

Appendix A

April 29, 2026

Environmental Registry of Ontario
Ministry of Municipal Affairs and Housing
777 Bay Street, 2nd Floor
Toronto, ON M7A 2J3

Subject – 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) ERO Posting 026 - 0300

Thank you for the opportunity to comment on proposed changes through ERO Posting 026-0300. Please find comments on behalf of the City of Brampton.

Streamlining and Standardizing Official Plans:

The proposed changes will require significant updates to the City's Official Plan (Brampton Plan, 2023), limiting the City's ability to tailor policies to local needs and respond to emerging planning priorities.

The introduction of a standardized Official Plan structure raises concerns, particularly as the proposed table of contents does not include a dedicated section for environmental sustainability or climate change. This omission risks reducing the depth and integration of environmental policies, including watershed-based planning, within the Official Plan framework. Furthermore, the removal of explicit requirements for municipalities to include climate change goals, objectives, and actions—on the basis that such considerations are already addressed through provincial policy—undermines the City's ability to proactively plan for climate resilience. It is unclear why climate change policies, in particular, are being identified as redundant, given their importance in addressing local impacts such as flooding and extreme heat. The removal of these policies may have significant implications for community health and safety and could place a greater burden on municipalities to respond to climate-related challenges.

Additional clarity is required regarding the intent of the "Local Landscape and Resource Management" category, specifically whether it is intended to encompass Natural Heritage System (NHS) policies. Clear direction is needed to avoid gaps or inconsistencies in environmental protection. Protecting Brampton's natural heritage system and taking a systems-based approach to identify, protect and restore is critical for the long-term environmental health and well-being of the city.

The proposed changes also reduce the ability to develop area-specific and context-sensitive land use designations. The City has undertaken extensive technical work and consultation to refine land use categories that reflect Brampton's unique context and growth pressures. Limiting this flexibility diminishes the City's capacity to plan effectively for local conditions and respond to stakeholder input. In particular, the City is in the early stages of an employment study to align employment area planning with recent provincial changes. As part of it, the City was intending to protect key employment lands that are important to the City that are outside of provincially protected Employment Areas, as defined by the Planning Act. Opportunities or flexibility should be provided to the municipalities in these instances to best plan for areas with unique contexts.

The City seeks clarity on the additional direction that may be forthcoming on implementation of designations, including two or more sub-designations. This information may further refine the City's comments.

Secondary plans and site- and area-specific policies continue to play a critical role in providing context-sensitive planning direction. These tools are essential and should be maintained to ensure that development reflects local conditions, community needs, and infrastructure capacity. No restrictions should be placed on municipalities for implementing new secondary plans or site-and area-specific policies.

Finally, the timeline for implementing these changes is a concern. The City requests confirmation of the timeline to transition to the new structure, ideally aligning implementation with the 10-year review cycle under the *Planning Act* after a new official plan is adopted. The City completed Brampton Plan in 2023 following a multi-year, comprehensive consultation process that built off the 2040 Vision. The Plan has remained largely under appeal since its approval in 2024. As a result, there has been limited opportunity to implement the Plan and realize the vision for growth established through this extensive public and stakeholder engagement.

Complementary Changes to Support Implementation of Streamlining and Standardizing Official Plans

Removing the requirement for municipalities to include climate change policies in Official Plans, inclusive of goals, objectives, and actions, undermines proactive, locally tailored planning. While the rationale suggests this is "redundant" given existing direction in the Provincial Policy Statement (PPS), it raises concern as to why climate change is being uniquely singled out for removal, despite its cross-cutting importance to land use planning and its growing impact on communities. In 2019, Brampton City Council declared a climate emergency and set a target of reducing our greenhouse gas emissions (GHG) by 80 percent by 2050. The City is also undertaken the completion of a Climate Change Adaptation Plan. The Official Plan is a critical tool in achieving Brampton's climate mitigation and adaption goals.

Eliminating these policies would significantly undermine community health and safety by restricting municipalities' ability to plan for and reduce risks from flooding, extreme heat, and other climate-related hazards. Removing climate change policies from Official Plans also weakens municipalities' capacity to guide decision-making that protects local infrastructure, supports innovation, and fosters the growth of green industries and associated jobs. Without the clear policy direction that Official Plans currently provide, municipalities are left with a greater burden to respond to escalating climate challenges and to pursue emerging opportunities without the necessary framework to do so effectively. The City has no comments on changes related to when Minister's approval would be required for approved protected major transit station areas (PMTSAs).

Site Plan: Prohibit Mandatory Municipal Enhanced Development Standards and Green Building Standards

The proposed changes to prohibit mandatory municipal enhanced development standards and green building standards through site plan have large-scale impacts to site design and broader urban design and sustainability outcomes, which may negatively impact the quality of development in key growth areas. This is particularly concerning in Major Transit Station Areas (MTSAs) that have already been rezoned, where site plan control often represents the only remaining development approval mechanism available to municipalities.

In addition, the changes remove the ability to require green building and construction standards and would make the City's Sustainable New Communities Program (SNCP) voluntary. Together, these shifts are expected to result in less energy-efficient buildings and communities, leading to higher utility costs for residents and businesses and an overall increase in greenhouse gas emissions. Over time, this may also necessitate more costly retrofits, which are typically far more expensive than integrating energy-efficient measures at the initial development stage.

The impacts extend beyond individual development sites. The environmental context of a municipality does not end at property boundaries, and municipalities play a critical role in overseeing development through the review of professional plans, studies, and reports. This oversight is essential to ensure that development aligns with municipal by-laws and standards and that public health and safety are maintained.

