



**City of Kingston
Report to Council
Report Number 25-259**

To: Mayor and Members of Council

From: Paige Agnew, Commissioner, Growth & Development Services

Resource Staff: Lisa Capener-Hunt, Director, Building Services & Chief Building Official
Brandon Forrest, Director, Business, Real Estate and Environment
Tim Park, Director, Planning Services

Date of Meeting: November 18, 2025

Subject: Ontario Bill 60 – *'Fighting Delays, Building Faster Act'* overview and municipal impacts

Council Strategic Plan Alignment:

Theme: Policies & by-laws

Goal: See above

Executive Summary:

On October 23, 2025, the Ontario Minister of Municipal Affairs and Housing tabled Bill 60 – the *'Fighting Delays, Building Faster Act.'* Bill 60 is a wide-ranging bill aimed at accelerating housing, infrastructure and transit delivery through streamlined planning tools, modernization of development charges and reducing approval and regulatory delays. Many of the changes in this bill will require the city and municipalities across the province to update policies, by-laws, funding models and service delivery approaches.

Bill 60 proposes amendments to 15 statutes, including the *Planning Act* and the *Development Charges Act, 1997*, among others, as well as the enactment of a new *Water and Wastewater*

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Public Corporations Act, 2025, which will establish a public corporation for the delivery of water and wastewater services for lower-tier municipalities.

This report provides an overview of the key municipal aspects of Bill 60 and the technical details the government is consulting on through the Environmental Registry of Ontario (ERO), and outlines relevance and implications for the city. On November 5, 2025, the government introduced a motion to fast track this bill to bypass the provincial committee process entirely. This means there is no formal public consultation or committee hearings on the bill. At the time of this report being written, it is anticipated that the bill will receive third reading in short order and will receive royal assent before the end of November. There are several elements of the bill posted on the Environment Registry and Ontario Regulatory Registry. This is the only avenue for comment on the bill.

Recommendation:

This report is for information only.

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Authorizing Signatures:

ORIGINAL SIGNED BY COMMISSIONER

**Paige Agnew, Commissioner,
Growth & Development Services**

ORIGINAL SIGNED BY CHIEF

ADMINISTRATIVE OFFICER

**Lanie Hurdle, Chief
Administrative Officer**

Consultation with the following Members of the Corporate Management Team:

Jennifer Campbell, Commissioner, Community Services Not required

Neil Carbone, Commissioner, Corporate & Emergency Services Not required

David Fell, President & CEO, Utilities Kingston

Desirée Kennedy, Chief Financial Officer & City Treasurer

Jenna Morley, City Solicitor

Ian Semple, Commissioner, Transportation & Infrastructure Services

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Options/Discussion:**Background**

On October 23, the Ontario Minister of Municipal Affairs and Housing tabled Bill 60, the *Fighting Delays, Building Faster Act*. This highly anticipated provincial Bill looks to help encourage more housing and infrastructure construction through creating efficiencies in the building and development process. This comes as Ontario housing starts have continued to lag over the last several years and the province looks for more ways to support housing development.

Ontario has set an aggressive goal of building 1.5 million homes over the next 10 years; however, many municipalities continue to miss their provincially set housing targets. In August 2025, the province updated its housing supply tracker which showed 35 out of Ontario's 50 largest municipalities fell short of their 2024 targets. In 2023, 31 of 50 large municipalities missed their housing targets. Kingston however has exceeded its provincial housing targets the last few years resulting in the city receiving funding under the Ontario Build Faster Fund (BFF).

As a first measure to encourage more housing development the province introduced Bill 17 - *The Building Faster and Smarter Act* in May of 2025. This bill proposed several changes to encourage and streamline development across the province. City staff brought forward a report to Council ([Report Number 25-154](#)) on these changes and municipal implications.

Since then, the government has identified several other measures it is pushing and introduced Bill 60 in October of 2025. Below is an overview of the key aspects of Bill 60 and relevant municipal implications as we know them. Staff are anticipating additional regulation changes, however at the time of writing this report, they were not available. Bill 60 contains more than 40 measures in what the province hopes will accelerate the development of housing and transportation infrastructure and cut red tape under three themes:

- Building Homes and Communities
- Fighting Delays at the Landlord and Tenant Board
- Keeping People Moving

In addition to these legislative and regulatory changes, the government announced a commitment to consult on a review of the Ontario Building Code, streamlined Official Plans and digital approvals, expanding the use of communal and small-scale water and wastewater systems, and implementing harmonized road construction standards.

