is important to note; the Mayor and City staff have had discussions with the Ontario Minister of Municipal Affairs and Housing's Office to ensure that changes in legislation would not impact the progress of Kingston's new Official Plan project considering the province's proposal to streamline and simplify official plans by following a mandatory template. The language in the First Reading of Bill 98, includes transition language allowing the City's new Official Plan project to proceed as planned, with provincial compliance required at the next legislated revision, which would be 10 years from the date that the Official Plan comes into effect.

Analysis

Below is an overview of 1) the Canada-Ontario Partnership to Build and 2) Bill 98, the *Building Homes and Improving Transportation Infrastructure Act, 2026* and additional information on the

legislative consultation posted on the Environmental Registry of Ontario (ERO). It is anticipated that the government will be moving quickly to get the legislation passed similar to Bill 17 and Bill 60.

The Canada-Ontario Partnership to Build

The Canada-Ontario Partnership to Build is an $8.8 billion commitment in joint federal-provincial funding over ten years to support housing-enabling infrastructure investments for Ontario municipalities that reduce and maintain low development charges (DCs), as well as a Harmonized Sales Tax (HST) rebate to incentivize new home construction, co-operation and financial support for a number of major transit projects. Canada's share of the funding will flow through the Build Communities Strong Fund's (BCSF) Provincial and Territorial (PT) stream.

A central element of this funding is DC reduction, as explained below:

- Funding will be prioritized for municipalities that reduce and maintain reductions on DCs. The majority of funding will be used to support the reduction by up to 50 per cent of municipal DCs, to offset much of the financial impact of DC reductions on municipalities. However, municipalities will also be expected to support DC reductions, so that all three levels of government are supporting increased housing supply and affordability. As such a main condition of this new DC funding is the expectation that municipalities reduce or remove DCs – a key funding tool for roads, water and wastewater systems, transit expansion, and community facilities.
- The federal and provincial governments will agree on a list of priority municipalities where DCs are seen as cost-prohibitive and growth is essential to support Ontario's future. For these municipalities, the province would require a commitment of substantial residential DC reductions (of between 30 to 50 per cent) for a duration of three years.
- The province will also work to recognize municipalities that have already reduced their residential DCs provided they maintain the reductions for a minimum three-year period.
- Municipalities would work with the province to put forward a list of projects this funding could be used against, which must be ready-to-build and meet any other requirements agreed to between the federal and provincial governments.
- Funding will be made available for municipalities that do not levy DCs where infrastructure projects are prioritized by the province.
- The province will also commit to not instituting other taxes that hinder the housing supply for a period of three years.

The province will work with municipalities and partners to put forward a list of infrastructure projects for approval with a focus on speed and efficiency. These strategic investments will encourage new home construction and reduce barriers and costs to housing development to help increase homeownership.

Additionally, the Canada-Ontario Partnership to Build commits to the following:

- **Harmonized Sales Tax (HST) Rebate on New Homes**: Ontario and Canada will work together to remove the full 13 per cent HST for eligible buyers of new homes in Ontario valued up to $1 million and extend the maximum rebate amount of $130,000 to new homes valued between $1 million and $1.5 million. The federal government will provide Ontario a payment in the amount of $875 million, subject to passage of federal legislation, that may be applied against the federal five per cent portion of the HST that is being removed from new homes in Ontario. This partnership would provide an estimated $2.2 billion in total tax relief for housing in Ontario and provide homebuyers up to $130,000 in tax relief.

- **Waterfront East Transit**: three-way cost share between the Ontario government, the federal government and the City of Toronto to construct the Waterfront East Transit line serving Toronto's eastern waterfront, including the East Bayfront and Port Lands.

- **GO 2.0**: commit to working collaboratively to increase passenger service along freight-owned corridors across the Greater Golden Horseshoe region, to support improved service along existing GO lines and the potential creation of new GO lines in the Greater Golden Horseshoe.

- **Alto High-Speed Rail (HSR)**: commit to working collaboratively to support the planning and advancement of the Alto HSR initiative that will connect people living along the Toronto - Quebec City corridor.

- **Priority transit projects in the Greater Toronto and Hamilton Area (GTHA)**: execute federal contribution agreements on announced transit projects, including the Ontario Line, Eglinton Crosstown West Extension, Scarborough Subway Extension, Yonge North Subway Extension and Hamilton Light Rail Transit.

What does this mean for the City?

Staff understand the program design is in the early stages and the full program parameters are yet to be developed. At the time of this report there are no program details, however, there appears to be recognition that reduced municipal DCs need an offset from other levels of government. Key questions for the government in developing this program include:

- Will DC reductions be imposed or will municipalities be provided with the ability to determine if they wish to proceed with a reduction?
- What is the extent of the required DC reductions?
- What are the mechanisms for determining and applying them?
- How will the list of eligible infrastructure projects be developed?
- What is the timing for both the DC reductions and the delivery of offsetting funding?
- How will municipalities without DCs access this funding?

The City's current DC framework supports long-term capital investments identified in the City's master plans and growth forecasts. A reduction in DC revenues, without a predictable and

stable funding model, would create a funding gap that would shift costs onto taxpayers and/or delay critical infrastructure needed to support new housing. In addition to this, based on a review of development charges in 2025, the City's development charges rates already fall well into the lower half of the range of comparable municipalities surveyed across the province. Staff do believe that these lower development charges have helped to maintain solid construction starts that have exceeded provincial targets.

While this funding partnership is intended to offset these losses, key details including allocation formulas, eligibility criteria, and timing are unclear. This uncertainty is particularly significant for Kingston, which, unlike larger municipalities, may not be automatically prioritized despite experiencing strong population growth driven by institutions such as Queen's University, St. Lawrence College, and Kingston Health Sciences Centre. Ensuring that Kingston receives a fair and proportional share of funding will be critical to maintaining the City's ability to deliver infrastructure in step with development.

The Association of Municipalities of Ontario (AMO) is currently gathering municipal feedback with the goal to put forward recommendations to the province for the design of the program and how it should be structured by the end of April. AMO has indicated this will not be a program to make municipalities 'whole' in the development process, and there is expectation that municipalities will make some contributions. AMO is taking the position that this can be a reasonable proposition and are directly engaged with the province on what municipalities want to see in the program. AMO has also engaged Watson & Associates Economists Ltd. to do analysis and modeling work with the goal of having a set of recommendations and program design consideration to the province by the end of April.

The reference to the Alto High Speed Rail project is of particular interest to the City as Council recently endorsed a motion to support aligning the high-speed rail route along the Highway 401 corridor and adding a stop in Kingston.

