

How a data centre gets a yes

The architecture of The Approvable Data Centre, explained for the people who build, finance, lease and approve them. Why Ontario is saying no, what a yes is made of, and why the standard is built in three parts: law, contract and label.

Ontario's communities are not refusing data centres. They are refusing data centres with no terms. In June an application that met the regulations was refused 5–0 in Hamilton after staff recommended approval; by mid-September nine Ontario jurisdictions had paused new facilities, directed staff to draft a pause, or opened studies; and the 23 companies that signed Canada's Responsible Data Centre Development Principles on September 3 watched Mississauga pause every facility of 10 MW or more thirteen days later. The pledge did not fail for want of sincerity. It failed because a principle has no standing in a council chamber: the federal release contains no numeric target, no monitoring and no enforcement mechanism. This brief explains how a yes is actually built, from the public record and from fifteen cases around the world where an industry met a backlash and either a rule let it build again or a ban hardened. It is written for proponents because proponents are the only party that can move first.

What the room actually said

Hamilton Committee of Adjustment, June 4, 2026: 8 hours 38 minutes, 87 delegation segments, 1,688 written comments, coded by subject by the author from the public transcript. Mississauga's record then showed the same five absences.

55%	3%	37 of 87	22	5
of residents' speaking time went to place, fairness and transparency	went to noise	asked who would enforce the conditions	offered terms they would accept; the proponent answered none	things missing on both records: a capacity cap, a named tenant class, a traffic plan, backup without diesel, a number the city can bank

The failure mode is consent, not impact. Impact language is the only vocabulary a planning hearing permits for "you did not ask." Closed-loop cooling, about 2,000 litres a day and 72 dB at seven metres were all on Mississauga's public record before it froze. In neither record did a correct technical answer convert the room; what the record shows converting rooms elsewhere is a public meter, an independent verifier, a financial remedy, and a payment the host can see.

The councillor's arithmetic

A council votes yes when yes costs less than no. Since the Planning Act amendments of 2022 (Bill 23), residents have no right of appeal against an approval; the applicant can appeal a refusal, and the tribunal decides on planning merits, not on the volume of opposition. So a yes costs a councillor votes now, and a no costs the city a tribunal later, with the project built anyway if it conforms, and nothing attached. The cost of yes is immediate and local; the cost of no is deferred and diffuse. That asymmetry is why councils default to pauses, and it is the only problem the standard has to solve: make yes cheap and no visibly expensive. The sentence a councillor needs to be able to say is this:

"Vote no and, if the application conforms, you get the building anyway, from the tribunal, with nothing attached. Vote yes and you get the residents' own terms with a meter and a verifier on them, and money into this ward every year the site earns."

Everything in the standard exists to make that sentence true. Note what it is not: it is not "the study says no impact." That sentence was available in Hamilton, where staff recommended approval, and in Mississauga, where the technical answers were on the record, and it did not carry either time.

Why pledges fail and rules hold

Fifteen cases, 1960s to 2025, same shape: an industry building as of right, a public backlash, a pause, then either a rule that let building resume or a ban that hardened. Data centres in Singapore, Amsterdam, Dublin and Loudoun County; crypto load in Quebec; wind, quarries, livestock, mining, nuclear waste, casinos, aircraft noise and fracking elsewhere. The record is consistent, and it is the reason the standard looks the way it does.

The rule that stuck was adopted by the party that could say no. The state in Singapore, the municipalities in Amsterdam and Loudoun, the regulators in Quebec and Dublin. In none of the fifteen cases did an industry pledge or voluntary certification convert a backlash by itself.

A voluntary certification with no gate dies. Ontario's own Cornerstone Standards Council, formed in summer 2012 by aggregate producers, environmental groups and community stakeholders, in the year the Melancthon mega-quarry application was withdrawn for want of "sufficient support from the community and government," had certified three quarries by 2017 and stopped certifying in December 2018: "unable to create a strong enough value proposition for industry to pursue certification." Nothing required the certificate.

Money works beside consent and a public formula, and fails without them. Scotland promotes £5,000 per installed MW per year, index-linked, as voluntary and "not a material consideration" in planning; by 2019 the public register showed 214 projects offering packages and £15.7 million paid in twelve months. Ontario removed the municipal yes for wind in 2009; 155 councils declared themselves unwilling hosts and the Act was repealed in 2018.

The rule must resolve the physical constraint behind the fight. Dublin's regulator reserved the power to require on-site dispatchable supply or storage; Loudoun's supervisors cited power lines and an estimated fifty new substations; Amsterdam's efficiency rule held but grid congestion brought tighter national limits in 2023. For data centres the constraint is power and backup.

Where building resumed, the rule came within one to three years of the first refusal. Singapore 2019 to 2022, Amsterdam 2019 to 2020, Quebec 2018 to 2019. New York 2008 to 2014 and England 2015 to 2024: nothing adopted inside the window, and the backlash became a ban that took years to lift. Hamilton was June 2026.