Analysis

The following aspects of the Bill are taken from the Ontario Environmental Registry's (ERO) and the Ontario Regulatory Registry (ORR) technical consultations and staff's analysis of municipal significance.

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Proposed amendments to the *Planning Act* (Schedule 10 of Bill 60)

(<https://ero.ontario.ca/notice/025-1097>) The proposed amendments to the *Planning Act* and their implications on the city are discussed below.

Minor Variances (as-of-right variations)

Changes are proposed to the *Planning Act* to reduce applications for minor variances by providing for variations to be permitted “as-of-right” for performance standards identified in the regulation (e.g., building height, lot coverage) on specified lands. Specified lands would include parcels of urban residential lands outside of the Greenbelt Area, and exclude areas such as hazardous lands, lands near shorelines and railways.

The proposed change would work with changes made by the *Protect Ontario by Building Faster and Smarter Act*, 2025 (Bill 17) that enable the Minister, by regulation, to permit variation to a zoning by-law to be “as of right” if a proposal is within a prescribed percentage (e.g., 10%) of the required setback (the minimum distance a building or structure must be from a property line) on specified lands (e.g., urban residential lands). The proposed change could further streamline minor variance processes by allowing for some “as of right” variation from other zoning standards identified in regulation.

What this means for the city: Minor variance applications are evaluated individually regarding potential impacts and compatibility. Applications are evaluated using the “Four Tests” framework under the *Planning Act*, which considers the intent of the Official Plan and zoning by-law, whether the application is minor, and if the proposal is considered good planning. A percentage reduction associated with a minor variance is not a key consideration. As-of-right setback reductions or other zoning standards could eliminate some properties from having to undertake minor variance applications. It may also encourage applicants to deviate from the prescribed requirements in situations where a minor variance would not normally be sought by an applicant.

In June of 2024, staff analyzed the 131 minor variance applications submitted in 2024 and the first half of 2025 to understand how this change could impact the number of applications proceeding through the Committee of Adjustment. Of those 131 applications, 28 dealt exclusively with setback reductions (21% of all applications). However, nearly all of those proposed reductions to setbacks more than 10% and only one application of the 131 that went before the Committee of adjustment would have been cancelled. It is anticipated that the greatest impact of this change to the *Planning Act* will come through Building Permit reviews, where applicants may no longer revise drawings to correct setbacks where they are within 10% of the stated zone regulation.

Provincial Planning Statement and Minister’s Decisions

Changes are proposed to the *Planning Act* to make the Provincial Planning Statement (PPS) inapplicable to all Minister’s decisions, including past decisions, under the *Planning Act* outside the Greenbelt lands. A transparent and accountable oversight framework would be developed to support implementation. The PPS under section 3 of the *Planning Act* sets out provincial land

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use policy direction related to growth and development. Subsection 3(5) of the Act requires decisions affecting a planning matter “shall be consistent with” PPS policies.

The proposed change would allow the use of multiple Minister’s authorities on individual priority provincial projects outside the Greenbelt Area and provide the Minister with the same flexibility provided in 2021 (for Minister’s Zoning Orders outside the Greenbelt Area) in respect of other planning decisions outside the Greenbelt.

What this means for the city: Enabling ministerial authority without requiring decisions to be consistent with the PPS may result in planning decisions being prescribed for the city in an ad hoc manner that does not reflect the overall planning undertaken through the Official Plan and other planning processes, all of which are required to be consistent with the PPS. This may have impacts on the implementation of the new Official Plan project, which was delayed by over a year to align with the timing of the new PPS, and planning for future development and infrastructure.

Minister’s Zoning Orders (MZOs)

Changes are proposed to the *Planning Act* and, and as necessary, related legislation, to enable Minister’s Zoning Orders (MZOs) to be made by non-regulatory orders and published on a Government of Ontario website. MZOs are currently made by the Minister and filed with the Registrar of Regulations as regulations under the *Planning Act*. Like other regulations they are published on e-Laws after filing. The proposed change is intended to expedite the process, enabling the Minister to make faster decisions on provincial priorities such as supporting long-term care, transit-oriented communities and housing.

What this means for the city: Enabling MZOs through non-regulatory orders may reduce access to the information, affecting consistency in decision-making.