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

On March 30, 2026, the province tabled Bill 98, *the Building Homes and Improving Transportation Infrastructure Act, 2026.* On April 14, 2026, the Bill received second reading and is anticipated to pass relatively quickly. Bill 98 proposes amendments to the following legislation:

- *Building Code Act, 1992*
- *City of Toronto Act, 2006*
- *Development Charges Act, 1997*
- *Fare Alignment and Seamless Transit Act, 2026*
- *Metrolinx Act, 2006*
- *Municipal Act, 2001*
- *Planning Act*
- *Safe Drinking Water Act, 2002*
- *Water and Wastewater Public Corporations Act, 2025*

In addition, several proposals associated with Bill 98 have been posted on the Environmental Registry of Ontario (ERO); those changes and the associated postings are listed below.

The province has also released a slide deck as part of its Media Briefing related to Bill 98.

Bill 98 – Proposed *Planning Act, City of Toronto Act, 2006, Building Code Act, 1992* and *Municipal Act, 2001* Changes (ERO 026-0300)

Bill 98 proposes several changes to the *Planning Act, City of Toronto Act, 2006, Building Code Act, 1992 and Municipal Act, 2001* related to the following topics. Some of these have further detailed ERO postings as noted below where applicable.

Streamline and Standardize Official Plans (OPs)

Changes are proposed to the *Planning Act* to streamline and standardize municipal OPs by:

- Including the details of a standardized structure for local (lower- and single-tier municipality and planning board) official plans through a table of contents and schedules as follows:
    - Introduction and How to Use this Plan
    - Strategic Planning Framework
    - Indigenous Engagement
    - Settlement Area Structure and Growth Needs and Management
    - Residential and Mixed Uses
    - Economy and Employment Areas
    - Rural Areas and Agricultural System
    - Infrastructure, Facilities and Community Services
    - Local Landscape and Resource Management
    - Implementation and Interpretation
    - Schedules:
        - A1 Settlement Boundaries, Urban/Rural Structure and Provincial Plans
        - A2 Strategic Growth Areas and Intensification Areas
        - A3 Land Use Designations
        - B1 Transportation and Corridors
        - B2 Infrastructure
        - B3 Public Service Facilities, Parks and Open Space
        - C1 Natural Environment
        - C2 Water Resources
        - C3 Resource Potential
        - C4 Natural and Human-made Hazards

- Including a standardized set of land use designations to be used in local OP's including:
    - **Neighbourhoods**, permitting residential uses, small-scale commercial uses, institutional uses (including cemeteries), and other uses as prescribed.
    - **Mixed-Use Areas**, permitting residential uses, commercial uses, institutional uses (including cemeteries), industrial, manufacturing and small-scale warehousing

uses that could be located adjacent to sensitive land uses without adverse effects, and other uses as prescribed.
- **Mixed-Use Commercial Areas**, permitting industrial, manufacturing and small-scale warehousing uses and other uses as prescribed. Commercial and institutional uses are permitted only if they are not sensitive land uses.
- **Employment Areas**, permitting the uses permitted in areas of employment, as defined in the *Planning Act*.
- **Major Facilities**, permitting manufacturing uses, industrial uses, infrastructure uses, and other uses as prescribed.
- **Parks and Open Spaces**, permitting recreational uses, cemetery uses, and other uses as prescribed.
- **Natural Environment and Water Resource Areas**, permitting conservation uses and other uses as prescribed.
- **Resource Areas**, permitting resource extraction uses.
- **Rural Lands**, permitting residential uses, small-scale commercial uses, small-scale industrial uses, agricultural and agriculture-related uses, on-farm diversified uses, resource management uses, resource-based recreational uses, cemetery uses, and other uses as prescribed.
- **Prime Agricultural Areas**, permitting agricultural and agriculture-related uses, on-farm diversified uses and other uses as prescribed.
- **Specialty Crop Areas**, permitting agricultural and agriculture-related uses, on-farm diversified uses and other uses as prescribed.
- **Shoreline Areas**, permitting marina uses, recreational uses, residential uses, and other uses as prescribed.

These changes are proposed to come into force on January 1, 2028, for the “large and fast growing municipalities” (which include the City of Kingston), and January 1, 2029, for all other municipalities. The legislation indicates that these requirements will apply to new Official Plans and Official Plan updates that come into effect after these dates.

Complementary Changes to Support Implementation of Streamlining and Standardizing Official Plans

Changes are proposed to the *Planning Act* to support implementation of the proposed new OP framework, including:

- Removing redundant requirement for municipalities to include climate change policies in their official plans,
- Providing that for an already approved protected major transit station area (PMTSA), only official plan amendments changing the boundaries of the PMTSA or the planned population and jobs for the area would require the Minister’s approval, and
- Providing the Minister with authority to exempt lower-tier municipalities from requirement to conform with upper-tier official plan to facilitate implementation of testing for the proposed official plan framework.

What does this mean for the City?

As it relates to the new Official Plan project, while the project is permitted to proceed as planned due to the transition language only requiring compliance at the next legislated 10-year revision of the Official Plan described earlier in this report, the proposed changes are anticipated to have a significant impact on the approach to writing policies guiding development applications, especially policies connected to site plan control, sustainable design features, enhanced development standards, complete application requirements and the types of technical studies that can be required for different types of development applications. Staff are still in the process of completing a detailed review of the proposed changes and expect that revisions will be required to a number of policies before the final version of the new Official Plan can be presented to Council. It is also anticipated that the streamlining and simplifying official plan initiative will have a significant impact on the City in the next 7-10 years, where the City will be required to again rewrite the Official Plan to conform with the provincial template.

Prohibit mandatory municipal enhanced development standards and green building standards through Site Plan Control; prohibit mandatory enhanced development standards as a condition of land division approvals

Changes are proposed to the *Planning Act, Municipal Act, 2001, Building Code Act, 1992*, and *City of Toronto Act, 2006* that would have the effect of:

- removing municipal authority to require certain mandatory Enhanced Development Standards (EDS) at the lot level, outside of buildings (e.g., green development standards), that are not specifically required for health or safety (e.g., stormwater management); and
- providing even greater clarity that green building/construction standards are voluntary and cannot be imposed by municipalities.

Specifically, the proposed changes would:

- remove references to “sustainable design” from site plan control;
- clarify zoning cannot be used to require sustainable elements;
- expressly provide that mandatory green building/construction standards are not permitted, including as part of site plan control; and
- remove provisions that would have authorized municipalities to require green building standards, if the government had made enabling regulatory amendments (i.e., a green pick list).

The amendments to the *Planning Act* propose to remove the power of municipalities to require the owner or occupant of a building or structure to provide and maintain electric vehicle supply equipment in connection with parking facilities through a zoning by-law or through site plan control.

Schedule 1 of Bill 98 proposes to amend the *Building Code Act, 1992* to clarify that standards for the protection or conservation of the environment are included in the meaning of municipal by-laws respecting the construction or demolition of buildings for the purposes of section 35 of the Act. These amendments expressly reinforce that green building and construction standards outside of what is regulated under the Ontario Building Code remain voluntary and cannot be required or imposed by municipalities.

