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Report To: Warden Post and Members of County Council

Meeting Date: April 23, 2026

Subject: Proposed Building Homes and Improving Transportation Infrastructure Act, 2026

From: Rajbir Sian, Director of Community Development and Tourism

Recommendation

THAT the report from the Director of Community Development and Tourism, Report No. PD-2026-017, Proposed Building Homes and Improving Transportation Infrastructure Act, 2026, dated April 23, 2026, be received;

AND THAT the commenting letters included as attachments be submitted to the respective Environmental Registry of Ontario portal.

Executive Summary

- The Ministry of Municipal Affairs and Housing (MMAH) introduced new legislation referred to as the *Building Homes and Improving Transportation Infrastructure Act, 2026* (Bill 98).
- Legislative changes being proposed mainly focus on amending existing Acts; however, Bill 98 does seek to implement one new Act. Those Acts to be amended, as well as the new proposed Act, include:
 - *City of Toronto Act, 2006*
 - *Development Charges Act, 1997*
 - *Metrolinx Act, 2006*
 - *Municipal Act, 2001*
 - *Planning Act*

- *Safe Drinking Water Act, 2002*
- *Water and Wastewater Public Corporations Act, 2025*
- *Fare Alignment and Seamless Transit Act, 2026.*
- The most notable changes being made under Bill 98, as it pertains to Dufferin County specifically, are those to the *Planning Act* and the implementation of the new *Fare Alignment and Seamless Transit Act, 2026*.
- The MMAH is proposing ten (10) changes to the *Planning Act*, with Environmental Registry of Ontario (ERO) commenting portals being provided for each amendment being proposed. Of those ten (10) postings, five (5) are of relevance to Dufferin County.
- Planning staff have prepared five (5) commenting letters for changes being proposed to the *Planning Act*. Those letters will be submitted to the respective ERO portal by either the April 29th or May 14th deadline.
- Staff currently have no significant comments pertaining to the *Fare Alignment and Seamless Transit Act, 2026* at this point in time. Once additional information is brought forth, staff may have comments, especially as it relates to the financial responsibility of rural transit systems.

Background & Discussion

On March 30, 2026, the Ministry of Municipal Affairs and Housing (MMAH) introduced new legislation referred to as Bill 98, but more accurately titled as the *Building Homes and Improving Transportation Infrastructure Act, 2026* (the Act). Bill 98 reflects the MMAH's ongoing effort to expedite housing development in Ontario through the removal of red-tape, standardization of land use planning regulations, and reduction of additional costs to development.

The legislative changes being proposed as part of Bill 98 largely focuses on amending existing Acts; however, Bill 98 does also seek to implement one (1) new Act. Existing Acts that are proposed for amendment includes the *City of Toronto Act, 2006*, *Development Charges Act, 1997*, *Metrolinx Act, 2006*, *Municipal Act, 2001*, *Planning Act*, *Safe Drinking Water Act, 2002*, and the *Water and Wastewater Public Corporations Act, 2025*. The Act to be introduced under Bill 98 is the *Fare Alignment and Seamless Transit Act, 2026*.

For Dufferin County, the most notable amendments being made are those to the *Planning Act* and the implementation of the new *Fare Alignment and Seamless Transit Act, 2026*. The latter Act is of interest to the County of Dufferin given the current ongoing Bruce-Dufferin-Grey-Wellington regional transit study. Though the Act seems to be generally aligned with the direction being explored by the aforementioned transit

study, it does reflect a shift towards increased provincial oversight without a clear direction on governance decisions or financial risks to municipalities. At this point in time, there are no significant comments to be made on this Act, but staff are eager to understand the scope in which the policies of the Act are to be applied. Should municipalities be expected to remain financially responsible for services operations, while the province prescribes the terms of the services (i.e., fares), this would be of concern for the County of Dufferin. Given the prevalence for rural transit systems to be ones with low ridership and higher per-trip costs, having minimal to no input on fare costs will likely result in significant financial risk for rural municipalities such as Dufferin.

For the *Planning Act*, the proposed amendments are of great interest to the County, as evidenced by the fact that all of the commenting letters attached to this report speak to changes being made to this Act. As part of the MMAH's ongoing effort to consult with municipalities across the province, Environmental Registry of Ontario (ERO) portals for ten (10) proposed amendments were made available for commenting. Of those ten (10) postings, five (5) commenting portals were determined to be of relevance to the County of Dufferin, with commenting letters being prepared for each ERO posting.