Protected Major Transit Station Areas

Changes are proposed to the *Planning Act* to allow Official Plan Amendments modifying the “authorized uses of land” within a Protected Major Transit Station Area (PMTSA) to be exempt from Minister’s approval if the authorized use(s) after the amendment will include residential uses, but maintain the restriction on exempting amendments changing the other required PMTSA official plan policies (e.g. minimum densities) from Minister’s approval.

PMTSAs are a discretionary tool that enable municipalities to designate and zone lands near higher order transit stations (for example light rail, bus rapid transit) that accommodate transit-supportive densities without the key transit-supportive elements of the decisions (e.g., minimum densities) being subject to appeal. PMTSA official plan policies and amendments, other than those of lower-tier municipalities in upper-tier municipalities with planning responsibilities, must be approved by the Minister of Municipal Affairs and Housing. This reform would remove a layer of approval to accelerate the Minister of Municipal Affairs and Housing’s decisions to approve the designation of PMTSAs and unlock the potential for development near transit.

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What this means for the city: PMTSAs are anticipated to be included in the city's policy and regulatory framework following approval of the new Official Plan. Exempting some Official Plan Amendments from minister's approval could provide flexibility and a shorter overall timeline in the review and approval of proposed development.

Community Improvement Plans (CIPs)

Changes are proposed to the *Planning Act* to support flexible implementation of Community Improvement Plans (CIPs), including enabling all upper-tier municipalities to establish regional Community Improvement Plans and allow funding to lower-tier municipalities for their CIPs. Currently, only prescribed upper-tier municipalities who have Official Plan policies in place can adopt regional CIPs. Also, municipalities can only provide funding for the CIP of its respective upper or lower-tier municipality if the municipality has Official Plan policies in place to do so. The proposed changes would remove barriers to enable flexible use of CIPs, including allowing all upper-tier municipalities to establish regional CIPs and financially support lower-tiers.

For upper-tier municipalities without planning responsibilities, changes are proposed that would revive CIPs that were in effect on the day before the municipality became an upper-tier municipality without planning responsibility. In addition, *Ontario Regulation 221/07*, which prescribes upper-tier municipalities who may designate CIP areas and CIPs, would be revoked as the regulation is no longer required.

What this means for the city: No impact, as the city is a single tier municipality. The city has Official Plan policies in place to facilitate the implementation of CIPs.

Proposed amendments to the *Building Transit Faster Act, 2020* (Schedule 1 of Bill 60) (<https://ero.ontario.ca/notice/025-1035>)

The *Building Transit Faster Act, 2020* (BTFA) introduces measures that streamline project delivery and support the accelerated completion of provincial transit projects. The BTFA applies to the planning and construction of provincial transit projects and provides:

- Requirements for owners of adjacent land and infrastructure to obtain a corridor development permit for construction and development activities that may interfere with transit construction.
- The ability to enter lands for due diligence work (e.g., soil testing), removal of obstructions and encroachments (e.g., trees), addressing imminent danger to construction and for the purpose of ensuring that a permit or stop work order is being complied with.
- A streamlined land assembly process.
- A framework for enhanced coordination of utility relocations to support better management of project scheduling and costs.

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- The ability for the Minister to issue an order outlining conditions where Metrolinx could use or modify municipal assets such as roadways and certain municipal services.

The proposed amendments include the following:

- Reducing notice periods for Obstruction Removal and Preview Inspections: The notice period for Obstruction Removal and Preview Inspections to third-party landowners will be reduced from 30 days to 15 days.
- Expanding Corridor Control and Municipal Service and Right of Way Access: Parts II (Corridor Control) and V (Municipal Service and Right of Way Access) of the BTFA will apply not only to construction but also to operations and maintenance of transit projects.
- Expanding the application of Municipal Service and Right of Way Access to other municipal infrastructure: The scope of municipal service and right of way access orders under Part V of the Act will be broadened to include “buildings, bridges, tunnels and life safety systems” which are required for project delivery.
- Permitting the Minister to add other municipal infrastructure under Part V: The Minister can prescribe, by regulation, additional municipal infrastructure for which municipal service and right of way access order applies to.
- Expanding Municipal Service and Right of Way Access to add relocation and alteration of, and connections to municipal services, right of way, and infrastructure: Currently Part V of the Act is limited to use, access to and modification of the same.
- Providing the Minister the option to delegate its powers under Part V: The Minister will be able to delegate authority to issue municipal service and right of way access orders to Metrolinx, or an MTO official through regulation, upon such delegation conditions as the Minister deems appropriate and depending on the circumstances of the project.

