



Committee of the Whole

Meeting Date: April 14, 2026

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Subject: Bill 98 - Building Homes and Improving Transportation Infrastructure Act, 2026

BACKGROUND:

Bill 98, the [Building Homes and Improving Transportation Infrastructure Act, 2026](#), was introduced by the Ontario government on March 30, 2026. Bill 98 includes 9 schedules that propose amendments to various provincial statutes. Of these, the proposed changes to the Planning Act, Municipal Act and Safe Water Drinking Act are anticipated to have the most impact within Middlesex County.

In addition to the proposed Bill 98 legislative and regulatory changes, the province is concurrently consulting on 21 related Environmental Registry of Ontario (ERO) postings covering a broad range of planning and housing matters. These include proposals to standardize official plans, reform site plan control, establish a provincial minimum residential lot size, prohibit mandatory enhanced development standards at the lot level, streamline complete application requirements, expand communal water and wastewater systems in rural areas, and update parkland dedication requirements. Several of these postings represent the direct regulatory follow-through on consultations first undertaken under [Bill 17](#) and [Bill 60](#), while others, most notably an extensive consultation on reforms to site plan control, introduce significant new proposals.

The purpose of this report is to provide Council with an overview of the changes proposed through Bill 98 and the related matters currently under consultation by the Province that are anticipated to be the most impactful to Middlesex County. Further, this report includes staff comment on matters identified in the proposal and is intended to serve as the basis for future correspondence to be submitted to the Province through the Environmental Registry and the Regulatory Registry, subject to Council's direction. It is noted that as of the time of writing this report, related information continues to be released by the Province.

It is also noted that separate from the above-noted regulatory changes, the 'Canada-Ontario Partnership to Build' was also recently announced. This agreement includes approximately \$8.8 billion in cost-shared federal and provincial funding over 10 years to support housing-enabling infrastructure, with a significant portion intended to enable municipalities to reduce development charges by up to 50 percent, supported by offsetting infrastructure funding. The partnership also includes measures such as a Harmonized Sales Tax rebate for new homes. The details of this program and the potential impact for Middlesex County are not yet known, and a report will be brought to Council as information becomes available.

ANALYSIS:

The [technical media briefing](#) released by the Ministry of Municipal Affairs and Housing and Ministry of Transportation outlines Bill 98's two main pillars: building transit infrastructure, including fare and service integration, road standards harmonization, and transit approvals streamlining, and building homes by fighting delays and reducing costs through official plan reform, site plan changes, minimum lot sizes, Building Code review, and expanded water and wastewater frameworks.

At a high level, the proposed legislative changes, if passed, will impact the development approvals process, the provision of housing, and the provision of public infrastructure. The proposals related to official plans and site plan control, if passed, would result in significant changes to several components of the development approvals process and the land use policy frameworks within Middlesex County.

Proposed Planning Act Reforms

- Amendments to the Planning Act would impose a standardized table of contents, schedule structure, and set of land use designations for local official plans, with implementation required by January 1, 2028 for large and fast-growing municipalities and January 1, 2029 for all other municipalities. This was originally consulted on through [ERO 025-1099](#) and is being consulted on further through [ERO 026-0315](#).
- Proposed changes [ERO 026-0309](#) would remove municipal authority to require mandatory enhanced development standards at the lot level outside of buildings that are not needed for health or safety, and would prohibit municipalities from imposing mandatory green building or construction standards through site plan control or zoning.
- The Planning Act would be amended to give the Minister of Municipal Affairs and Housing regulation-making authority to set a minimum lot size on parcels of urban residential land (parcels with full municipal services). This is the legislative foundation for the proposed 175 m² minimum. Minimum lot sizes were initially

consulted on under [ERO 025-1100](#) and are being consulted on further through [ERO 026-0311](#).