Changes are also proposed that would create regulation-making authority under the *Planning Act* and the *City of Toronto Act, 2006* which could be used to explicitly prohibit municipalities from requiring specific Enhanced Development Standard elements as part of a site plan approval, if required.

Additional changes related to Enhanced Development Standards are proposed under ERO 026-0309. The proposed regulation would prohibit mandatory enhanced development standards as a condition of land division approvals 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 province notes that enhanced development standards (EDS) at the lot level vary across jurisdictions, which results in inconsistent requirements, added complexity, and may add to project costs for some developments. To address this, a regulation would be created under the *Planning Act* to prohibit “sustainability” conditions as part of land division approvals.

Taken together, these proposed legislative and regulatory changes are aimed at creating a more consistent approach to development standards across Ontario municipalities by scoping and limiting municipal authority to require certain EDS elements in connection with development approvals. The changes would 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).

What does this mean for the City?

The City does not employ enhanced or “green development standards” as regulatory requirements. While sustainable features are supported and encouraged in the City’s Official Plan, there are no prescribed requirements beyond what is required in the Ontario Building Code. From a climate change perspective, existing policies and zoning standards, though not explicitly framed as “green” support resilience and mitigation objectives by promoting sustainable mobility, stormwater management, and green space. Removal of these considerations from local regulatory tools could reduce the City’s capacity to respond to climate change at the community scale. There may also be functional impacts for site users and infrastructure impacts for the City at a broader scale. Such a prohibition would limit flexibility and hinder the implementation of locally appropriate, climate responsive solutions.

The draft of the new Official Plan includes a number of policies that rely on the incorporation of sustainable design elements through site plan control. The proposed changes would require staff to revisit and revise those draft policies before the final version of the new Official Plan can be presented to Council.

Changes to site plan control and zoning tools may constrain the City's ability to secure pedestrian, cycling, and transit infrastructure as part of new development, increasing the risk that transportation networks do not keep pace with growth.

The removal of municipal authority to require enhanced development standards is also expected to limit the City's ability to implement transportation demand management measures and other transit-supportive design elements through development approvals. This includes reduced ability to require infrastructure such as active transportation connections, electric vehicle charging, and mobility-oriented site design features.

These changes may impact progress toward mode shift objectives that are critical to the success of the policies set in the IMP and increase reliance on the private automobile in areas where intensification is intended to shift trips to more non-auto based modes.

Minimum Lot Sizes

Changes are proposed to the *Planning Act* to create a regulation-making authority to allow the Minister of Municipal Affairs and Housing to set a minimum lot size on parcels of urban residential land, outside the Greenbelt Area.

- A parcel of urban residential land is defined in the *Planning Act* as a parcel within the settlement area of a municipality that is zoned for residential use (other than ancillary residential use) and is fully serviced by public sewage and water.
- Any municipal zoning requirement for minimum frontage and/or minimum depth that would not allow for the minimum lot size standard to be met would be inapplicable.
- A regulation under this authority would not apply directly to the subdivision or consent process but could be relevant to such applications.

Through ERO 026-0311**,** the province is seeking public feedback on a proposed regulation under the *Planning Act*, if Bill 98 is passed, to set a minimum lot size of 175 square metres (approximately 1900 square feet) on parcels of urban residential land outside the Greenbelt Area.

Other considerations would continue to apply to decisions on land division applications, such as policies in the Provincial Planning Statement (PPS), 2024 that prohibit development (including lot creation) in certain circumstances. In addition, the regulation-making authority would be scoped to zoning and would not apply to subdivision control, and any municipal zoning requirement for minimum frontage and/or minimum depth that would not allow for the minimum lot size standard to be met would be inapplicable. Landowners would retain the ability to apply for the creation of larger or smaller lots through the land division process.

Previous public consultation on the matter of minimum residential lot size in urban settings was held for 30 days from October, 23, 2025 – November, 22, 2025 in connection with Bill 60, the *Fighting Delays, Building Faster Act, 2025* through ERO 025-1100.

What does this mean for the City?

At present, six of the nine urban residential zones in Kingston Zoning By-Law Number 2022-62 specify minimum lot area requirements for a house, semi-detached house or townhouse. In these zones, the minimum lot area requirements are greater than the proposed 175 square metres. If minimum lot area requirements are removed, it may become easier for new smaller lots than existing in the surrounding area to be created, provided that other regulatory controls are still in place to ensure that they are functional. However smaller lots with reduced frontages can create practical challenges, including limited space for garbage receptable storage, insufficient room for street trees, snow storage and on-site and on-street parking.

Minister's Zoning Orders

- Changes are proposed to the *Planning Act* that would remove the legislative requirement for the Minister to provide notice on proposed amendments to, or revocations, of Minister's Zoning Orders (MZOs).

What does this mean for the City?

These changes may reduce access to information related to MZOs, affecting consistency in decision-making.

Encumbered Parkland and Privately Owned Public Spaces (POPS)

Bill 23, the *More Homes Built Faster Act, 2022*, added subsections 42 (4.30) to (4.39) to the *Planning Act*, which, once brought into force, would provide for:

- developer-identified lands, including those with encumbrances and privately owned public spaces (POPS), to count towards any municipal parkland dedication requirement,
- the landowner to appeal to the Ontario Land Tribunal (OLT) in cases where the municipality rejects developer-identified land, with the OLT required to order the land to be conveyed to the municipality if it meets prescribed criteria.

Changes are proposed to the *Planning Act* to facilitate easements for POPS, authorize municipalities to require agreements for encumbered land that can be registered on title, provide for a credit system whereby encumbered land and POPS arrangements would receive a minimum credit of 70%, and establish a timeframe of 90 days for municipal decisions after which a developer could appeal a non-decision to the OLT.

Through ERO 026-312, the province is seeking feedback on a Minister's regulation under the *Planning Act* to prescribe criteria for developer-identified parkland and related implementation matters for the conveyance of developer-identified lands for municipal parkland dedication, to implement provisions in Bill 23 that are not yet in force.

The land suitability criteria that are proposed to be prescribed in regulation would include the following:

1. **Ineligible Land** – land with any of the following conditions cannot be required to be conveyed to municipalities for park and recreational purposes:
    - Contaminated lands – lands that have in or on them any contaminants from industrial or other uses that pose a public health risk.
    - Natural and human-made hazard lands – hazardous lands and hazardous sites as described in section 5.2 of the Provincial Planning Statement, 2024 (PPS 2024) as well as lands affected by human-made hazards as described in section 5.3 of the PPS 2024.
    - Lands within and adjacent to natural heritage features and areas are eligible on the condition that a park would not interfere with or compromise the natural heritage features and areas.
        - Lands in the Natural Heritage System of the Greenbelt Plan or in the Natural Core or Natural Linkage Areas of the Oak Ridges Moraine Conservation Plan or unless in accordance with policies of the Niagara Escarpment Plan.
        - Lands that would not support park use – lands that would not accommodate fill and/or soil depths to accommodate structural footings as per the Ontario Building Code or support tree planting.
        - Lands with financial encumbrances – lands with liens, charges, etc. registered on title.
        - Lands that are privately-owned and not accessible to public at all times.