What this means for the city: No impact as the City does not presently have any Provincial transit projects in the planning or construction stages. Staff will monitor the implementation of these measures’ relative to transit related infrastructure if these changes are extended to municipal transit projects in the future.

Proposed amendments to the *Highway Traffic Act* (Schedule 5 of Bill 60)
(<https://ero.ontario.ca/notice/025-1071>)

Prohibiting Vehicle Lane Reduction for new Bicycle Lanes

Schedule 5 of Bill 60 proposes amendments to the *Highway Traffic Act* (HTA) that would prohibit municipalities from reducing motor vehicle lanes when installing, implementing or marking new bicycle lanes.

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The amendments would also create regulation-making authorities to allow the Minister to prescribe additional prohibited activities and to provide exemptions from the prohibition.

Amendments would provide the Minister with greater discretion when determining municipal reimbursement for the existing bicycle lane review framework (related to requested information and support).

What this means for the city: This change would remove the City's ability to convert or reallocate existing roadway infrastructure to add or enhance cycling facilities where there is insufficient space to maintain all existing motor vehicle lanes. This direction is contrary to the policies within the City's Active Transportation Master Plan (ATMP), and the preliminary directions of the new Official Plan (OP) and Integrated Mobility Plan (IMP), which collectively prioritize the creation of complete, connected, safe and separated facilities for all users.

While the City does not typically remove vehicle lanes without technical analysis and consideration of traffic impacts, doing so remains one of the few available tools to deliver continuous and protected cycling infrastructure within constrained rights-of-way. Removing this option would limit the City's ability to implement network improvements, address gaps, and consider context-sensitive street designs in areas where widening is not feasible. Unless exemptions are provided through regulation, staff would no longer include design options that remove or convert motor-vehicle lanes for cycling use.

Proposed amendments to the Municipal Act, 2001 (Schedule 7 of Bill 60) and a New Legislative Framework for Water and Wastewater Public Corporations Act (Schedule 16 of Bill 60) (<https://ero.ontario.ca/notice/025-1098>)

Transfer Jurisdiction of Water and Wastewater

The government is proposing to transfer jurisdiction of water and wastewater from Peel Region to the lower-tier municipalities of Mississauga, Brampton and Caledon effective January 1, 2029, or a date prescribed by the Minister.

Amendments are also proposed to prevent the transfer of jurisdiction over water and wastewater back from the lower-tier municipalities using existing authority to transfer services in the *Municipal Act, 2001*.

New Legislative Framework for Water and Wastewater Public Corporations Act

The province is proposing a framework for a new water and wastewater public corporation (standalone legislation) to deliver water and wastewater services, including legislative authority to:

- Designate corporations as water and wastewater public corporations – prescribed by regulation.

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- Require prescribed municipalities to deliver water and wastewater exclusively through a water and wastewater public corporation beginning on a date as prescribed by the Minister.
- Make regulations including, but not limited to:
 - Duties and responsibilities for the water and wastewater public corporation.
 - Requirements related to the nomination, appointment, election, or removal of members of the board of directors of the corporation.
 - Powers for the public corporation to impose and collect fees and charges. If required by regulation, the Minister would have oversight powers over rate plans (additional plans may be prescribed in regulations).
 - Providing for additional transitional matters.

A corporation would be incorporated under the Ontario *Business Corporations Act* at the direction of the Minister who would have the authority to designate the corporation as a water and wastewater public corporation. Subject to future regulations setting out the share allocation, this first corporation would be jointly owned by Mississauga, Brampton and Caledon.

What this means for the city: The transferring of jurisdiction of water and wastewater from Peel Region to the lower tier municipalities will not impact the city, however staff are interested in the government's creation of a new standalone statute for a new water/wastewater public corporation. This could impact the city and municipalities across the province in terms of how water and wastewater services are delivered in their communities. The city will be undertaking due diligence to identify options and opportunities enabled by the proposed legislation.