- The legislative requirement for the Minister to provide public notice on proposed amendments to or revocations of MZOs would be removed.
- Proposed changes through [ERO 026-0312](#) would implement Bill 23 provisions that are not yet in force, establishing that developer-identified lands, including those with encumbrances and privately owned public spaces (POPS), would be eligible to count toward municipal parkland dedication requirements subject to partial credits toward overall parkland dedication requirements. A process would also be established where a municipal decision on such matters can be appealed to the Ontario Land Tribunal.
- Proposed changes would facilitate the electronic submission of planning information and materials. This is being consulted on through [ERO 026-0305](#).
- Building on consultation undertaken through Bill 17, [ERO 026-0313](#) proposes a standardized list of information and materials (supporting studies and reports) that planning authorities can require as part of a complete application, with reform options including two categories of applications; core studies, which could always be required, and contingent studies, which could only be required where site-specific conditions trigger them.
- [ERO 026-0314](#) would expand the list of certified professionals whose technical studies municipalities must accept for the purposes of a complete application, building on the list that currently prescribed professional engineering.
- Consultation through [ERO 026-010](#) is being undertaken on potential reforms to the site plan approvals process. Reform options contemplate capping the number of municipal review circulations and introducing a standardized approval checklist, and removing site plan control in its entirety as a land use planning tool.

Potential Implications

The potential implementation of electronic submission of planning information and materials is acknowledged as a positive step toward improving efficiency and consistency across municipalities. It is recommended that the requirement for applicant signatures be retained while the requirement for commissioning of applications be removed. Alignment with building permit application processes in this regard could serve as a useful reference.

The standardization of official plans may support greater consistency and comparability across jurisdictions. However, it also presents challenges for local municipalities. Specifically, the loss of flexibility in land use designations could limit a municipality's

ability to reflect area-specific contexts. While further clarity pertaining to the implementation of this change will be necessary in determining the full scope of potential impacts, staff note that this may lead to an increased need for applicant-initiated official plan amendments to address site-specific planning considerations that are not accounted for within the standardized official plan framework.

Further, there is a need for clarity regarding the timing of when standardized Official Plans must be implemented and if a provincial guideline document will be made available prior to the commencement of any implementation timeline.

The proposed reforms to the site plan approval process raise several concerns. If site plan approval is removed, an alternative mechanism would need to be established to facilitate road dedications and to address site issues such as stormwater management obligations, among other matters, ahead of building permit issuance. Municipalities would also lose a critical tool through which agreements are registered on title, and without site plan approval, it is unclear how this function would be preserved.

The proposed cap of three site plan submissions is also a concern, particularly where a proponent is actively revising the site plan, as this limit may be insufficient and could result in approval delays or incomplete designs advancing through the process. It should be noted that all site plans within the County are processed under delegated authority, in accordance with the Planning Act, typically requiring only two to three submissions, which compares favourably to larger urban centres.

There is likely merit in a tiered approach to establishing minor and major site plan streams, with reduced submission requirements for minor applications and municipal authority to define and regulate what constitutes a minor or major site plan through Official Plans and site plan control by-laws.

Should the Province move forward with site plan reform, it is recommended that the requirement for pre-consultation meetings be reinstated. Pre-consultation serves a critical function in the approvals process by identifying issues early, establishing complete application requirements, and aligning expectations between municipalities and applicants at the outset. Overhauling the site plan approvals process in the absence of requiring applicants to pre-consult with municipalities risks lengthening rather than streamlining the site plan approvals process. Without an equivalent mechanism in place, applicants may advance submissions that are incomplete or that do not reflect municipal requirements, ultimately resulting in delays.

Reductions to minimum lot sizes raise concerns regarding the buildability of resulting lots and whether compliance with the Ontario Building Code can be practically achieved. There is also a risk that applicants and purchasers may not adequately account for on-site requirements such as parking and utility infrastructure when designing or purchasing these smaller lots. The reduction of driveway and lot size

standards may result in a significant increase in minor variance applications, placing additional demand on applicants, staff and Committee of Adjustments across the County.

