

PH31.12 - Overview of Bill 98 Implications with Respect to Planning Matters, Lenka Holubec, ProtectNatureTO

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RE: PH31.12 - Overview of Bill 98 Implications with Respect to Planning Matters

Dear Chair Councillor Perks, Vice Chair Councillor Nunziata and all Committee Members,

Thank you for this opportunity to comment on **PH31.12 - Overview of Bill 98 Implications with Respect to Planning Matters**.

I am writing on behalf of ProtectNatureTO, a coalition of nature and stewardship based groups/individuals advocating for the protection of natural areas across the City of Toronto.

Considering the fact climate change which is the intertwined with biodiversity loss are accelerating with the overwhelming impacts clearly visible, the implications and goals of Bill 98 (the *Building Homes and Improving Transportation Infrastructure Act, 2026*) may strike as out of place and time.

This submission strongly objects to the provincial implementation of Bill 98 (*Building Homes and Improving Transportation Infrastructure Act, 2026*). While framed under the guise of solving a housing supply shortage, Bill 98 functions as a direct regulatory deregulation package for corporate developers. It actively supports ambitious population growth —reminiscent of the Century Initiative targets—without imposing any matching obligations for ecological stewardship. By stripping Toronto's authority to mandate green standards, the Province is trading our structural climate resilience for developer margins, accelerating greenhouse gas emissions and worsening the local biodiversity crisis. Bill 98 prioritizes short-term developer expediency at the direct expense of the environmental, social, and democratic health of our city.

The major concerns with Bill 98 are the following:

- **Dismantling of the Toronto Green Standard (TGS) and Emission Increases**

Elimination of Climate Mandates: Bill 98 eliminates the legal requirement for Official Plans to contain specific policies to mitigate greenhouse gas emissions and adapt to a changing climate.

Gutting of Green Standards: The legislation actively prohibits municipalities from enforcing progressive sustainability performance metrics, effectively neutralizing the Toronto Green Standard (TGS). This blocks Toronto from enforcing low-carbon building envelopes and energy-efficient designs.

Rollback of Green and Sustainable Standards: The legislation restricts municipalities from requiring electric vehicle (EV) supply equipment in parking facilities. It prohibits cities from enforcing enhanced environmental design and construction standards (such as Toronto's Green Standard) or mitigating climate change through municipal Official Plans.

Transit and Fare Integration: The Minister of Transportation is granted expanded powers to regulate fare structures, policies, and priority routes. It establishes a framework for a unified fare payment and trip-booking system across specialized and conventional transit networks in prescribed geographic zones.

- **Standardized Planning:** The province is authorized to implement a standardized template for municipal Official Plans and introduce regulations for minimum residential lot sizes. It also streamlines the site plan control process by exempting or expediting less complex developments. Bill 98 repeals existing sections of the Planning Act governing Official Plan content, replacing them with a mandatory provincial template and a restricted list of exactly 12 authorized land-use designations.

- **Loss of Biodiversity and Ecosystem Fragmentation**

Bill 98 directly targets and significantly weakens the execution of environmental policies:

[OPA 262](#) was approved by the Province in May 2016. The OPA is in full force and effect, Nov 3, 4, 2015

[PG7.2 - Official Plan Five Year Review: Final Recommendation Report - Amendments to the Official Plan Environmental Policies and Designation of Environmentally Significant Areas](#)

While the core protections for natural heritage features mandated by the Provincial Planning Statement (PPS 2024) remain legally intact, Bill 98 systematically strips away the municipal planning tools historically used to

enforce, review, and sequence these protections during development approvals. The specific impacts of Bill 98 on OPA 262 policies (now within Chapter 3.4 of the Official Plan), the Environmentally Sensitive Areas (ESAs), Areas of Natural and Scientific Interest (ANSIs), Provincially Significant Wetlands (PSWs) will significantly undermine the city's capacity to ensure preservation of these natural places.

Stripping Environmental Powers from Site Plan Control (SPA).

The Law: Bill 98 amends the Planning Act and the City of Toronto Act, 2006 to explicitly remove "sustainable design" and environmental/conservation construction standards from the Site Plan Control process. It explicitly clarifies that these environmental elements cannot be regulated via SPA.

The "Encumbered Parkland" Loophole: Bill 98 fundamentally undermines Toronto's parkland acquisition strategy by allowing developers to count privately-owned, encumbered lands (such as courtyards over underground parking garages, or utility corridors) toward mandatory parkland dedication requirements.

