



City of Hamilton Report for Consideration

To: Chair and Members
Planning Committee

Date: January 13, 2026

Report No: PED26020

Subject/Title: City of Hamilton's Response to *Planning Act*
Amendments in Provincial Bill 60, *Fighting Delays,*
Building Faster Act, 2025

Ward(s) Affected: City Wide

Recommendations

- 1) That the submission and recommendations as provided in Report PED26020 regarding Schedule 10 of *Bill 60, Fighting Delays, Building Faster Act, 2025* and related Environmental Registry of Ontario postings, as attached as Appendix A, B and C to Report PED26020 **BE APPROVED**; and,
- 2) That the Director of Planning and Chief Planner **BE DIRECTED** to confirm the submissions made to the Province attached as Appendices A, B and C to Report PED26020.

Key Facts

- On October 23, 2025, the Province introduced *Bill 60, Fighting Delays, Building Faster Act, 2025*. Bill 60 received Royal Assent on November 27, 2025.
- Schedule 10 of Bill 60 represents the latest amendments to the *Planning Act* that are intended to streamline the construction of new homes and infrastructure. Changes include removal of the requirement that Minister's decisions need to be consistent with Provincial policy and plans (excluding the Greenbelt Plan) and expands as-of-right variance permissions to a Zoning By-law.
- The Province also requested input on potential changes to the *Planning Act* which staff commented on through the Environmental Registry of Ontario:

- To potentially prohibit “enhanced development standards” being implemented by municipalities at the lot level. This could include municipal standards around bioswales, permeable pavement, native tree planting and bicycle parking amongst others.
- To potentially remove minimum lot sizes for urban residential areas.
- The deadline for comments on the three separate Environmental Registry of Ontario postings related to Bill 60 was November 22, 2025. Given the timing, staff level comments have been submitted to the Province, which are contained in Appendices A, B and C.

Financial Considerations

At this time there are no immediate financial impacts associated with the recommendations contained in Report PED26020. However, if changes to City policies and procedures are required to align with Schedule 10 of Bill 60, impacts will be assessed in more detail.

Background

On October 23, 2025, the Province introduced *Bill 60, Fighting Delays, Building Faster Act, 2025*. The Bill amends 16 different existing Acts including the *Residential Tenancies Act, 2006*, *Ontario Water Resources Act* and *Highway Traffic Act*. At the same time Bill 60 was introduced, the Province released 12 new Environmental Registry of Ontario postings requesting public input on different components of the Bill and other related matters. This report responds to the following three Environmental Registry of Ontario postings:

- ERO 025-1097 - Changes to the *Planning Act* (Schedule 10 of Bill 60 - the *Fighting Delays, Building Faster Act, 2025*);
- ERO 025-1100 - Consultation on Minimum Lot Sizes; and,
- ERO 025-1101 - Consultation on Enhanced Development Standards – Lot Level (outside of buildings).

Bill 60 received Royal Assent on November 27, 2025, five days after several of the Environmental Registry of Ontario postings associated with the legislation closed for public comment.

Analysis

Staff support the general intent of the Province to streamline processes to assist in increasing the supply of housing and meeting the Province’s goal of building 1.5 million homes. The City has demonstrated its commitment to meeting these targets through the Housing Pledge (PED23056) signed in March 2023, implementing policy and regulatory changes to provide more flexibility for infill and intensification housing options, and implementation of new streamlined processes to accelerate development approvals.

The following is a summary of the proposed land use planning changes and staff's response to the three Environmental Registry of Ontario postings discussed in this report. Staff's full response is included in Appendix B.

1) Changes to the *Planning Act* (Schedule 10 of Bill 60 - the Fighting Delays, Building Faster Act, 2025) – Environmental Registry of Ontario Posting ERO 025-1097

The legislative changes to the *Planning Act* in Schedule 10 of Bill 60 impacts the Provincial Planning Statement, Major Transit Station Areas, Minister's Zoning Orders and Minor Variances among others. Summarized below is staff's response to the amendments which directly impact the City of Hamilton.

Ministerial decision no longer needs to follow the Provincial Planning Statement (outside of the Greenbelt Area)

Section 5(a) of the *Planning Act* states that any decision made by a municipality, Provincial ministry and Ontario Land Tribunal must be consistent with the Provincial Planning Statement and conform to Provincial Plans. In 2023, the *Planning Act* was amended through Bill 97, *Helping Homebuyers, Protecting Tenants Act, 2023* to allow the Minister of Municipal Affairs and Housing to issue Minister's Zoning Orders that are not consistent with the Provincial Planning Statement or conform to Provincial Plans.

Under Bill 60, any provincial Minister can make a decision that is not consistent with the Provincial Planning Statement or conform to Provincial Plans except for the Greenbelt Plan.

Staff Response: Staff strongly oppose this change. Provincial plans and policies set the direction and rules for how Ontario grows. They exist to guide local Official Plans, ensure consistency in land use decisions, and uphold the Province's own stated interests. These policies are also what the Ontario Land Tribunal relies on to determine whether local decisions meet provincial objectives. This amendment undermines the Provincial Planning Statement, erodes public trust, and creates a system where Minister's decisions can override evidence-based planning that lack a transparent framework.

New 'as-of-right' variation to zoning provisions respecting height, lot coverage, parking etc.

Through ERO Posting 025-1097, the Province is seeking feedback on changes proposed to the *Planning Act* that would permit "as-of-right" variations to performance standards (e.g., building height, lot coverage) on urban residential lands. The *Planning Act* defines this as land within an area of settlement on which residential use, other than ancillary residential use, is permitted by by-law and has municipal services including sewer and water.