Planning division staff have provided below a table that identifies the ERO posting number, associated deadline, and a synopsis of planning staff's comments, if applicable. In *Appendix 1*, an overview of the changes being proposed to the *Planning Act* under each ERO posting has also been provided.

The changes introduced through Bill 98 do not newly capture Dufferin County within the *Metrolinx Act*, as Dufferin has long been included due to its historical inclusion in the GO Transit service area following Metrolinx's assumption of GO operations. Metrolinx has therefore already exercised a degree of coordination and oversight in the region, and the Bill does not fundamentally alter local ownership, operation, or funding responsibility for Dufferin's rural transit services, which remain municipal.

However, Bill 98 introduces additional ministerial authorities that could have greater practical implications for Dufferin County precisely because it is already within the geographic scope of the Act. Should the Minister choose to assert expanded authority in the region, there may be increased risk to local governance, project implementation, and decision-making autonomy, particularly if new policies, standards, or expectations are applied more broadly without corresponding rural-appropriate funding or flexibility. While the Act allows for integrated fare systems and coordination by agreement, any future expansion of Metrolinx-led initiatives into Dufferin County would need to be accompanied by equitable funding mechanisms and clear governance frameworks to avoid unintended financial or operational impacts on the County's transit services.

Bill 98 – Proposed Planning Act Updates

ERO No.	Comment Deadline	Planning Comment
026-0300	April 29 th	Planning staff had no comments pertaining to this proposal.
026-0304	April 29 th	Planning staff had no significant concerns with the changes being proposed. Staff did question the removal of a land needs assessment methodology that was once deemed by the MMAH as “appropriate for most municipalities”.
026-0305	May 14 th	Planning staff had no comments pertaining to this proposal.
026-0309	May 14 th	Planning staff had no comments pertaining to this proposal. Land development standards are predominately a lower-tier responsibility.
026-0310	May 14 th	<p>Planning staff had significant concerns with several of the options being considered. The option to remove the site plan control process fails to properly consider the benefits of site plan control. For the options centred around refining the site plan approval process, the changes being proposed seemed to add further steps to the process or create a process that did not account for local variables and conditions and removed flexibility and input from municipalities.</p> <p>Where staff did have some agreement was with the proposal for establishing different approval streams. This approach, in our opinion, may allow for more minor applications to be expedited.</p>
026-0311	May 14 th	Planning staff had no comments pertaining to this proposal.
026-0312	May 14 th	Planning staff had no comments pertaining to this proposal. Parkland dedication requirements are a responsibility deferred to the lower tiers.
026-0313	May 14 th	Planning staff had several concerns and questions regarding the proposed changes. In our opinion, there were several important technical studies that focus on urban design and visual impact that were omitted from the list. In addition to that, neither the core nor contingent list referenced critical drawings and illustrations (i.e. plans of survey, concept plans, pre-and-post development plans) that are frequently included as part of planning applications.

ERO No.	Comment Deadline	Planning Comment
		<p>Questions were also brought forth by planning staff regarding how disagreements between municipalities and applicants would be addressed. Would applicants be allowed to 'appeal' certain contingent studies if deemed necessary by municipal planning staff?</p>
026-0314	May 14 th	<p>Planning staff did not have any significant concerns with the proposal; however, did have some general commentary and suggestions. Staff raised that though this action may lead to more efficiency early in the planning application process, the entire planning process will likely not be accelerated. If the materials submitted still require revisions and updates, though accepted as part of a municipalities determination of a complete application, the revisions will still be requested just likely during the first submission circulation. In turn, there changes may only lead to a greater number of 'deferral' reports being presented to Council to ensure regulatory timelines are met.</p> <p>Additional suggestions regarding the consideration of professional biologists, ecologists, archaeologists, and agricultural specialists, for inclusion on the list was provided.</p>
026-0315	April 29 th	<p>Planning staff had several suggestions on the proposed amendments being made by the MMAH. Those suggestions included:</p> <ul style="list-style-type: none"> • "Agricultural" and "Rural" land use designations remaining as two distinct classifications. • Combining the land use designations of "Employment Areas" and "Major Facilities" into one "Employment" designation. • Removal of "Parks and Open Spaces" section from upper-tier municipal official plans. • Implementation of Climate Change policies in upper-tier official plans rather than lower-tiers. • Additional clarity be provided on whether certain land use designations, if not applicable to the upper-tier

ERO No.	Comment Deadline	Planning Comment
		<p>municipality, can be omitted and, if so, the process for doing so.</p> <ul style="list-style-type: none"> Inclusion of all secondary plans into one consolidated document for ease of reference.