The creation of a standalone water and wastewater corporation has potential to shift the way these services are governed. The current proposal seems very similar to the proposals from 1998 in which municipalities were required to transfer their electricity distribution assets to separate corporations, to be regulated by the Ontario Energy Board. This means that the City may end up owning shares in a water/wastewater corporation, incorporated under the *Business Corporations Act* (Ontario) not unlike how Kingston Hydro Corporation is currently structured. This Corporation would not be a local board, an agent of the Crown or an administrative unit of the Government of Ontario. In addition, this new corporation would be required to establish rates and potentially submit a rate plan to a provincial body for approval. Practically speaking, Utilities Kingston would have a service contract with that new corporation instead of a service contract directly with the City for the provision of water/wastewater services.

Proposed amendments to the *Public Transportation and Highway Improvement Act* (Schedule 11 of Bill 60) (<https://ero.ontario.ca/notice/025-1140>).

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Harmonization of Municipal Road Construction Standards

The government is seeking feedback on proposed legislative changes to support the implementation of harmonized road standards, including for municipal road construction. This work builds on consultations undertaken since May 2025, when the province committed to harmonize municipal road building standards and engage municipalities and industry stakeholders throughout the process.

The Minister of Transportation (Minister) has existing regulation-making authority under the *Public Transportation and Highway Improvement Act* (PTHIA) to set mandatory standards for highways, including for municipal roads, although there is currently no regulation in place for road standards. Proposed amendments to the PTHIA, if passed, would allow the Minister to require technical, industry, and municipal input regarding standards and construction and design matters upon request.

The proposed amendments would also allow the Minister to make a regulation to govern contracts pertaining to road and bridge construction (including contracts between municipalities and third-party contractors), establish reporting requirements, and establish a process for requesting an exemption from a standard.

Road construction standards encompass many elements of road and related infrastructure such as materials, engineering, design and construction practices. As each standard is individually evaluated, environmental considerations will be integrated into the review process, including industry best practices for sustainability and applicable environmental legislation.

Consultations will inform future regulations needed to implement the proposed legislative amendments and further consideration would be given at that time to potential environmental impacts. MTO will consider technical, industry and municipal input when reviewing and implementing province-wide harmonization, including the need for flexibility to support successful implementation.

What this means for the city: While the proposed amendments to the *Public Transportation and Highway Improvement Act* are still awaiting regulation, they could have significant implications for the City's ability to tailor the design and construction of streets to land use, local context, or community priorities. Standardized requirements may limit the City's ability to modify design elements, such as lane widths, cycling facilities, transit features, or streetscape components, to respond to local needs and right-of-way constraints. Depending on how the regulation is structured, this could affect the City's ability to implement Complete Streets, road safety, and mode-shift objectives identified in the Integrated Mobility Plan, currently in development. The potential requirement for Ministerial approval or exemption processes may also introduce additional procedural steps, lengthen design timelines and reducing the City's autonomy in developing, procuring, or contracting road projects.

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Proposed amendments to the *Development Charges Act* (Schedule 3 of Bill 60)
(<https://www.regulatoryregistry.gov.on.ca/proposal/52054>)

Enhance Standardization and Streamline the Development Charge (DC) Framework:

The government has proposed amendments to standardize the rules in the *Development Charges Act, 1997* (DCA) and enhance cost predictability for new developments. Many of these proposed changes reflect feedback received from industry and municipal experts on ways to modernize the DCA.

Addition of Class of Service for land acquisition

The government has heard that land values are a key cost component of the DCs on new housing. Greater transparency is needed to ensure that land costs in a DC rate are reasonable. To help address this concern the government is proposing that land acquisition costs for almost all DC-eligible services would be included in a new service class. The land acquisition costs class would be exempt from the historic service level calculation, but would be limited to amounts that would be incurred over next ten years, except for the following services:

- Water supply services, including distribution and treatment services,
- Waste water services, including sewers and treatment services,
- Storm water drainage and control services,
- Roads,
- Transit services,
- Policing services,
- Fire protection services.

What this means for the city: Land acquisition will be established as a separate class of service and the city will be required to establish a separate reserve fund for these capital costs, once a new DC bylaw is undertaken. This change is not expected to have a significant impact on the city's level of service calculations.

Requirement for local service policy

Local service policies (LSPs) are currently not a statutory requirement for municipalities. Furthermore, the government has heard that it is often not clear which costs are DC-eligible and which costs are local costs, which can result in development delays. To help address this concern, the government is proposing to require municipalities put in place LSPs for each service listed in subsection 2(4) of the DCA in respect of which a DC is levied but some part thereof will be provided as a local service.

