

Overview of Bill 98 Implications with Respect to Planning Matters

Date: June 3, 2026

To: Planning and Housing Committee

From: Chief Planner and Executive Director, City Planning

Wards: All

SUMMARY

Bill 98, *Building Homes and Improving Transportation Infrastructure Act, 2026*, was introduced on March 30, 2026, and received Royal Assent on June 2, 2026. Among other matters, the changes affect land use planning authorities in the *Planning Act* and the *City of Toronto Act*, including official plans, zoning, site plan control, development standards, secondary plans, application requirements and parkland dedication.

The Bill 98 changes, along with related regulatory changes and potential future changes, impact the relationship between the planning tools that collectively support development review and city-building objectives. These tools include Toronto's shift towards a greater reliance on zoning that permits as-of-right development, which intends to work together with other planning tools to facilitate development, streamline development approvals, and support coordination of infrastructure, servicing, community services, public realm improvements and parkland delivery.

As a result of the Bill 98 changes, staff will be making modifications to some aspects of the scope of review of the Site Plan Control process, as well as modifying the application of the Toronto Green Standard. These changes are summarized in this report.

RECOMMENDATIONS

The Chief Planner and Executive Director, City Planning recommends that:

1. Planning and Housing Committee receive this report for information.

FINANCIAL IMPACT

There are no financial impacts resulting from this report.

Further analysis of Bill 98 may identify potential operational, administrative and infrastructure-related implications, which will be reported to Committee as part of future work, as appropriate.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the information as presented in the Financial Impact section.

DECISION HISTORY

On March 30, 2026, Ontario's Minister of Municipal Affairs and Housing introduced Bill 98, *Building Homes and Improving Transportation Infrastructure Act, 2026*, and made several policy announcements related to planning, housing, building and transit. Bill 98 received Royal Assent on June 2, 2026.

COMMENTS

An Integrated System for Municipal Land Use Planning

Toronto's Official Plan provides the roadmap for the city's future change and growth over time. The City uses various planning tools to help translate the aspirations of the Official Plan into tangible outcomes on the ground. This includes land use planning authorities under the *Planning Act* and *City of Toronto Act* that are the basis for the day-to-day development review process.

The City uses zoning, site plan control and parkland dedication requirements to ensure that development is well designed, functional, and integrated into the urban fabric, and that it provides for new parks, open space, trees, landscaping and community infrastructure for the additional residents and workers that growth brings. In recent years, the City has made greater use of city-wide zoning frameworks that facilitate as-of-right development as part of its integrated approach to planning and development approvals. Used thoughtfully and consistently, municipal land use planning tools work together to help ensure growth contributes to complete communities across Toronto. In support of this goal, the City continues to focus on delivering effective application review service to stakeholders while optimizing staff efforts through clear, collaborative, flexible, and data-driven processes and decision-making.

Legislative and Regulatory Changes

Bill 98, together with a series of associated and forthcoming regulatory changes, and parallel consultations on other future changes, represents a broad restructuring of Ontario's land use planning framework. These changes affect municipal planning tools under the *Planning Act* and *City of Toronto Act*, including official plans, zoning, site plan control, development standards, secondary plans, application requirements and parkland dedication. The scale and pace of these reforms, many of which remain subject to further regulatory definition, have created a degree of uncertainty regarding

how the various stages of planning review and approvals function as an integrated system in practice.

Key elements of Bill 98 and related proposals affecting the City's planning framework include:

- **Standardization of Official Plans**, including prescribed structures and land use designations that municipalities must use, as well potential changes affecting Secondary Plans and site-and-area specific policies (SASPs)
- **Restrictions on development standards**, including limits on municipalities' ability to apply environmental or "enhanced" development requirements
- **Changes to site plan control**, including narrowing of scope, reduced ability to address design and functional considerations, and a growing list of exemptions or limitations that are specific to particular uses (e.g. schools, Metrolinx projects)
- **Reforms to application requirements**, including prescribed information and studies and limits on municipalities' ability to request additional materials
- **Revisions to parkland dedication processes**, including the ability for a landowner to identify how they propose to meet their parkland dedication requirement at any time before building permit, and their ability to appeal to the Ontario Land Tribunal (OLT) if the City refuses the proposed parkland dedication
- **Broader centralization and streamlining measures**, shifting aspects of planning authority and implementation toward more standardized provincial approaches

Standardized Official Plans

Bill 98 makes significant changes to Official Plans by setting out a new Official Plan framework that all municipalities and planning boards are mandated to use. The new Official Plan framework sets out both the required table of contents for Official Plans and the menu of standardized land use designations that Official Plans can use for land use planning. Importantly, the standardized land use designations include a list of land uses (i.e. residential, commercial, industrial, recreational, etc.) that "shall be authorized". Combined, these changes mark a significant departure from the current system where municipalities and planning boards have broad flexibility to devise their Official Plans in a manner that suits their local needs and preferences, while still being consistent with provincial policies and plans. The role of secondary plans and site-and-area specific policies are also the subject of recent consultation by the province, and their future status is uncertain.