Financial, Staffing, Legal, or IT Considerations

There are no financial, staffing, legal, or IT items to be considered at this point in time.

In Support of Strategic Plan Priorities and Objectives

Community - increase affordable and attainable housing options

Governance - identify opportunities to improve governance and service delivery

Respectfully Submitted By:

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Attachments:

- ERO 026-0304 – Commenting Letter
- ERO 026-0310 – Commenting Letter
- ERO 026-0313 – Commenting Letter
- ERO 026-0314 – Commenting Letter
- ERO 026-0315 – Commenting Letter

Appendices:

- Appendix 1: Overview of Proposed *Planning Act* Changes

Reviewed by: Sonya Pritchard, Chief Administrative Officer

Appendix 1: Overview of Proposed Planning Act Changes

ERO No.	Overview
026-0300	The MMAH is seeking additional changes to lower-tier official plans, enhanced development standards and green development standards for site plan approvals, minimum lot size, and the upper-tier planning responsibilities for Simcoe County.
026-0304	<p>The MMAH further revised draft projection methodology guidelines ('PMG') that are used to determine population and employment projections, as well as municipal land needs.</p> <p>The additional revisions made to the draft PMG largely pertain to additional clarity and details on how to undertake the projections and also the methodologies to be used when determining land needs.</p>
026-0305	The MMAH seeks to remove the requirement for information and material submitted as part of planning applications to include an original or certified copy. Further, the MMAH would allow required notes to be provided electronically to the MMAH. The planning applications these changes would impact include official plan and zoning by-law amendments, plans of subdivision, and consent applications.
026-0309	The MMAH seeks to remove the ability for municipalities, as part of a condition of land division approvals, require mandatory enhanced development standards at the lot level. These lot standards would be those beyond ones required for health, safety, accessibility, or the protection of adjoining lands (i.e., stormwater).
026-0310	<p>The MMAH is seeking to reform the municipal site plan approvals process. Current options being considered by the MMAH, and subject to comment by municipalities, the following:</p> <ul style="list-style-type: none"> • Removal of Site Plan Control. • Cap the number of circulations to three (3). • Establish a standardized site plan approval checklist. • Establish a municipal arbitration process. • Require municipalities to create different site plan approval streams for different types of development proposals.
026-0311	The MMAH seeks to set a minimum residential lot size of 174 m ² (~1900 ft ²) for parcels on urban residential land located outside of the Greenbelt Area.

ERO No.	Overview
026-0312	The MMAH seeks to allow for developer-identified lands to county towards municipal parkland dedication requirements. In addition, the proposed amendments would allow the landowner to appeal to the Ontario Land Tribunal ('OLT') if the municipality rejects the developer-identified land. A land suitability criterion has been drafted by the MMAH, which, in theory, if addressed, would allow for the developer-identified land to be used to address parkland dedication requirements.
026-0313	The MMAH is proposing to standardize the technical studies that would be required for a planning application to be deemed as 'complete'. The studies are categorized into two types of studies – Core and Contingent. Those defined as core could be required for all planning applications, whereas contingent studies could only be required in certain instances.
026-0314	The MMAH proposes to add additional certified professionals (i.e., registered landscape architects), for the purposes of a complete application. In essence, these changes would mean that technical studies and reports prepared by the final list of certified professionals would be required to be accepted by municipalities in the first instance, even if the studies and drawings required revisions.
026-0315	The MMAH is proposing the further standardization of upper-tier official plans, secondary plans, and site- and area-specific policies ('SASPs'). The most notable to Dufferin County is the standardization of upper-tier official plans, which, similar to that of lower-tiers, would have a formal structure and list of land use designations that upper-tier municipalities would be required to follow.