The proposed changes also raise concerns regarding the municipality's ability to regulate vegetation removal and require appropriate compensation, which has implications for ecological health and environmental sustainability.

Finally, landscape enhancements, including furnishings, material finishes, softscaping, sustainable design elements, should not be viewed merely as aesthetic improvements.

Rather, they are integral to fulfilling a municipality's responsibility to protect the health, safety, and overall well-being of the communities it serves.

The City supports efforts to improve efficiency but recommends maintaining municipal authority to:

- review and refine development proposals through site plan control;
- require sustainable design standards and features;
- require additional studies, where needed, to address local conditions; and
- independently review technical submissions to ensure quality and completeness.

Minimum Lot Sizes

Changes to minimum lot sizes may also override the City's Comprehensive Zoning By-law and significantly increase subdivision potential in established neighbourhoods, with implications for infrastructure capacity and community character.

The proposed standard minimum lot size of 175 square metres is smaller than some minimum lot sizes included in the new CZBL. For example, the minimum lot size for single detached dwellings in the CZBL ranges from 200 to 225 square metres. The proposed change would allow development with smaller lot sizes than anticipated through the CZBL, though it is unknown what the level of uptake will be.

The standard minimum lot size also introduces the opportunity for many lots in existing neighborhoods to be subdivided as historical development patterns often included lot sizes significantly larger than 175 square metres. The CZBL included measures to protect neighborhood character, particularly retaining most site-exception zones and a minimum lot width schedule based on the previous Zoning By-law's lot size standards, that limited opportunities for subdividing land. The change proposed by the province appears to override both measures and greatly increases the number of lots that could be subdivided and meet the minimum lot size standards.

In addition, smaller lot sizes may lead to increased density in both greenfield and established neighbourhoods, which could in turn result in higher Cash-in-Lieu (CIL) parkland contributions, as parkland dedication in these areas is calculated based on the greater of 5% of total land area or one hectare per 1,000 units.

The City recommends maintaining municipal authority to implement development standards that support complete communities, environmental sustainability, and public health and safety. Staff also recommend that any provincially prescribed standards consider local context, infrastructure capacity, and planning objectives.

Encumbered Parkland and Privately Owned Public Spaces (POPS)

The proposed changes increase flexibility in delivering parkland within built-up areas; however, this flexibility may come at the expense of the overall quality and functionality of Brampton's parkland. While additional options for parkland provision may support development in constrained urban contexts, there is a risk that the resulting spaces may be less usable, less programmable, or less aligned with community needs and negatively impact Brampton's Natural Heritage System (NHS).

The proposal to allow lands within natural heritage features and areas to be eligible for parkland dedication, provided that a park does not interfere with or compromise these features, introduces further uncertainty. In particular, clarity is required around what constitutes "no interference," as this will be critical in determining how such lands can be used and protected. Without clear definitions, there is potential for inconsistent interpretation and unintended impacts on sensitive ecological areas.

Currently, the City's Official Plan does not permit lands within the NHS to count toward parkland dedication. Allowing these lands to be eligible would place increasing pressure on the NHS to accommodate both passive and *active* recreational uses. In addition to introducing incompatible activities into environmentally sensitive areas, this shift could reduce the City's ability to undertake restoration and enhancement initiatives in NHS lands, and may compromise the implementation of strategically planned, connected green networks designed to support ecological functions.

In addition, incorporating parkland within natural heritage features or areas may limit the amount of programmable space available for recreation. Over time, this could create a need for the City to acquire additional parkland to meet programming demands, potentially increasing long-term costs and land acquisition pressures. This places further burden on the property tax base, and may place the City in a challenging future position when trying to balance competing financial pressures.

The proposed changes may also have implications for the City's Parkland Dedication By-law, which currently does not permit NHS lands to qualify toward parkland dedication. This could affect how the City collects cash-in-lieu and manages parkland contributions, potentially requiring additional legal coordination and new or amended agreements to address these complexities.

The increasing use of Privately Owned Publicly Accessible Spaces (POPS) and strata parks raises further concerns. As identified in the Brampton Parks Plan – 2041, these types of spaces do not replace the need for new public parks and open spaces. If applicants increasingly rely on POPS or strata parks to meet parkland dedication requirements, there may be negative long-term impacts on the availability, quality, and accessibility of truly public parkland.

While POPS and strata parks can play a role in denser, urbanized contexts, they are not appropriate in all settings. An increase in such proposals may pose risks to the City. POPS remain privately owned, which can limit public access and control, while strata parks may involve underlying encumbrances that introduce safety or maintenance concerns. For example, recent safety issues associated with a park constructed over an underground tank in Vaughan highlight the potential risks of such arrangements.

Further clarification is also needed regarding the proposed minimum 70% credit for POPS and encumbered lands, particularly given that the City's current by-law permits a 50% credit. The City seeks to understand the rationale behind this increased threshold and whether it is intended to incentivize development. At the same time, careful consideration must be given to how encumbrances may affect park programming and design, as these factors directly influence the usability and long-term value of park spaces provided under this framework.

For Brampton, these changes will affect neighbourhood character, reduce the ability to secure functional parkland, and limit the City's ability to achieve complete communities with enough green space and programmable spaces for a rapidly growing population across the City's communities.

Minister's Zoning Orders:

The absence of a notice requirement may limit Brampton's ability to provide input on decisions to amend or revoke Minister's Zoning Orders (MZOs). The City requests that changes related to lands within the City of Brampton by the Minister should be provided through proper notice and consultation, providing opportunities for input and discussion.

Thank you for the opportunity to provide comments on these proposed changes.

Sincerely,

Steve Ganesh, MCIP, RPP

Commissioner

Planning, Building and Growth Management

City of Brampton