The LSP must identify the works or classes of works that are intended to be required as a local service. A municipality could not require a work or classes of work to be provided as a local service if it is not identified as such in the LSP. Municipalities would also have the option to include the following in their LSPs:

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- Works or classes of works that are not intended to be local services, and
- Works or classes of works that are partially required as a local service.

What this means for the city: It is the city's current practice to include LSP's as part of our DC background studies. Staff will ensure that the necessary information is included in future LSP's and that the policy is expressly approved in the resolution of Council when the DC background study and bylaw are adopted.

Required timelines for documents

The government is proposing a requirement for the Annual Treasurer's Statement to be completed by June 30th each year and a copy of the Statement to be submitted to the Minister of Municipal Affairs and Housing by July 15th of each year.

The government is also proposing to require municipalities to provide copies of the DC background study or by-law to the Minister of Municipal Affairs and Housing upon request, by the date requested.

What this means for the city: The Annual Treasurer's Statement is currently completed and provided to Council prior to June 30th each year. In the future, annual statements will also be submitted to the Minister of Municipal Affairs and Housing by the July 15th deadline.

Additional Proposed Changes not included in Bill 60

The province is also consulting on other proposed changes through additional separate ERO and ORR postings, as discussed below.

Consultation on Simplifying and Standardizing Official Plans

<https://ero.ontario.ca/notice/025-1099>

The government is consulting on a proposal to set parameters for municipal Official Plans with the goal to increase consistency across municipalities, while reducing the burden of developing these plans. Potential changes include standardized structure of chapters (mandatory chapter titles and order), standardized schedules (mandatory schedule titles and order), limiting specific standards from being included in an official plan, potential prohibition on secondary or site-specific plans, limits on the length of a plan, standardized land use designations (titles and mandatory permitted uses/built form), transition considerations and online submission portals.

What this means for the city: Given the significance of these proposed changes and the potential impacts on the city's new Official Plan project, staff will be writing a dedicated report on these potential changes for Council in December ahead of the ERO commenting deadline for this proposal (December 22, 2025).

Consultation on Minimum Lot Sizes <https://ero.ontario.ca/notice/025-1100>

In connection with Bill 60, the government is consulting to better understand the linkages between setting minimum lot size requirements on urban residential lands and increased

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housing options, improved affordability, and expanded access to homeownership across Ontario. The geographic focus for this consultation is parcels of urban residential land as defined in the *Planning Act*.

Several municipalities across Ontario set minimum lot sizes to distinguish between various low-density residential zones. There are some municipalities that define up to ten different low-density residential zones while others define fewer than five. As per the ERO posting, an analysis of Ontario's large and fast-growing municipalities found that the range of minimum lot sizes permitted varies generally from 270 to 800 square metres (about 2,900 to 8,600 square feet) and minimum frontages permitted range from 6 to 20 metres (about 19.6 to 65.6 feet) for single-detached dwelling lots. Outside of the large and fast-growing municipalities the range for lot sizes tends to be broader and can vary.

The province is suggesting that research indicates that setting minimum lot sizes that are larger than what the market could support may raise housing costs. This could have negative implications for encouraging broader housing options and providing smaller, more affordable homes that meet a broader range of consumer preferences, particularly for starter-homes. These types of lot size restrictions may also make the process of severing a lot (e.g., turning one lot into two lots for independent sale) more difficult, time consuming, and costly.

What this means for the city: At present, of the nine urban residential zones in Kingston Zoning By-Law Number 2022-62, six specify minimum lot area requirements for a house, semi-detached house and townhouse. Minimum lot area requirements are primarily in place to support the creation of new lots that are consistent with adjacent lots. In all zones, other provisions including the frontage, setback and minimum landscaped open space requirements are also used to ensure that there is sufficient space on a lot for a functional development. If minimum lot area requirements are removed, it may become easier for new smaller lots than existing in the surrounding area to be created, provided that other regulatory controls are still in place to ensure that they are functional.

Consultation on Enhanced Development Standards – Lot Level (outside of buildings)
(<https://ero.ontario.ca/notice/025-1101>)

The Ministry of Municipal Affairs and Housing is seeking input on the use of enhanced development standards at the lot level, specifically outside the building envelope; for example, green development standards that are required by some municipalities, and not in a consistent manner. This consultation aims to better understand current municipal practices, and assess what future policy guidance, regulatory or legislative changes are needed to streamline, standardize, and prohibit enhanced development standards while continuing to ensure health and safety.

