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May 14, 2026

The Honourable Rob Flack
Minister of Municipal Affairs and Housing
Government of Ontario

Re: Sustainable Buildings Canada Submission on Bill 98, Building Homes and Improving Transportation Act, 2026

Dear Minister Flack,

Ontario's Bill 98, *Building Homes and Improving Transportation Act, 2026*, is currently under consideration. The following submission outlines perspectives on the proposed Bill 98 from Sustainable Buildings Canada (SBC). SBC is a not-for-profit organization which has worked on implementation and workforce capacity for sustainable buildings and communities across Ontario since 2003. SBC's work is grounded in the experiences of the practitioner community responsible for implementing high-performance building outcomes in practice.

We reflect perspectives from longstanding work with the sustainable building community, including designers, building scientists, builders and developers, energy modellers, engineers, consultants, and sustainability specialists working across Ontario's building sector. Our comments are thereby informed by longstanding expertise on how housing policy interacts with critical sector needs, ranging from affordability, accessibility, and occupant health to climate performance and long-term building resilience.

While the Province's objective to accelerate housing supply is important as well as necessary, SBC maintains that housing quantity and housing quality cannot be treated as separate policy objectives. Decisions made today on building standards, and especially through restricting municipal planning authority, will affect Ontarians, as well as the economic and environmental sustainability of Ontario's housing sector, for decades to come.

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Implications of Repealing Municipal Authority

Sustainable Buildings Canada recognizes the need to expand affordable and accessible housing supply across the province, however the Bill's objective to rapidly expand housing supply is primarily conveyed through the removal of municipal powers. Bill 98 will make it much harder, if not impossible, for municipalities to require standards beyond the provincial Building Code. This action directly undermines long-standing and established frameworks that account for the multiple local priorities needed to plan and build healthy and resilient communities and neighbourhoods.

As proposed, Bill 98 strips the power from individual municipalities for setting their own standards of quality by having the Building Code Act and Building Code supersede municipal by-laws. In particular SBC strongly maintains that municipalities should retain their ability and capacity to prescribe energy efficiency and emissions reduction goals in municipal plans and by-laws. Municipal goals and standards typically are developed over a long time horizon over multiple consultation avenues and appropriately leverage public investment from municipal tax dollars to build toward common goals and address collective needs. Consequently, final standards reflect the outcome of established processes that are highly collaborative, as well as regional and context dependent. These are foundational considerations to effective planning of how housing is built in communities across Ontario.

Municipal planning authority also reflects systems-level understanding of local infrastructure capacity, environmental conditions, transportation networks, and community development priorities. These considerations are important, and they cannot be fully standardized across jurisdictions without risking unintended consequences for long-term community resilience, as well as affordability and general quality of life.

For example, Bill 98 repeals the powers of the City of Toronto from determining minimum and maximum density and the minimum and maximum height of development. This is a decision best left to local municipal planners who are deeply informed on the needs and capacity of the overall City's infrastructure, such as roads and public transit, and the services, such as schools, hospitals and libraries, needed to meet the needs of current and future inhabitants of the City.

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If the province's desire is to reduce variation among its municipalities around construction standards, it should seek to more closely harmonize with federal GHGI, EIU, and net-zero targets outlined in recent National Building Code revisions. By reducing inter-provincial barriers around construction standards, municipalities in Ontario will not need to compromise their environmental and sustainability goals currently in place in municipal plans.

SBC encourages the Province's desire for greater consistency and clarity within the building sector, but this consistency should be achieved through stronger province-wide leadership and alignment with future-facing national standards, rather than through the removal of municipal authority to pursue higher-performance outcomes.

Repeal of Municipal Authority for Protection/Conservation of the Environment

Bill 98 would also repeal significant municipal authority to introduce standards for the protection or conservation of the environment, shifting greater control over these matters to the Province. These protections are critical to the viability of our existing parks and natural ecosystems, as well as to appropriate land use and resiliency planning. The preservation of natural regions and ecosystems will only become increasingly imperative with urban densification and increased population pressures. Natural regions are also critical in helping communities withstand rapidly changing climatic conditions through the important ecosystem services they provide, such as the mitigation of urban heat island effects (which becomes even more critical as summer temperatures increase), flood protection, natural groundwater filtering and aquifer replenishment, and much more.

Environmental and sustainability considerations should not be viewed as ancillary to housing development, but as essential to healthy, durable, and economically resilient communities. Integrating environmental performance into planning and development decisions will only help reduce long-term public and private costs associated with infrastructure strain, climate adaptation, and future building retrofits.