2. **Land Accessibility/Comfort for Use** – parkland must be accessible, visible and comfortable to facilitate public use of it and, in particular, must be:
    - Accessible by all users directly from the public realm and readily visible from the public realm.
    - Land must be of a size and shape that is capable of serving park or public recreational purposes.

Supporting Implementation Matters

1. Documents to Support Identification of Land
    - Documentation of specified lands and boundaries, through a Plan of Survey and Topographic Plan.
    - Attestation from the owner of the land or an authorized representative, to confirm that the land and/or POPS arrangement is not considered to be ineligible land.
2. Notice to Owners
    - The municipality shall provide notice to the owner of the land within 20 days of the municipality making its decision to refuse, by personal service, fax, mail or email.
    - Notice shall contain the following information:
        - A statement that the council of the municipality has refused to accept the conveyance of land identified in accordance with its parkland by-law.
        - An explanation of the reason(s) for the refusal.

- A statement that the owner of the land may appeal the refusal, within 20 days of the notice being given, to the Ontario Land Tribunal by filing with the clerk of the municipality a notice of appeal.
- The last day on which the refusal may be appealed.
- A description of the lands to which the refusal applies.

3. Record to the Ontario Land Tribunal
    - The landowner can appeal to the OLT a municipality's refusal or, as proposed in the related legislative changes, a non-decision by filing with the clerk of the municipality. The municipal clerk would then have 15 days to forward a record to the OLT that would include the following proposed elements:
        - a copy of the materials submitted by the landowner (including the identification of land documentation), and
        - the notice of the municipality's refusal, if applicable, as well as any staff report that the municipality considered in its decision to refuse the acceptance of the land.

What does this mean for the City?

The short-term implications for the proposed changes result in the City having to adopt new administrative processes and timelines for making decisions on parkland dedication in development applications. The City will need to develop a new workflow to track timing of applications and decisions on parkland dedication to align with the proposed provincial requirements. This will also need to be accompanied by developing new notices that reflect parkland dedication decisions on development files. An update to By-Law Number 2022-145 (Parkland Conveyance By-Law) should also occur in the near term to reflect the various changes to parkland dedication under the *Planning Act* since 2022.

The medium to longer-term implications are that the proposed changes may affect the quality and type of lands that the City accepts as parkland. The current Parkland Conveyance By-Law restricts the dedication of Environmental Protection Area (EPA) lands to count towards a parkland dedication. Environmental Protection Area lands commonly reflect "Natural Heritage" areas, as identified under Section 4 of the PPS. However, under the proposed criteria that stipulates that "Lands within and adjacent to natural heritage features and areas are eligible on the condition that a park would not interfere with or compromise the natural heritage features and areas" the City may be required to take lands that it would not have otherwise accepted due to their environmental sensitivity. These lands are currently only identified for passive recreational use in the current Official Plan, meaning that the City would be limited in its ability to program these areas.

The proposed changes may limit the City's ability to collect cash in lieu of parkland as a result of a broader criteria for lands that the City would be required to accept under the proposed regulation. The current practice is to assess both land suitability for parkland, and parkland need in a given area. There will be more instances where the City will be forced to accept parkland dedication if it meets the prescribed criteria when the City would have otherwise opted for cash-in-lieu of parkland due to existing or planned parkland facilities in an area.

The proposed changes will potentially reduce the overall amount of parkland dedication received by the City as the proposed 70% credit rate for encumbered lands is more credit than what the City allocates under the Parkland Conveyance By-Law. Currently, the City already has a process where the City accepts encumbered lands (except EPA and hazard lands) as a form of parkland dedication through the granting of an easement at a 33% credit in most areas of the city, and 66% in the specific “Centres and Corridors” area of city (this covers Downtown and the Princess Street corridor to Midland Avenue). A blanket 70% requirement will reduce the overall easement land that City is able to extract from parkland dedication.

Lastly, it is anticipated that the proposed changes will likely result in more appeals to the OLT. The proposed standards that broaden the scope of lands that are to be eligible for parkland dedication and the formal appeal process in the *Planning Act* will potentially result in more protracted debates surrounding the appropriate provision of parkland in a proposed development. It will be important to encourage early discussions with the development community to ensure development proposals comprehensively consider suitable parkland dedication that aligns with the City’s policies. Parkland development should be a collaborative, mutually beneficial outcome that optimizes both the quality and accessibility of public spaces and the realization of a proponent’s development vision in support of broader planning objectives.

Bill 98 – Proposed *Development Charges Act* changes

Non-profit retirement home developments are proposed to be exempt from development charges to expand affordable housing options for seniors.

A non-profit retirement home development is defined as: the development of a building or structure intended for use as a retirement home, as defined in subsection 2 (1) of the *Retirement Homes Act, 2010*, and developed by,

(a) a corporation to which the *Not-for-Profit Corporations Act, 2010* applies, that is in good standing under that Act, or

(b) a corporation without share capital to which the *Canada Not-for-profit Corporations Act* applies, that is in good standing under that Act.

What does this mean for the City?

The definition and eligibility requirements of the proposed exemption are expected to have a marginal impact on development charge revenues, as the exemption applies only to qualifying non-profit retirement home developments.

Bill 98 – Proposed amendments to the *Water and Wastewater Public Corporations Act, 2025* and amendment to the *Safe Drinking Water Act, 2002* (ERO 026-0301)

The province is proposing amendments to the *Water and Wastewater Public Corporations Act, 2025* to guarantee public sector ownership, help ensure contracts and employees that move to

a corporation transfer uninterrupted; as well as a consequential legislative amendment to the *Safe Drinking Water Act, 200*2.

The proposed legislative amendments to the *Water and Wastewater Public Corporations Act*, *2025* (WWPCA), which is currently only applicable to the Region of Peel, include:

- Explicitly prohibiting private ownership in any new water and wastewater public corporation to maintain 100% public sector ownership.
- Supporting the continuation of existing contracts so that existing contracts are not affected by a transfer to a new water and wastewater public corporation. This includes contracts such as employment or insurance, or a collective agreement.
- Clarifying that certain rights (such as successor, employment, and pay equity rights) are carried forward to a new water and wastewater public corporation. This would include regulation-making authority to help ensure continuity of services related to contracts and employees that are transferred to a new water and wastewater public corporation.
- Prohibiting the transfer of water and wastewater debt from Peel Region to the water and wastewater public corporation.