Destruction of Contiguous Habitats: Replacing genuine, ground-connected green space with isolated concrete plazas and rooftops fragments migratory paths, limits tree canopy expansion, and destroys urban biodiversity.

- **Centralization and Democratic Rollbacks**

Bypassing Public Scrutiny: By erasing the public notification and consultation windows for specific Minister's Zoning Orders (MZOs), the Province removes democratic barriers that allow citizens and environmental groups to protect sensitive lands.

A Gift to Developers: The removal of lot-level municipal restrictions, alongside standardized provincial zoning overrides, proves that Bill 98 prioritizes developer profitability over local democracy, long-term public health, and ecological stability.

Conclusion

Bill 98 consists of nine schedules purported to remove barriers to new homes and infrastructure development. However, the bill contains proposals that will fundamentally undermine Ontario's ability to address the impacts of climate change and biodiversity loss including amendments to the Planning Act that would prevent municipalities from addressing climate change in official plans.

Recommendation

The City of Toronto must not accept this generational rollback quietly. This is to urge the Planning and Housing Committee to use its staff report on Item PH31.12 to formally document the catastrophic environmental liabilities Bill 98 introduces. Toronto must vocally oppose these changes and join other municipalities to

demand the restoration of local environmental planning autonomy to face climate and biodiversity crisis within an ecological economics framework of sustainability.

Yours sincerely,

Lenka Holubec on behalf of [ProtectNatureTO](#)

c.c. Jason Thorne, Chief Planner and Executive Director, City Planning
Corwin Cambray, Director, Strategic Initiatives, Policy and Analysis, City Planning
Kyle Knoeck, Director, Zoning, City Planning

Allyson Power, Director, Policy and Secretary-Treasurer, Committee of Adjustment, Development Review

Resource:

[Deriving the Ecological Footprint and Biocapacity of Ontario Cities and Rural Areas](#)

Authors: Peri Dworatzek, Eric Miller, and Danielle Letang Publication: Journal of City Climate Policy and Economy

Ontario's current growth plan envisions millions of additional resident consumers in Southern Ontario, without any apparent consideration to whether the greenbelt ought to grow to sustain the level of consumption supported by the greenbelt. If the area of the greenbelt does not grow, to what extent could its land use and land cover change to affect its capacity to support ecological footprint?

Local and global commitments to achieve net zero emissions are anticipated to affect the demand for specific land uses and land covers, which could further affect questions about the size and composition of the greenbelt, and other lands in Ontario. Getting to net zero emissions could involve some substitutions of fossil fuels with biofuels, likely from agricultural lands. At the same time, demands for carbon sequestration could increase the demand for afforestation on lands that would otherwise be used for crops or pastures. The greater use of renewable materials such as timber, as a substitute for non-renewable materials such as concrete, steel, and aluminum, could increase demand for harvesting forests rather than conserving them as carbon sinks. These are just a few examples that relate questions about opportunities, limits, and trade-offs of land use and land cover to the pursuit of net zero emissions.

This original research article presents the first city-scaled accounts of ecological footprint and biocapacity applied to all 577 census subdivisions in Ontario, Canada. These new data relates local consumption of materials and energy, and the production of emissions, to the area of ecosystems used within and outside the same local jurisdictions to support this metabolism.

These new and publicly available data can inform opportunities to conserve or enhance biocapacity, and to understand the potential and limitations of local efforts to affect ecological footprints. These are discussed and contextualized within an ecological economics framework of sustainability.

[Canadians have an 'outsized' ecological footprint](#) April 24th 2026

“Our way of life entails unsustainable consumption of the planet’s resources and Canadians have what can only be described as an “outsized” ecological footprint, a new scientific study published on Earth Day has found.

The study, led by researchers at York University and the University of Iceland, concludes that “our civilization uses natural resources at a rate equivalent to 1.7 Earths per year, placing us in a 70 per cent ecological deficit.” The “ecological footprint” calculated by the researchers is a measure used to estimate the land and sea area needed, on an annual basis, to meet our consumption needs — particularly for food — and to manage the waste generated by our way of life.

On that score, Eric Miller, a professor of ecological economics and sustainability informatics at York University and director of the Ecological Footprint Initiative, says Canadians generate an “outsized ecological footprint,” one that is therefore unsustainable if the planet is to have a viable future. “There is no other way to put it:

Canada’s ecological footprint limits the chances of people elsewhere in the world to enjoy a good quality of life,” Miller said.