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Effect on Current and Future Homeowners

Bill 98 lowers the bar for quality residential construction and by implication, the ability for future homeowners to have access to quality housing. This means that homeowners will also be burdened with the future cost of housing that is not built to withstand extreme weather and changing climate baselines. Southern Ontario is projected to see a major increase in very hot days above 30°C and 35°C. In the Greater Toronto Area, projections suggest days above 30°C could increase from roughly 11 days historically to more than 50 days annually under high-emissions scenarios.[1]

New homeowners should be assured that their housing is resilient, built to last, and has been designed to take future climate scenarios into account. Our existing and next generation of housing stock must be future-proof and accessible as well as plentiful, and homeowners should not be burdened with higher utility, maintenance, and repair bills resulting from under-performing homes, particularly considering pending climate disruption. SBC's collaborator network has already shown that building better performing buildings is not only possible, but also that any possible incremental cost is far more economical in the long run compared to the cost burden to business as usual.

Ontario's housing supply challenge should not result in the creation of future additional liabilities for homeowners, municipalities, or for the Province itself. Building to lower standards today risks increasing long-term costs across energy, insurance, and buildings, as well as infrastructure pressures in the future. Future-ready housing is both a critical affordability measure and a resilience need. Moreover, Ontarians in municipalities with higher standards have already proven that the expertise and experience needed to build quality, future-ready housing is in place. Lowering the bar will not quicken the pace of new buildings, but will create uncertainty and send mixed signals to the industry that is already actively working to deliver such buildings in practice.

With a new generation of Ontarians seeking to find their forever-homes, the Province should strive to prioritize instead of countermand the provision of durable, resilient and accessible

[1] https://trca.ca/climate-change-impacts-gta/

housing that Ontarians can live in comfortably, grow old in, and pass from one generation to the next.

Effect on Sustainable Building Practitioners

SBC reflects the voice of sustainable building sector practitioners, including the building scientists and energy modellers who will be adversely affected by rolling back municipal authority to request technical reports such as modelling studies (026-0313: Comprehensive list of studies for complete applications).

This small but powerful workforce segment plays a key role in the interpretation, evaluation, and valuation of energy savings across natural gas and electricity as buildings are designed and built. Energy modellers are an integral part of how high-performance buildings can be built to, and in many cases better than, Code. By directly targeting the ability and the authority of municipalities to request such services, the Province is impacting the current employment opportunity for this segment of Ontarians and the future viability of the sector.

As noted, SBC also reflects the broader practitioner community responsible for implementing these outcomes in practice, such as the designers, building scientists, engineers, consultants, sustainability specialists, and other technical professionals whose work directly supports building performance, emissions reductions, and compliance pathways. The proposed rollback of municipal authority to require technical studies and sustainable design considerations has implications not only for municipalities, but also for the larger skilled practitioner ecosystem that delivers these outcomes. Sustainable building expertise represents a growing professional sector that supports implementation capacity and drives long-term housing quality across Ontario as well as Canada.

At a time when Ontario is seeking to grow skilled employment capacity in housing, infrastructure, and clean growth sectors, policies that *reduce* demand for building performance expertise risk undermining a growing professional workforce that is critical to delivering future-ready housing. Ontario has spent years building implementation capacity within the sustainable buildings sector. SBC considers that maintaining momentum and strong market signals for high-

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performance building expertise is essential to supporting innovation, competitiveness, and long-term economic resilience across the province.

In Conclusion

Sustainable Buildings Canada recognizes the Province's objective to expand housing supply and improve housing affordability across Ontario, but the need to build more housing should not come at the expense of long-term building quality, climate resilience, infrastructure readiness, or the skilled practitioner ecosystem responsible for delivering these outcomes in practice.

Ontario has an opportunity to support housing growth while also advancing durable, future-ready building standards that improve outcomes for homeowners and communities alike. SBC encourages the Province to work collaboratively with municipalities, industry practitioners, and the sustainable building sector to ensure that regulatory modernization supports strong long-term housing outcomes and maintains the implementation capacity needed to achieve them.

As an organization grounded in implementation experience and practitioner expertise across Ontario's building sector, SBC welcomes continued engagement with the Province on approaches that support both housing delivery and long-term building performance outcomes for Ontarians.

Respectfully,

Sustainable Buildings Canada