

November 22, 2025

Minister Rob Flack  
Ministry of Municipal Affairs and Housing  
777 Bay Street, 14<sup>th</sup> Floor  
Toronto, ON M7A 2J3

Dear Minister Flack,

*Re: OPPI Feedback on ERO 025-1097: Proposed Changes to the Planning Act (Schedule 10 of Bill 60 - the Fighting Delays, Building Faster Act, 2025) – **Policy Statements and Minister's Decisions***

OPPI appreciates the opportunity to respond to the proposed changes to the *Planning Act* to make provincial policy statements inapplicable with respect to all Minister's decisions, including past decisions, outside of the Greenbelt area, also known as the Provincial Policy Tests.

Ontario Planners are proud to be an integral part of making vibrant communities happen. Our members work in both public and private sector workplaces, collaborating with home builders to ensure that when people move into their new house, they have the community resources people need make it their home and to create a community — access to transit, walkways, roads, emergency services, schools, parks and playgrounds. Registered Professional Planners (RPPs) work to prevent unintended damage to Ontario's natural environment, including our air, land, and waterways. Our members engage with Indigenous communities, community members, and other interested parties throughout the planning process, which helps lead to effective implementation and maintains the credibility of projects that could otherwise face lengthy political and legal battles with opposing community groups.

As Ontario faces another population boom and housing crisis, OPPI is committed to working with the Ministry and our municipal partners to meet this challenge. Over time, conflicting political priorities in both provincial and municipal governments have made preparing for growth more difficult. We are pleased to see the Ministry's focus on the need to remove barriers to homebuilding. The *Planning Act* and the Provincial Planning Statement (PPS) are our guiding documents. In following these, planners feel they are doing what the Ontario government has asked of them.

In circumstances where this is not the case, the proposed changes to the Act provides that a decision by the Minister is not required to be consistent with policy statements issued. While planners share many of the same priorities as the government, they do not have this proposed authority and if the policy statements are not a reflection of these priorities, not leading to good public outcomes, or blocking projects that are in the provincial or national interest, then it is likely that the policy statements ultimately need to be changed. The wording of new subsection 3 (5.1) of the Act does not provide for any indication of the type of circumstance in which a Minister's decision might be made that is inconsistent with the policy statements. OPPI would welcome details on what oversight framework might be established to ensure the transparent and trustworthy use of this authority.

In upholding the PPS, RPPs are doing what has been asked of them and what they have spent years of training, education, and experience to be able to do. We suggest that the insight of an RPP should be sought prior to use of these new authorities to ensure the Minister has full knowledge of all planning considerations before exercising a decision. Furthermore, OPPI recommends that the Minister transparently give notice of pending decisions, with an available window of 15 to 30 days for comment prior to a decision being made.

Similar to the MZO process, additional criteria should be developed to ensure these authorities are used only in limited and necessary circumstances on individual priority provincial projects. These criteria should include a clear framework for how Provincial Policy Tests will be utilized.

OPPI would like to make the following recommendations on the Government's use of this authority:

- The project is essential and clearly meets a defined Provincial Interest from a scoped list of matters of Provincial Interest in Section 2 of the *Planning Act*.
- A Minister's decision inconsistent with the policy statements must be demonstrated as necessary, that the same effect could not have been implemented through local or regional authority, and that it could not have been achieved within a reasonable timeframe.
- In addition to being outside the Greenbelt area, lands are outside of key natural heritage and hydrological features.
- Where possible, decisions are in alignment with Provincial, regional, and local policy and plans, including land use, infrastructure, environmental protection, and reconciliation.

- Follows necessary public and Indigenous community engagement and/or consultation, in line with Duty-to-Consult obligations.
- Project has demonstrated municipal (upper and lower tier where applicable) and agency support.
- Consideration of positive impacts to community (e.g. jobs, housing and affordable housing, and community service facilities).
- Project development can be implemented in a timely manner (e.g., development can proceed immediately to site plan and building permit).
- Municipal servicing and infrastructure required is or can readily be made available to support the proposed development.
- Adherence to other related legislation.