City staff recognize that moving towards a standardized framework for Official Plans has the potential for both long-term benefits as well as short- to medium-term risks. Importantly, to ensure that the implementation of the new framework does not negatively impact the pace of development, especially housing development, it will be critical to maintain a certain level of planning certainty during the transition from the former framework to the new framework. To achieve this, staff have recommended to

the province that the *Planning Act* may need to be further amended to provide clear direction regarding how development applications under review or being adjudicated by the OLT are to be dealt with when a new Official Plan comes into effect. Staff have also provided comments and requests for clarification with respect to some of the proposed standardized Official Plan elements.

Amendments that Affect Green Building and Development Standards

Bill 98 removes “sustainable design” from the scope of Site Plan Control under the *City of Toronto Act* (s. 114) and *Planning Act*, and narrows the focus to health, safety, accessibility, or the protection of adjoining lands. These changes impact the City's scope of review of new development applications, as well as the City's ability to implement the Toronto Green Standard (TGS).

In place since 2010, the TGS has contributed to building resilient communities and advanced matters related to public health, safety, sustainability and energy efficiency. It is one of the most important tools the City has to address climate resilience and achieve the Council-adopted greenhouse gas emissions reduction target of net zero by 2040 under TransformTO.

The TGS helps to streamline the application review process by operating as a one-window tool to implement Official Plan policies as well as other City standards and requirements related to sustainability. The TGS has been applied to over 4,000 private and City-owned developments to date, resulting in an estimated \$407.6 million in utility cost savings for residents and building owners and an estimated total greenhouse gas savings of 972,000 tonnes, equivalent to removing approximately 297,800 cars from the road.

The TGS also serves as a market transformation tool facilitating the adoption of materials, technologies and design tools that are now mainstream in Toronto and across Ontario such as bird friendly glass, green roofs, geothermal energy, soil volume planning and energy modelling.

Based on staff's analysis of Bill 98 and additional efforts to streamline TGS implementation, several interim changes will be undertaken with respect to the TGS Tier 1 requirements. These changes are summarized in Attachment 1. Some standards will be removed as requirements and shift from mandatory to voluntary, while other measures, which continue to fall within the scope of Site Plan Control, and/or implement other City standards or requirements, will remain requirements of Tier 1. No changes will be made to the high-performance standards for private developments applying for the TGS Development Charge Refund Program or to the City Agency, Corporation and Division-Owned Facilities' standards.

To implement the changes, staff will be preparing updated TGS checklists, guidelines and review processes.

The City will continue to advance climate leadership on its own City-led projects, applying the highest standard of the TGS to these developments. Private development will be encouraged to continue to achieve the TGS voluntary performance measures.

High-performance private developments will continue to be incentivized through the voluntary TGS Development Charge Refund Program.

These changes are considered to be interim, until a broader review of the TGS program can be undertaken. Prior to Bill 98, the City had initiated a review of the current TGS Version 4, with a goal of introducing increased flexibility within the standards and streamlining review and implementation processes. That review has been paused for the last several months, but will be re-initiated, and will include a further review of the TGS scope and the application of the TGS.

Developer-Identified Parkland Dedication

The Bill 98 amendments to the provision of parkland build off recent amendments to the *Planning Act* through Bill 23.

Once brought into effect, the changes would allow landowners to identify the land they propose as their parkland dedication, including lands that have not been traditionally approved as full parkland dedication, such as encumbered lands, stratified lands (e.g., over a parking garage), and interests in land (e.g., a privately owned publicly accessible space). The changes would allow a landowner to appeal a municipality's refusal of the developer-identified parkland to the OLT, with the OLT able to order the parkland be conveyed to the municipality if the parkland meets prescribed criteria. Future regulations will contain the criteria that the OLT would refer to when determining whether land is eligible or ineligible to be dedicated as parkland.

While current practice is to identify parkland dedication as well as POPS and other open spaces early in the planning approvals process, under the new Bill 98 provisions, the landowner has discretion to identify proposed parkland up until the time of building permit issuance. In some cases, this may lead to significant changes to developments late in the process and may result in the delayed delivery of new parkland to support the related growth.

Collaboration between City staff and applicants has been essential to building complete communities, of which parkland is a key pillar. Staff are concerned that the proposed changes may result in suboptimal park spaces and may limit the City's ability to strategically plan for larger, well-connected and high-quality parks, including parks and public spaces integrated across multiple developments over time. The proposed changes represent a significant change from the current process and will add steps to the City's review process, and application management procedures and tools will need to be put in place.

Site Plan Control

In addition to the changes implemented under Bill 98, the province is consulting on a proposal to further reform Site Plan Control under the *Planning Act* and the *City of Toronto Act, 2006*. Specific proposals include removing site plan control as a land use planning tool; prescribing a maximum of three circulations; scoping site plan review processes and applying standardized checklists; and requiring municipal arbitration process for site plan applications that have exceeded a 60-day timeline.