Municipalities currently use land use planning tools such as zoning by-laws, site plan control, and agreements required as a condition of approval to require certain elements to be included in a development. Some of these requirements are referred to as “green development standards” but are not limited to such a definition.

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While there is no definition of enhanced development standards in the *Planning Act* or the Provincial Planning Statement 2024, these matters may include: requirements for features such as bioswales, permeable pavement, and other vegetative elements, and direction around matters such as native tree planting and soil volume, and bicycle parking, but are not limited to such items. Enhanced development standards at the lot level can vary across jurisdictions, which may result in inconsistent requirements, added costs, and complexity for builders working in multiple municipalities.

What this means for the city: The city does not employ enhanced or “green development standards” as regulatory requirements. While sustainable features are supported and encouraged in the Official Plan, there are no prescribed requirements beyond what is required in the Ontario Building Code. There are minimum bicycle parking requirements in the Kingston Zoning By-Law, but these are functional considerations to accommodate the users in a similar way to requirements for private vehicle spaces. Similarly, landscaped open space requirements are an infrastructure consideration for the retention of stormwater and for the provision of outdoor amenity areas, especially for grade related housing.

From a climate change perspective, these existing policies and zoning standards, though not explicitly framed as “green” support resilience and mitigation objectives by promoting sustainable mobility, stormwater management, and green space. If the Province were to mandate the removal of these considerations from local regulatory tools, it could reduce the city’s capacity to respond to climate change at the community scale. There may also be functional impacts for site users and infrastructure impacts for the city at a broader scale. Such a prohibition would limit flexibility and hinder the implementation of locally appropriate, climate-responsive solutions.

Proposed Changes to the Building Code Act: Regulate Additional Sewage Systems under the Building Code to Support Construction of On-Farm Worker Housing
(<https://www.regulatoryregistry.gov.on.ca/proposal/025-0899>)

As part of a multipronged initiative to support the construction of on-farm worker housing, the government of Ontario is proposing amendments to its regulatory framework for sewage systems to help protect the agricultural sector and food supply chain.

Currently, sewage systems with a design capacity of 10,000 litres per day or less are regulated and enforced under the Ontario Building Code, while systems that exceed 10,000 litres per day require Environmental Compliance Approval from the Ministry of the Environment, Conservation and Parks (MECP). The proposed amendments would update the Ontario Water Resources Act (OWRA) to allow Class 4 sewage systems serving on-farm worker housing on agricultural properties to be regulated and enforced under the *Building Code Act*, provided the cumulative design capacity does not exceed 50,000 litres per day.

This proposal applies exclusively to agricultural properties with on-farm housing for workers and is limited to Class 4 systems, which include septic tanks, treatment units, and leaching beds designed to handle domestic sanitary sewage. For any individual system with a capacity greater than 10,000 litres per day, the system must be located on a minimum of 10 acres of land and

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positioned at the center of a 10-acre circular area clear of sensitive features such as property lines, structures other than on-farm worker housing, surface water, agricultural tile drain inlets, exposed bedrock, and drinking water wells.

In addition, MECP is proposing to allow proponents to self-register under the Environmental Activity and Sector Registry (EASR) for sewage systems with a design capacity of up to 25,000 litres per day, provided the total capacity on the agricultural property does not exceed 50,000 litres per day.

What this means for the city: The transferring of jurisdiction for sewage systems will require city building officials to assess additional sewage systems beyond those currently under review. The anticipated impact is expected to be minimal due to the number of such systems permitted.

Existing Policy/By-Law

Building Code Act

Development Charges Act

Planning Act

Highway Traffic Act

Provincial Planning Statement, 2024

Ontario Regulation 232/18, Inclusionary Zoning

City of Kingston Official Plan

Active Transportation Master Plan

Kingston Zoning By-law Number 2022-62

Financial Considerations

Financial considerations are anticipated but not fully known as this legislation is still in debate. Although it is anticipated to pass, there will still be additional information that may impact the final regulations of the Bill from the province's public and stakeholder consultation.

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Holly Wilson, Manager of Government Relations

Exhibits Attached:

None