The amendment to the *Safe Drinking Water Act* (SDWA) proposes to clarify that drinking water systems owned by Water and Wastewater Public Corporations constitute municipal drinking water systems, and that applicable SDWA provisions would apply to them.

What does this mean for the City?

The *Water and Wastewater Public Corporations Act* is not yet in force. The province will be testing this model in Peel Region. The proposed changes reinforce that the new corporation for water and wastewater in Peel Region (enabled through Bill 60, the *Fighting Delays, Building Faster Act*) will remain in public sector ownership and promote continuity of service by clarifying rules and rights for agreements and employees that are transferred.

The City of Kingston and Utilities Kingston are currently exploring the establishment of a public Municipal Services Corporation (MSC) to enhance long-term financial capacity for both the City and the water and wastewater infrastructure as the operations and management of the water and wastewater services are already under Utilities Kingston which is an independent organization from the City of Kingston. The City of Kingston and Utilities Kingston proposed public is MSC is being established under O. Reg. 599/06 of the Municipal Act, which requires that any corporation that provides a public utility for water and wastewater must remain in public ownership. This public municipal service corporation model is different from the model being contemplated by the provincial government under the Water and Wastewater Act, 2025 and Bill 60. The public MSC is proposed to be fully owned by the City of Kingston through City Council as the shareholder.

Bill 98 – Proposed *Municipal Act* and *Safe Drinking Water Act* Changes - Communal Water and Wastewater Systems (ERO 026-0302)

The Ministry of Municipal Affairs and Housing (MMAH) with the Ministry of the Environment, Conservation and Parks is proposing legislative changes under Bill 98 to encourage greater adoption of non-municipal communal water and wastewater systems to support new housing development.

If passed, the legislative amendments would be made to section 93 of the *Municipal Act, 2001*, to require persons to apply for municipal consent to establish a non-municipal communal drinking water or wastewater system (public utility). The amendments would also create regulation-making authority to set conditions and criteria where, if the public utility meets those conditions and criteria, a municipality would be required to give consent. These future regulations would allow an applicant to make an application for municipal consent for a public utility with greater certainty, knowing that where prescribed criteria and conditions are satisfied, the applicant will receive the municipality's consent. The proposed legislation would require a municipality to provide consent for the proposed system if the municipality is of the opinion that:

- Any prescribed criteria or conditions respecting the area in which the public utility would be located are met.
- Any plans in respect of the public utility required by the regulations have been provided and meet the prescribed criteria or conditions and include the required content.
- Any reserve funds or other financial assurances or instruments in respect of the public utility that are required by the regulations are or will be in place and the funds, assurances and instruments meet the prescribed requirements.
- The public utility, if constructed, maintained or operated in accordance with the application, would meet the relevant prescribed criteria and conditions, and
- The application and public utility satisfy any other requirements, conditions or criteria that may be prescribed.

Where, under the proposed amendments, municipalities would be required to provide consent, municipalities would be able to require certain conditions or limits to be met, as prescribed in regulations, including the requirement to enter into an agreement or impose limits if they are necessary to ensure the safe, sustainable operation of the utility.

Section 53 of the *Safe Drinking Water Act, 2002* (SDWA) currently requires a person to obtain municipal consent to establish a non-municipal residential drinking water system. Section 53 of the SDWA is proposed to be amended to provide that where municipal consent was required to be given under clause 93(2)(b) of the *Municipal Act, 2001,* it would be deemed to be consent under the SDWA.

When the legislative amendments pass, they come into effect upon Royal Assent and regulations would be developed at a later date and made available for public feedback.

What does this mean for the City?

The City has included draft policies in the new Official Plan related to development on private communal sewage services and private communal water services that requires a Municipal Responsibility Agreement, along with a set of proposed conditions. The City, in consultation with Utilities Kingston, will monitor the consultation on the proposed future regulation which will prescribe conditions that a municipality may include in an agreement, as changes to communal water and sewage systems could impact growth potential within the rural area of the city. However, currently, communal services carry substantial risk for the municipality due to potential failures.

Bill 98 – Transit Integration and Fare Coordination

Bill 98 also includes measures intended to advance greater coordination and integration across transit systems in Ontario, including potential alignment of fare structures and improved connectivity between local and regional services. While detailed program direction has not yet been released, these changes signal a continued shift toward increased provincial involvement in transit policy and system integration.

What does this mean for the City?

This direction from the province is an important consideration for the City and adjacent municipalities as opportunities for enhanced rural and regional transit service are being explored with Kingston functioning as a regional node. Greater integration of fare systems and service coordination may support improved connectivity across municipal boundaries and better serve regional travel demand.

At the same time, alignment with provincial frameworks may have implications for fare policy, cost-sharing, and service planning. Further clarity will be required to understand how these changes could support regional service objectives while maintaining local operational flexibility.

Bill 98 – Transportation Demand, Network Performance and Provincial Policy Direction

The combination of accelerated growth targets, reduced municipal planning controls, and emerging provincial transportation policy measures is expected to influence travel demand patterns and overall transportation system performance at a provincial and municipal level. In parallel with legislative changes, the province has indicated interest in policy measures that may affect travel behaviour and system use, including expanded rideshare permissions and adjustments to high-occupancy vehicle lane usage.

What does this mean for the City?

Faster-paced development, without corresponding mechanisms to create or adjust the transportation system to support it as part of the development, may increase pressure on the City’s transportation networks, including roads, transit services, and active transportation facilities.

Reduced authority to require transportation demand management measures and transit-supportive design may further increase reliance on private vehicles. Provincial policy direction may also influence modal split and transit ridership, with potential impacts on corridor performance and service efficiency.

While these measures may improve roadway utilization in some contexts, municipalities may have limited control over these policy levers and may experience localized impacts. This reinforces the need for proactive transportation planning, including corridor protection, network optimization, and strategic investment to maintain system performance that will be detailed in the IMP.

Additional Separate ERO Postings and Initiatives

The province is also consulting on several other proposed changes through additional separate ERO postings and initiatives, as discussed below.

ERO 026-0304: Draft Projection Methodology Guideline (PMG) – Supporting PPS 2024 Implementation

On August 12, 2025, the province released proposed updates to the Projection Methodology Guideline (PMG) to support implementation of the Provincial Planning Statement (PPS), 2024 policies related to growth forecasts and land needs. The Ministry has released a further revised draft PMG for further public input. If finalized, this proposed guidance would replace the existing 1995 PMG.

The proposed guidance outlines methodologies and appropriate data sources for municipalities to use to prepare these forecasts and land needs assessments. While the draft 2026 PMG would not be a proposed legislative change or related regulatory change, it supports the broader government objectives under the Act.

