

Thursday, May 14, 2026

Minister Rob Flack
Ministry of Municipal Affairs and Housing
777 Bay Street, 17th Floor
Toronto, ON M7A 2J3

Dear Minister Flack,

Re: OPPI Feedback on ERO 026-0300: Proposed Planning Act, City of Toronto Act, 2006, Building Code Act, 1992 and Municipal Act, 2001 Changes (Schedules 1, 2 and 7 of Bill 98, the Building Homes and Improving Transportation Infrastructure Act, 2026)

On behalf of the Ontario Professional Planners Institute (OPPI), we are pleased to provide input on some of the elements contained in the proposals of this ERO Posting for your consideration.

Streamlining and Standardizing Official Plans

OPPI would like to reiterate its support for the Province's objective to introduce a more standardized Official Plan framework and land use designations, consistent with our fall 2025 submission to ERO 025-1099. As noted in our earlier submission and in working meetings with MMAH staff, the following points remain particularly important:

- OPPI recommends that the Official Plan table of contents and permitted uses within standardized Official Plan designations be issued as a Guideline, rather than in legislation. As we know, Ontario's 444 municipalities do not operate under the same planning realities, and overly detailed, inflexible standards risk limiting documents that must remain strategic, enabling, and adaptable.
- OPPI supports the need for a transition period that allows planning authorities to comply with the new framework at their next 5- or 10- year update, allowing the regular rhythm of change to continue. This will support the regular review cycles for municipalities and the province alike, ensuring adequate time and resources for a comprehensive Official Plan process.
- To support this approach, additional clarity is required related to the proposed transition provision (16.0.1 (2)) in Bill 98 establishing the timing of transition to the new official plan framework. Specifically, the legislation should clarify:
 - Whether the new official plan framework applies to the first or second Section 26 Official Plan approval after the transition date. Meaning, do planning authorities have one last Section 26 Official Plan approval where the former official plan framework applies after the transition date? The way the legislation reads it can be interpreted that this approval is the trigger, after which the new official plan framework will apply to all subsequent Section 26 Official Plan approvals.

- Is the approval under this provision referring to approval of the Official Plan or Official Plan Amendment by a municipal council or by the Ministry of Municipal Affairs and Housing?
- The proposed standardized official plan designations include a list of uses that ‘must be authorized’. OPPI recommends that clarity be provided on the difference between an ‘authorized use’ and a ‘permitted use’ in a land use designation. This is a key distinction. While a range of uses may be authorized in a land use designation, the development of that use may not be supported in specific locations because it conflicts with other policies in the Provincial Planning Statement.

Minister’s Zoning Orders

As noted in previous submissions, we recognize that MZO can be an effective tool to streamline timelines associated with planning applications, including processes related to public notice, consultation, and Committee and Council decision-making. When used appropriately, MZO can support the timely implementation of projects that are aligned with provincial priorities.

The proposal indicates that only “substantive” amendments to an MZO be subject to public consultation and opportunities for representation. While the Planning Act provides the Minister with discretion to give notice in a manner and timeframe considered appropriate, we recommend that this discretion continue to be exercised in a way that supports transparency and clarity of action.

In this regard, we encourage the Province to provide public notice of both substantive and non-substantive amendments, as well as any revocation of MZO, for information purposes. The distinction between what constitutes a “substantive” versus “non-substantive” change may not always be clear or consistently interpreted. What may be viewed as minor from an administrative or technical perspective could be perceived as meaningful by affected communities or stakeholders.

Providing notice of all amendments would not impede the Minister’s ability to advance projects of provincial interest in an efficient manner. Rather, it would reinforce public confidence in the use of MZO by making certain that actions taken under this authority remain visible and understandable to those impacted. Maintaining a consistent approach to notice, even where formal consultation is not required, supports a transparent planning system and aligns with broader principles of accountability in decision-making.

Beyond the comments provided above, OPPI has additionally submitted specific letters on the following:

- 1) *ERO 026-0311: Proposed Regulatory Approach to Establish a Minimum Residential Lot Size in Urban Areas*

2) *ERO 026-0311: Proposed Regulatory Approach to Establish a Minimum Residential Lot Size in Urban Areas*

Thank you for the opportunity to provide feedback on ERO 026-0300. We would be pleased to meet with you to discuss our recommendations, and their utility in achieving the Ministry's aim of further supporting housing, economic and infrastructure development, and the advancement of key transportation and transit priorities.

If you have any questions or would like to schedule a meeting, please do not hesitate to contact us at (647) 326-2328 or by email at s.wiggins@ontarioplanners.ca.

Sincerely,



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Chair, OPPI



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