Site plan control remains the most effective and reliable tool to ensure that health and safety requirements, as well as the functional and technical aspects of a proposed development, are addressed in a coordinated and integrated manner before a building permit is issued. It provides a single, comprehensive process through which critical matters - such as servicing, access, landscaping, stormwater management, and conveyances/easements - can be reviewed holistically. Without site plan control, these elements would need to be addressed through multiple, separate processes, significantly increasing the complexity for applicants to navigate and potentially creating inconsistency within and across municipalities.

The Development Review Division has been transforming the City's existing Site Plan application review process in close collaboration with internal and external stakeholders. This has included a comprehensive process review that is identifying areas for greater efficiency and opportunities for scoping and streaming of site plan applications. Staff will be reporting to Council separately on the results of this review, including ongoing process improvements.

Conclusion

The Bill 98 changes, along with related regulatory changes and other future changes, impact the relationship between the planning tools that collectively support development review and city-building objectives. These include Toronto's shift towards a greater reliance on zoning that permits as-of-right development, which is intended to work together with other planning tools to facilitate development, streamline development approvals, and support coordination of infrastructure, servicing, community services, public realm improvements and parkland delivery.

As a result of the Bill 98 changes, staff will be making modifications to some aspects of the scope of review of the Site Plan Control process, as well as modifying the application of the Toronto Green Standard. The changes also create a level of uncertainty regarding the scope of future as-of-right zoning frameworks, including the extent to which zoning and zoning standards may need to address matters currently addressed through downstream approvals processes.

Staff will continue to assess the implications of Bill 98 and associated regulatory changes, as well as any future regulatory changes, and their implications on municipal planning tools, and will continue to modify municipal policies, standards and practices as required.

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SIGNATURE

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City Planning

ATTACHMENTS

Attachment 1: Interim Changes to TGS, Version 4 for Private Development

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Performance measures to be removed as requirements and shifted from mandatory to voluntary implementation		
AQ 1.2	Electric vehicle infrastructure	Shifting from mandatory to interim voluntary performance measures.
AQ 2.4	Electric bike infrastructure	
AQ 2.6	Publicly accessible bike parking	
WQ 1.3	On-site green infrastructure	
EC 1.3	Parking lots	
EC 1.4	Watering program	
EC 2.1	Green and cool paving	
EC 2.2	On-site landscaping, native plants	Authority for Green Roof Bylaw was repealed by Order in Council effective November 3, 2025. Cool roofs: to streamline TGS implementation, this measure will be shifted to an interim voluntary performance measure.
EC 2.3	Green and cool roofs	
GHG 1.1	GHG emissions limits	Shifting from mandatory to interim voluntary performance measures.
GHG 1.2	Building energy performance	

Performance measures to be retained within Tier 1 that implement other City standards or requirements and/or that relate to health, safety, accessibility, and protection of adjoining lands		
AQ 1.1	Single-occupant vehicle trips	Conditional requirement of the City's Terms of Reference for the preparation of Transportation Impact Studies.
AQ 2.1	Bicycle parking rates	Requirement of the City's Zoning Bylaw.
AQ 2.2	Long-term bicycle parking location	
AQ 2.3	Short-term bicycle parking location	
AQ 2.5	Shower and change facilities	

Performance measures to be retained within Tier 1 that implement other City standards or requirements and/or that relate to health, safety, accessibility, and protection of adjoining lands

AQ 3.3	Sidewalk space	As required by the City's engineering design standards.
WQ 1.1	Water balance, quality and quantity control	As per the City's Wet Weather Flow Management Guidelines.
WQ 1.2	Green streets	Requirement for public streets.
SW 1.1	Waste Collection	As per the City's Requirements for Garbage, Recycling and Organics Collection for New Developments.
SW 1.2	Waste Storage Space	
SW 1.3	Bulky Waste	
SW 1.4	Compaction	
SW 1.5	Household Hazardous Waste	
SW 4.1	Construction Waste Management	No action required during application review, implemented through Provincial regulation.
AQ 3.1	Connectivity	
AQ 3.3	Weather protection	
AQ 3.4	Pedestrian lighting	
EC 1.1	Tree planting areas and soil volume	
EC 1.2	Trees along street frontages	
EC 3.1	Ravine and Natural Feature Protected Area Stewardship	
EC 3.2	Ravine and Natural Feature Protection Area and Natural Heritage System (native planting)	

Performance measures to be retained, pending further review

EC 5.1	Bird-Friendly Glazing	Measures mitigate bird strikes to avoid conflicts and frustration of federal and provincial legislation
EC 5.2	Rooftop Vegetation	

Performance measures to be retained, pending further review		
EC 5.3	Grate Porosity	including the <i>Migratory Birds Convention Act</i> (subject to further review by staff).
EC 5.4	Exterior Lighting	