The proposed guidance is organized into four main sections:

1. **Establishing Municipal Population Projections:** The purpose of this section of the proposed guidance is to identify and allocate the Ministry of Finance population projections from the Census Division (CD) to the municipality level (i.e., the Census Subdivision) to the planning horizon. The outcome would be used as an input in developing population and employment forecasts.

2. **Developing Housing Needs Forecasts:** The purpose of this section is to determine the amount of housing needed to the horizon year, accounting for intensification within built-up areas in existing settlement areas and the need for additional settlement area land to accommodate growth. The outcome would be used as an input for assessing land needs.

3. **Developing Employment Forecasts:** The purpose of this section is to identify the amount and type of employment growth that should be accommodated over the planning horizon, as

well as the distribution of the employment growth by type. The outcome would be used as an input for assessing land needs.

4. **Land Needs Assessment:** The purpose of this section is to guide municipalities in identifying the amount of land required to accommodate an appropriate range and mix of land uses to meet a municipality's projected needs over a 20 to 30-year planning horizon. The outcome of this section is that municipalities would be provided with the amount of developable land needed to support PPS, 2024 implementation.

The draft 2026 PMG includes changes that are intended to:

- Provide increased clarity on when to consider undertaking population and employment forecast updates, which Ontario Population Projection data to use and how to set the planning horizon.
- Provide more details on assessing housing needs by considering housing tenure, housing type and propensities for households to occupy certain types of housing, and making adjustments such as to reflect market demand, housing affordability and suppressed household formation.
- Provide clarity on estimating feasible intensification rates when determining the amount and type of housing units that can be accommodated through intensification in the built-up area.
- Streamline the land needs assessment methods for greater consistency among most municipalities, while continuing to allow a simplified method that is less data-intensive with clearer recommendations on which municipalities may use it.

The draft 2026 PMG notes that the Ministry of Finance (MOF) updates the Ontario Population Projections annually (i.e., a 'minor' update). Every five years, a 'major' update to the population projections is released to reflect data from the latest census and review the methodology and long-term assumptions. Generally, a 'major' update is published by MOF two to three years after the 'Census Day' (i.e., the official day when the entire Canadian population is enumerated based on their "usual place of residence," that is, at a location where a person lives most of the time), allowing time for the release of Census of Population products. The draft 2026 PMG notes that municipalities should use the most recent 'major' update that is available at the time of an official plan update.

The draft 2026 PMG also notes that MOF projections do not reflect local characteristics regarding existing and planned infrastructure capacity or availability, economic and planning assumptions, information from official plans or locally prepared projections. Therefore, the local context is helpful in supplementing the MOF projections.

To obtain a complete picture of total housing need at the municipal level, the draft 2026 PMG recommends that municipalities monitor local conditions and adjust estimates to account for suppressed housing demand and any populations that may have been undercounted or overcounted in the Census data used for MOF population projections. These adjustments

should also include housing needs for seasonal or temporary populations, such as post-secondary student housing, that affect land requirements.

What does this mean for the City?

PPS 2024 requires municipalities to base population and employment forecasts on MOF population projections, with flexibility to modify them as appropriate. As noted in Report Number 26-014, Watson & Associates Economists Ltd. determined that the approach used for the City's 2021-2051 growth forecast was consistent with the requirements of the draft 2025 PMG requirements that were released in August 2025. The City's growth forecast was undertaken under the review of the 2023 MOF projections, which were released two years after the 2021 census. Staff are supportive of using the 'major' MOF updates rather than the annual minor MOF updates for the purposes of future population projections given the long-term time horizon of an Official Plan.

Population and employment forecasting directly influences servicing infrastructure planning, as well as the City's transportation planning, including travel demand modeling, transit service planning, and long-term infrastructure investment strategies. Staff are supportive of having flexibility to reflect local growth patterns and travel behaviour, which are critical for accurately planning transportation networks, reflecting City transportation policies, and prioritizing capital investments according to these policies.

ERO 026-0305: Proposed Regulations Electronic Submission of Materials and Notices

To support the government's move towards building a 'digital Ontario', the province is seeking feedback on proposed changes to various regulations under the *Planning Act* that would:

- 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 changes to remove the requirement for information and material to include an original or certified copy and allow required notices (i.e., notices of: public meeting, open house, application/complete application and adoption of a proposed official plan or plan amendment) to be given electronically to the Ministry of Municipal Affairs and Housing would affect the following regulations:

- O. Reg. 543/06: Official plans and plan amendments
- O. Reg. 545/06: Zoning by-laws, holding by-laws and interim control by-laws
- O. Reg. 544/06: Plans of subdivision
- O. Reg. 197/96: Consent applications

These proposed changes would facilitate the electronic submission of information and material to approval authorities.

What does this mean for the City?

The proposed changes are positive and would help to streamline the administrative processes associated with the various types of notices.

ERO 026-0310: Proposal to Reform Site Plan Control under the *Planning Act* and the *City of Toronto Act, 2006*

In connection with Bill 68, the province is seeking feedback on reforms to enable a faster, more predictable, cost effective and coordinated municipal site plan process.

Site plan control is an optional land use planning tool under section 41 of the *Planning Act* and section 114 of the *City of Toronto Act, 2006.* It is primarily intended as an administrative, technical tool municipalities may use to help ensure that health and safety as well as functional aspects of a proposed development are addressed, prior to the issuance of a building permit.

The *Planning Act* and the *City of Toronto Act, 2006* include a timeframe whereby if a municipality fails to approve a site plan application within 60 days, a proponent may appeal this non-decision to the Ontario Land Tribunal (OLT).

Over the last several years and through multiple bills, the government has made changes to the planning system that directly impact site plan control, with a goal of streamlining the site plan approvals process, speeding up approvals and reducing costs. These changes include:

- **Bill 60 –** as part of Bill 60, the government consulted on municipal requirements for enhanced development standards at the lot level, with a goal of streamlining policies and prohibiting municipalities from requiring these standards, while continuing to ensure, health, safety, accessibility and protection of adjoining lands (e.g. environmental functionality).

- **Bill 17 –** as part of Bill 17, the government made changes to scope complete application requirements that will provide more consistent rules across all municipalities on the information and studies that may be needed for planning applications, including those related to site plan control; and greater recognition of planning reports prepared by certified professionals. Bill 17 also clarified that municipalities are not permitted to require building standards that exceed the *Ontario Building Code*.

- **Bill 185 –** as part of Bill 185, changes were made to the *Planning Act* and *City of Toronto Act, 2006* to create a discretionary authority to apply a lapsing condition (i.e., “use it or lose it” deadline placed on a site plan approval) when approving a new site plan application, and/or adding a lapsing condition for site plans they have previously approved. Bill 185 also removed the ability of a municipality to require a pre-consultation meeting; however, when a proponent requests one, the municipality must accommodate the request.