While green development standards reflect important design objectives, the proposed removal of such as a condition of land division (consent and/or plan of subdivision/condo) raises concern regarding the ability of municipalities to ensure that infrastructure is designed to a level that facilitates long-term operation and maintenance. Without this condition, there is a risk of discrepancies emerging between municipal infrastructure design standards and what developers ultimately bring forward, potentially complicating existing approvals processes and undermining the consistency of municipal infrastructure delivery.

Proposed Municipal Act and Safe Water Drinking Act Reforms

- Proposes legislative amendments to the Municipal Act, 2001 and Safe Drinking Water Act, 2002 to encourage greater adoption of non-municipal communal water and wastewater systems to support new housing development.
- Would require persons seeking to establish a non-municipal communal drinking water or wastewater system (public utility) to apply for municipal consent, while creating regulation-making authority to set criteria and conditions under which municipalities would be required to give that consent.
- [ERO 026-0302](#) proposes that a municipality would be required to provide consent where it is satisfied that: prescribed area criteria are met; required plans meet prescribed conditions; required reserve funds and financial assurances are in place; and the utility, if built and operated as proposed, would meet all prescribed requirements.
- Where consent is required to be given, municipalities could impose prescribed conditions or limits, including requiring agreements, to ensure the safe and sustainable operation of the utility.
- A consequential amendment to the Safe Drinking Water Act would deem consent given under the Municipal Act to also constitute consent under the SDWA, avoiding duplicate approval processes.
- Legislative amendments would take effect upon Royal Assent; enabling regulations would be developed separately and made available for further public comment at a later date.

Potential Implications

Private communal and off-grid systems may introduce significant regulatory, operational, and liability challenges in the absence of a clearly defined oversight model. The current proposal provides limited guidance on the conditions and criteria that are to be met in order to obtain municipal consent. Concerns also exist regarding the life span,

operations and maintenance costs, and staffing implications associated with alternative types of treatment plants, which would require additional municipal training and capacity.



It is noted that all larger settlement areas within the County are serviced by full municipal water and wastewater infrastructure. As such, any changes to provincial servicing policies, legislation or governance structure could fundamentally reshape how the infrastructure is managed and delivered and has direct implications for a municipality’s ability to plan for long-term infrastructure needs.


FINANCIAL IMPLICATIONS:

The staff resources to prepare and submit comments to the Environmental Registry of Ontario can be accommodated within the approved budget. It is noted that ongoing monitoring and the almost constant changes to the land use planning system within the Province cumulatively strain resources. The practical implications of these proposed changes will depend on the details set out in accompanying regulations, which in many cases have not yet been released. These forthcoming regulations will be important in determining the full scope and operational impact on Middlesex County and local municipalities.

ALIGNMENT WITH STRATEGIC FOCUS:

This report aligns with the following Strategic Focus, Goals, or Objectives:

Strategic Priority	Goal	Objectives
Economic Development 	Enhance overall economic well-being and community prosperity by fostering a sustainable and thriving local economy	<ul style="list-style-type: none"> • Advance the County’s planning framework that balances diverse land uses while protecting farmland and natural environment.
Collaboration & Partnerships 	Strengthen collaboration with local municipalities and regional partners to improve economic efficiency, enhance service delivery, and support regional development in alignment with community priorities	<ul style="list-style-type: none"> • Build and enhance relationships with municipal, regional, First Nations, community, and private sector partners to align priorities, share resources, and implement joint initiatives that improve community well-being and economic growth.

Strategic Priority	Goal	Objectives
Adaptability and Agility 	Modernize the County's administrative capabilities to strengthen decision-making, improve service delivery, and achieve better community outcomes	<ul style="list-style-type: none"> • Transform, modernize and continuously improve administrative systems and processes to increase efficiency and enhance the experience of residents and partners.

RECOMMENDATION:

THAT the Bill 98 – Building Homes and Improving Transportation Infrastructure Act, 2026 Report be received for information;

AND THAT staff be directed to prepare and submit comments to the Environmental Registry of Ontario in response to Bill 98 consultations;

AND THAT such submissions be guided by the principles and considerations outlined in this report and in alignment with applicable Middlesex County policies, plans, and strategic documents.