Additionally, to ensure these new authorities are meeting their desired effect, OPPI would like to see a formal consultation to review these measures and the effectiveness of the broader planning system every two to three years.

The Ministry should be aware of unintended consequences that can come from shifting planning approvals from the local community level to Queen's Park. During the 1980s and 1990s, routine approvals such as Plans of Subdivision were transferred from MMAH to municipalities to account for issues created by the centralization of the process at that time. The provincial role was refocused on setting policy through legislation, the Provincial Policy Statement(s) and Provincial Plans. Municipalities and their planners were given responsibility for local approvals. This was done to avoid the bottlenecks at Queen's Park that existed at the time. The goal of this approach was to create efficient and effective local planning that is sensitive to the wider range of issues affecting the host community and their neighbours.

As noted above, conflicting political priorities in both provincial and municipal governments have made using this framework to prepare for growth more difficult. OPPI continues to work with the Ministry on several other initiatives to streamline the overall municipal planning process for all projects. OPPI has separately provided recommendations on streamlining Official Plans, right-sizing Reports and Studies requirements and promoting Community Planning Permit Systems (CPPS), that if

accepted, would provide immediate benefit for communities using established tools and processes.

We recognize the goal is to provide the Minister with the same flexibility provided for in 2021 for Minister's Zoning Orders, but for other planning decisions. OPPI has previously stated to the Ministry that MZO's are effective in substantially streamlining timelines associated with planning applications, public notice, consultation, Committee and Council deliberations and appeals. In establishing this new process, OPPI wishes to work with the government to ensure transparency measures and appropriate safeguards are in place. We welcome the government's commitment to developing a transparent and accountable oversight framework to support implementation, however before having these details established, OPPI is unable to offer our support for this proposed change.

To summarize the recommendations in this submission, we have listed them below.


#### **OPPI RECOMMENDATIONS:**

1. Have a Registered Provincial Planner (RPP) provide input for the Minister's briefing material to ensure full knowledge of all planning considerations before exercising a Minister's decision.
2. Provide notice of pending decisions, with an available window of 15 to 30 days for comment prior to a decision being made.
3. Commit to a formal consultation to review these measures every two to three years.
4. Develop a clear framework for when and how Provincial Policy Tests will be utilized, considering the following criteria:
  - a) Project is essential and clearly meets a defined Provincial interest from a scoped list of matters of Provincial Interest in Section 2 of the Planning Act.
  - b) A Minister's decision inconsistent with the policy statements must be demonstrated as necessary, that the same effect could not have been implemented through local or regional authority, and that it could not have been achieved within a reasonable timeframe.
  - c) In addition to being outside the Greenbelt area, lands are outside of key natural heritage and hydrological features.

- d) Where possible, decisions are in alignment with Provincial, regional, and local policy and plans is retained including land use, infrastructure, environmental protection, reconciliation.
- e) Following necessary public and Indigenous community engagement and/or consultation, in line with Duty-to-Consult obligations.
- f) Project has demonstrated municipal (upper and lower tier where applicable) and agency support.
- g) Consideration of positive impacts to community (e.g. jobs, housing and affordable housing, and community service facilities).
- h) Project development can be implemented in a timely manner (e.g., development can proceed immediately to site plan and building permit).
- i) Municipal servicing and infrastructure required is or can readily be made available to support the proposed development.
- j) Adherence to other related legislation.

Thank you for the opportunity to provide feedback on the ERO 025-1097. We would value the opportunity to meet with you to discuss our recommendations. Please reach out to Susan Wiggins, Executive Director to schedule a meeting at (647) 326-2328 or by email at [s.wiggins@ontarioplanners.ca](mailto:s.wiggins@ontarioplanners.ca).

Sincerely,



Andria Leigh, MCIP, RPP, Dipl.M.M.  
Chair, OPPI



Susan Wiggins, CAE, Hon. IDC  
Executive Director, OPPI