- **Bill 23 –** Bill 23 made changes to the *Planning Act* and *City of Toronto Act, 2006* to restrict the ability for municipalities to use site plan control for most residential developments with 10 or fewer units. Changes were also made to remove municipal ability to regulate exterior architectural design (also called “architectural control”) and to limit their ability to regulate aesthetic aspects of landscape design.

- **Bill 109 –** as part of Bill 109, changes streamlined requirements and approval processes to incent timely municipal decisions by:

    - Extending the timeline for municipalities to review site plan control applications from 30 to 60 days to incent timely municipal decisions,
    - Applying complete application requirements to site plan, and
    - Requiring that site plan control decisions are made by staff (instead of municipal councils or committees of council).

The province intends to pursue significant reform to site plan control and is seeking feedback on the following:

1. Remove site plan control as a land use planning tool in the *Planning Act* and the *City of Toronto Act, 2006*.
2. Require municipalities to have a maximum of three circulations after which a mandatory meeting is triggered with all relevant municipal department representatives and the applicant to work through and resolve all outstanding issues.
3. Further scope the site plan review process to a standard site plan approval checklist of functional aspects of a site (e.g., those related to health and safety), with use of certified professionals for acceptance and approval of reports and studies. A municipality is not permitted to request additional studies and plans beyond what is included in the standard site plan approval checklist. If technical and drawing requirements identified in the checklist are met, site plan approval is issued.
4. Establish or require a municipal arbitration process / site plan review panel for site plan applications that have exceeded the government’s 60-day timeline and a specified number of circulations. Participants in this process would include the applicant and the municipal development review team. This would be an alternative to a hearing at the OLT with a goal of speeding up approvals and cutting down on associated costs. An arbitration process / site plan review panel decision-making timeline could be applied to ensure timely decisions on approvals.
5. Establish or require municipalities to establish different site plan approval streams for different kinds of proposed development, with corresponding scope of matters that may be controlled. This would mean that a “full” site plan process would only be permitted for larger, complex development initiatives resulting in fewer matters being regulated through site plan control. Less complex development would be triaged to a more expedited stream or could be exempted from site plan control completely.

Feedback received through this consultation will inform future changes to site plan control.

What does this mean for the City?

The removal of site plan control as a land use planning tool would significantly impact how the City reviews the functional and compatibility elements of development. Detailed design and technical matters are typically addressed at the site plan control stage through the submission of detailed plans and technical studies (for example, grading plans, noise impact studies, etc.). Removal of the site plan control as a tool would mean the requirement to submit detailed technical studies would shift earlier in the approvals process (i.e. at the Official Plan amendment/zoning by-law amendment stage). As such, without a later technical checkpoint, Official Plan amendments/zoning by-law amendments would potentially become more complex and more expensive for applicants.

The effectiveness and efficiency of introducing a cap of three circulations would depend on ensuring that initial submissions are sufficiently complete. Any issues that remain after the third technical circulation would have to be addressed through conditions of approval as staff do not have the ability to deny a site plan control application based on the regulations in the *Planning Act*. A standardized site plan checklist will likely not provide the flexibility to municipalities to respond to local and site-specific conditions.

Site plan control consolidates technical review matters and processes, and the site plan control agreement can condition and enable works to happen onsite and offsite with securities taken and managed through the site plan process. Removal of site plan control may lead to a fractured process and require applicants to apply for several additional applications through other departments where they are reviewed independently. These can include, but are not limited to, a Tree Permit for tree removals, replacement, and protection, and Offsite Works Agreements and/or Cut Permits to allow infrastructure expansions outside of the site boundaries. Each application would require separate securities which are all currently taken and managed through the site plan control process.

Staff are supportive of an arbitration process / site plan review panel as an alternative to an OLT hearing which can be lengthy and costly for both the City and the applicant. Staff are also supportive of establishing different site plan approval streams for different types of applications. In alignment with this concept, the City already has major site plan applications and minor site plan applications defined in the Fees and Charges By-Law.

From a transportation perspective, proposed reforms to site plan control could materially affect how the City reviews and secures new or upgraded transportation-related infrastructure through development approvals. Limiting the scope of site plan review and reducing opportunities for iterative design may constrain the City’s ability to address access management, on-site circulation, pedestrian connectivity, and cycling infrastructure that presently finalized at the site plan stage. Road widenings can only be taken through a consent application, plan of subdivision, and site plan control. Without site plan control, the City would not be able to take road widenings through the development approvals process for existing sites where additional right-of-way width is required to support safe movements and current or future infrastructure needs.

Increased reliance on standardized checklists and fixed timelines may not allow the City to seek transportation infrastructure prescribed through City transportation policies and could result in less optimized site design, inconsistency across the corridors, and potential downstream impacts on road safety, transit operations, and overall network efficiency that will need to be addressed by the City through future projects.

ERO 026-0313: Streamlining Complete Application Requirements

The province is seeking feedback on potential regulatory changes to support faster planning approvals by streamlining the complete application process to improve certainty and predictability for applicants. MMAH is seeking feedback on a proposed standardized list of information that planning authorities can require for complete applications.

The *Planning Act*, *City of Toronto Act, 2006,* and their regulations set out minimum requirements for information that must be submitted for various planning applications. The government is proposing amendments to achieve greater clarity and predictability regarding complete application requirements across the province.

The proposed provincial list identifies the types of information and material that planning authorities can require and is intended to be comprehensive enough so that proposals can be effectively evaluated to ensure that provincial interests in land use planning are upheld. The proposed list that includes the types of information and material that municipalities may require is not a mandatory list of information and material that would be required for every planning application. Rather, municipalities can determine from that list what types of information or material are required depending on the specific circumstances. The Ministry is seeking feedback on a proposed list of information and material that has been categorized into two types of studies and when they could be required:

1. **Core Studies:** Core studies are those that could always be required since planning authorities typically require these to assess most planning application types (i.e., official plan amendments, zoning by-law amendments, plans of subdivision/plans of condominium, site plan control, and/or consents). These studies address fundamental planning and engineering matters such as environmental impacts, existing servicing capacity, transportation impacts, and public health and safety.

2. **Contingent Studies:** Contingent studies could only be required when a specific on-site or surrounding condition exists in the local municipality that makes the study relevant for the consideration of the planning application. For example, certain studies may only be needed if a subject property is located on or near airports, rail corridors, significant natural hazards, or major facilities, or when the property contains particular environmental, cultural, or resource-based features on site.