Staff Response: Staff are concerned that the Province is considering expanding this “as-of-right” permission to further zoning regulations. Performance standards in a Zoning By-law are the product of extensive evaluation and consultation and are not designed with the expectation that all new development could proceed at a reduced standard or in the case of maximum height, increased permission. Zoning regulations are context-specific, as is the evaluation undertaken through a minor variance application. In more constrained urban environments, and in denser built forms where building coverage, site drainage, height, massing, and overlook all play critical roles in ensuring compatible development, “as-of-right” variations from setback, height, and lot coverage requirements are likely to have consequences. There may be certain performance standard requirements that have been established such that even up to a 10% deviation from this minimum requirement may have negative impacts, particularly if impacts are compounded by successive reductions in requirements.

Staff reiterate previous comments made to the Province on Bill 17 and recommend an alternative approach in which decision-making authority for minor variations to zoning provisions within defined thresholds be delegated to staff rather than be granted “as-of-right.” This approach would allow staff to complete an expedited review of the potential impacts associated with the requested relief while avoiding the time and costs associated with bringing such matters to the Committee of Adjustment.

2) Consultation on Minimum Lot Sizes – Environmental Registry of Ontario Posting No. 025-1100

The Province is seeking public feedback to “better understand the linkages between setting minimum lot size requirements on urban residential lands and increased housing options, improved affordability, and expanded access to homeownership across Ontario”. The focus of this consultation is urban residential properties. The ERO posting posed a series of questions which are detailed in Appendix B, along with staff responses to each. To summarize, the Province is seeking feedback on:

- The benefits and risks associated with reducing or removing minimum lot size requirements;
- Best practice observations;
- Circumstances necessitating minimum lot size requirements; and,
- Recommended zoning requirements or performance standards to support the reduction or removal of minimum lot size requirements, including what the smallest lot size should be.

Staff Response: Staff do not support the reduction or removal of minimum lot size requirements. Staff contend that in the urban environments predominant in Southern Ontario, lot size is typically not a barrier to neighbourhood intensification. There are factors necessitating minimum lot size, most notably to ensure adequate on-site drainage, particularly in areas without full stormwater infrastructure, site access, maintenance, the provision of landscaping and trees, and to maintain functionality of the site and built form. As lot size decreases, constraints increase.

Finally, as housing options are expanded within low density residential areas to include multiplex permissions like fourplexes, there are more built form and site design elements to accommodate, which necessitates minimum lot size requirements to support a more seamless and supported integration of gentle intensification in neighbourhoods. As housing choice increases to include detached additional residential units, lots must be of adequate size to be able to accommodate a separate residential building on the property.

3) Consultation on Enhanced Development Standards – Lot Level (outside of buildings) – Environmental Registry of Ontario Posting No. 025-1101

The Province is seeking input on the use of enhanced development standards at the lot level and outside of the building envelope that are applied by municipalities through the planning application process including “green development standards” such as bioswales, permeable pavement, native tree planting and vegetation, and bicycle parking. Enhanced development standards are currently implemented through planning tools such as Zoning By-laws and Site Plan Control. The Province is consulting on whether enhanced development standards are applied consistently and on the need to standardize and prohibit standards that add costs and complexity for builders working in multiple municipalities.

Staff Response: Staff support efforts to facilitate partnerships among municipalities to make enhanced development standards more streamlined and predictable for builders. The ability of municipalities to utilize enhanced development standards is vital in achieving development that is functional, resilient and supports the health and safety of residents. Municipalities should be allowed to implement enhanced development standards that address good design, active transportation, crime prevention, emergency access and climate resilience, local geography, and policy goals.

Staff have highlighted research that demonstrates that enhanced development standards can lead to reduced infrastructure costs. Municipalities already collaborate with each other, for example, through a group that discusses alignment and best practices for green development standards. Rather than prohibiting enhanced development standards, staff recommend that the Province work with municipalities to:

- Streamline requirements based on development scale and impact; and,
- Create clear guidelines and checklists (where possible) to make compliance more straightforward.

Alternatives

Council may amend the staff-level comments submitted to the Province contained in Appendix A, B and C or supplement the staff-level comments with additional comments.

Relationship to Council Strategic Priorities

Priority 1: Sustainable Economic & Ecological Development

- 1.2: Facilitate the growth of key sectors.

Priority 2: Safe & Thriving Neighbourhoods

- Increase the supply of affordable and supportive housing and reduce chronic homelessness.

Previous Reports Submitted

[Report PED25179](#) - City of Hamilton's Response to Provincial Bill 17, Protect Ontario by Building Faster and Smarter Act, 2025 and Associated Ontario Regulations, and Bill 30, Working for Workers Seven Act, 2025

Consultation

The proposed changes through Bill 60 and associated land use planning Environmental Registry of Ontario postings were circulated to the Growth Management, Transportation Planning, and Economic Development Divisions, Office of Climate Change Initiatives, Building Division, Indigenous Relations, Legal Services, Housing Services, Housing Secretariat, Healthy Environments, Environmental Services, Hamilton Water, Fire and Protective Services and Financial Planning Administration and Policy Divisions for comment. Refer to the summarized comments provided in Appendices A, B and C.

Appendices and Schedules Attached

- Appendix A: Comments on ERO 025-1097 - Proposed Changes to the Planning Act (Schedule 10 of Bill 60 - Fighting Delays, Building Faster Act, 2025)
- Appendix B: Comments on ERO 025-1100 - Consultation on Minimum Lot Sizes
- Appendix C: Comments on ERO 025-1101 - Consultation on Enhanced Development Standards – Lot Level (outside of buildings)

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