Proposed list of the only information and material planning authorities may require as part of a complete application:

Core Studies:

- Environmental Impact Statement
- Environmental Site Assessment
- Functional Servicing Report
- Geotechnical Report
- Hydrogeological Report
- Planning Justification Report
- Transportation Impact Study

Contingent Studies:

- Aeronautical Report
- Aggregate/Minerals/Petroleum Resource Impact Assessment
- Agricultural Impact Assessment
- Air Quality/Odour Study
- Arborist Report
- Archaeological Assessment
- Contaminant Management Plan
- Cultural Heritage Impact Assessment
- Economic Viability Assessment
- Electromagnetic Field Management Plan
- Financial Impact Analysis
- Human-made Hazard Impact Study/ Assessment
- Impact Assessment for Waste Disposal Sites / Former Landfill Sites
- Lakeshore Capacity Assessment / Water Quality Impact Assessment
- Land Use Compatibility Study
- Minimum Distance Separation Formulae Assessment
- Natural Hazard Impact Study / Assessment
- Noise/Vibration Study
- Rail Safety and Risk Mitigation Report
- Servicing Options Report
- Wildland Fire Assessment
- Wind Study

What does this mean for the City?

The City's current Official Plan and the draft of the new Official Plan include policies that contemplate the provision of a number of studies to be included as part of a complete application submission that are not on the list. Some studies that the City routinely requires include, sun/shadow studies, urban design studies, and lighting studies. The proposed list has the potential to significantly impact how the City reviews and processes development applications and would impact the policies included within the draft of the new Official Plan.

From a transportation perspective, the introduction of a standardized list of studies, including Transportation Impact Studies, may improve consistency but could limit the City's ability to request additional or refined transportation analysis based on local conditions and City specific policies developed through the Official Plan and Integrated Mobility Plan.

This may reduce flexibility to fully assess multimodal impacts, cumulative network effects, and site-specific operational issues particularly in areas where the City may have set aggressive non-auto mode share targets that require support of active transportation and transit infrastructure. As a result, there is potential for increased pressure on existing transportation infrastructure if impacts are not fully identified and mitigated through the development review process.

ERO 026-0314: Proposed Changes to Various Regulations to Specify Additional Prescribed Professions for Complete Applications

The *Protect Ontario by Building Faster and Smarter Act, 2025* (Bill 17) made changes to the *Planning Act* and the *City of Toronto Act, 2006* to create regulation-making authority for the Minister to scope complete application requirements by, among other things, providing that municipalities would be required to accept studies from certified professionals in professions specified in regulation. Further to these legislative changes, new and amending regulations under the *Planning Act* and *City of Toronto Act, 2006* were filed on January 22, 2026, to specify professional engineering as a "prescribed profession" for the purposes of a complete application.

The province is now seeking feedback on adding additional certified professionals, for example registered landscape architects, for the purposes of a complete application. The prescribing of certified professionals by regulation means that municipalities would be required to accept technical studies and reports prepared by these professionals in the first instance as satisfying complete application requirements (without requiring further review or revisions).

Municipalities could still request additional information or undertake a review of the technical information submitted, but these requests do not affect the decision-making timelines in the *Planning Act* or the applicant's right of appeal to the Ontario Land Tribunal after the decision timeline has expired.

What does this mean for the City?

The proposed changes would only require the City to accept the information submitted by a prescribed professional for the purposes of deeming an application complete, but the City would still be enabled to review and comment on the content of the submission through technical review, and request revisions where needed.

ERO 026-0315: Consultation on upper-tier official plans, secondary plans, and site and area-specific policies

The government is consulting on whether the proposed standardized table of contents, schedules, and land use designations set out in the Bill 98 should be modified for upper-tier municipalities with planning responsibilities. Proposed modifications for official plans of upper-tier municipalities could include limiting duplication with official plans of lower-tier municipalities by creating specific land use designations that only apply to official plans of upper-tier municipalities with planning responsibilities. For example, this could mean creating a broader land use designation that would combine the designations of Neighbourhoods, Mixed Use Areas, and Mixed Use Commercial Areas into a "Community Areas" designation.

The government is also consulting on a proposal to create a distinct framework with clear parameters for secondary plans and site and area-specific policies (SASPs) with the aim of increasing consistency across municipalities while preserving development permissions.

Proposed changes for secondary plans and SASPs could include:

- identifying the types of areas where secondary plans could be used;
- separating secondary plans from the primary official plan, so they would exist as a standalone document while being subject to the same process requirements; and
- exempting secondary plans from Minister's approval (lower-tier municipalities in upper-tier municipalities with planning responsibilities would not be exempt from approval by the relevant upper-tier municipality).

What does this mean for the City?

Kingston is a single-tier municipality, as such the proposal for upper tier official plans does not affect the City.

Identifying areas where a secondary plan could be used would be beneficial, however sufficient flexibility should be maintained for municipalities to respond to local contexts. Separating secondary plans from Official Plans raises questions about how secondary plans would be interpreted alongside a broader Official Plan. Detailed information on these proposed changes is not yet available.

Proposed Review of the *Ontario Building Code*

The province has announced that it will be establishing an expert third-party advisory body consisting of engineering, construction, and code specialists to conduct a section-by-section review of the *Ontario Building Code* to streamline and modernize the Code.

What does this mean for the City?

The information to date is limited to high-level statements made in connection with the introduction of Bill 98, and no further details have been provided regarding the advisory body's governance, scope of work, timelines, or implementation.

This approach shifts from previous efforts to harmonize the Ontario Building Code with the National Building Code and may introduce inconsistency for the construction industry operating across multiple jurisdictions.

Staff are supportive of the review of the *Ontario Building Code.* It is staff's expectation that the third-party advisory body will include municipalities.

Existing Policy/By-Law

- *Building Code Act, 1992*
- *Development Charges Act, 1997*
- *Municipal Act, 2001*
- *Planning Act*
- *Safe Drinking Water Act, 2002*
- *Water and Wastewater Public Corporations Act, 2025*
- Provincial Planning Statement, 2024
- City of Kingston Official Plan
- Kingston Zoning By-Law Number 2022-62
- City of Kingston Site Plan Control By-Law
- City of Kingston Parkland Conveyance By-Law

Financial Considerations

Financial considerations are anticipated but not fully known as the legislation is still open for consultation and program details of the Canada-Ontario Partnership to Build are not available until May.

Contacts:

Sukriti Agarwal, Manager, Policy Planning, 613-546-4291 extension 3217

Other City of Kingston and Utilities Kingston Staff Consulted:

Holly Wilson, Manager of Government Relations

Lisa Capener-Hunt, Director, Building Services & Chief Building Official

Lana Foulds, Director, Financial Services

Julie Runions, Director, Utilities Engineering, Utilities Kingston

Mark Dickson, Manager, Transportation Systems

Matt Kussin, Manager, Transportation Policy & Programs

James Bar, Manager, Development Approvals

Malcolm Norwood, Supervisor, Development Approvals

Laura Flaherty, Project Manager, Planning Services

Exhibits Attached:

None