A visible consent step converts; imposition does not. Labrador Inuit members voted 82% and Innu Nation members 68% to ratify the Voisey's Bay agreements in 2002; Ignace polled 77.3% yes for a nuclear repository; in Massachusetts the host community's referendum follows the signed host agreement. Yucca Mountain was designated over Nevada's objection in 1987 and the licence application was withdrawn in 2010.

The four tests

Run any commitment through four questions: is there a number, a public meter, a verifier the proponent does not pay, and a consequence for breach? The federal release describes none of the four. Every term in the standard carries all four, or it is not in the standard.

	A number	A public meter	An independent verifier	A guarantee
Federal principles (Sept 3, 2026)	None stated	None described	None described	None described
The Community's Terms (CRDC v0.5)	Every term	Live dashboard, 15-minute data	Named before approval, paid through escrow	Letter of credit, per-breach payments, step-in, arbitration

Law, contract, label: why the standard is built in three parts

Two features of Ontario law shape the design. A municipality may impose only the charges and conditions the Planning Act and related statutes authorize: it cannot make a payment a condition of a planning approval, cannot levy its own charge on electricity, and the community benefits charge is available only for residential development of five or more storeys. And a council can write measurable standards (separation, sound, water, backup run-hours, capacity) into a zoning by-law and a site-plan agreement registered on title, which residents cannot appeal and which bind successors in title. So the standard separates what the law can hold from what only a contract can hold, and uses a third thing, the label, to make proponents sign the contract.

SHELF 3 · THE LABEL

CRDC Gold

Requires shelves 1 and 2. Not law. The City never says "Gold"; residents, lenders and the province do.

Held by the market: residents' terms, lenders' covenants, the province's connection rule, the public register

SHELF 2 · THE CONTRACT

Host community agreement, registered on title

The payment (\$20/MWh of total site use) and the ownership offer. A city may not demand these; it may sign and bank them.

Held by the municipality and the host fund; enforced as a contract: letter of credit, per-breach payments, step-in, arbitration

SHELF 1 · THE LAW

Zoning performance standards and site-plan agreement

300 m · 40 dBA / 65 dBC · zero potable water · 50 engine-hours · the MW cap · live dashboard · residents' recorded answer before any hearing

Held by the City; enforced as by-law; binds every project whether or not it has heard of the standard

LABEL PULLS · CONTRACT PAYS · LAW HOLDS

Shelf 1 is what spreads. Nine Ontario jurisdictions are writing data-centre frameworks in the same nine months. The standard ships with the text their planners need: a model Official Plan policy, zoning performance standards, a Terms of Reference for the compatibility and energy study, and a model interim resolution. Amsterdam made a PUE threshold, an industry metric carried by a voluntary EU code since 2008, a condition of location in 2020; Ontario planners already cite MECP Guideline D-6 and NPC-300 as a matter of routine. Once the numbers are in the by-law, a proponent does not need to know the standard exists to be bound by it.

Shelf 2 is what the host can see. The contribution is one number, \$20 per MWh of everything the site consumes, grid and on-site, 2026 dollars, indexed, roughly 1% of reference compute revenue for AI and cloud with class rates for colocation and enterprise. It goes into a host-community reserve fund with published allocation factors, because one site rounds to a fraction of a percent of a city levy and to millions a year in one ward. A 40 MW site at 80% load pays about \$5.6 million a year (280,000 MWh × \$20). The City signs; it does not demand. What it signs is registered on title and backed by a letter of credit.

Shelf 3 is what moves first. Gold is a label the City never writes down. It is what the residents' terms require before the organized opposition stands down, what a lessor or lender can write into a covenant, what a province or system operator can write into a connection rule (the one authority that can lawfully make the payment mandatory), and what the public register shows. Scotland's rate is on more than two hundred projects and was never a planning condition; Singapore's voluntary Green Mark for Data Centres, launched in 2012, was carried by the winning bids when the state allocated capacity by criteria in 2023. The label is held by the people who can say no to you without a by-law.

The standard on one page

Nine terms, written from what residents asked for on the record, each with a number, a meter, a verifier and a guarantee. Seventeen prerequisites behind them; 100 points above them; four tiers. Gold is the reference tier for facilities of 10 MW or more.

#	Term	The number	The meter and the guarantee
1	Drinking water is not coolant	Zero litres of potable water for cooling; closed-loop or non-evaporative	Flow meters live online; source-water study before filing
2	No diesel runs the computers	Batteries first: 2 h at full load (Gold), 3 h × 3/day (Platinum); engines capped at 50 run-hours a year	Every run-hour published within 24 hours; verified annual inventory
3	Quieter than the law at the window	40 dBA at night at the boundary and the nearest home; 65 dBC on the low hum	Continuous monitors live; exceedance triggers a written remedy
4	Not next to homes	300 m from any home, school, daycare or hospital; 1 km unless modelled 5 dB under	Surveyed on the site plan; health statement with the public health unit
5	Hydro bills do not pay for it	Proponent pays every attributable upgrade; adds nothing to the local peak; household rate-impact line in dollars per month	Distributor's statement published; peak-hour demand verified annually
6	Honest, enforceable jobs numbers	Construction and permanent jobs counted separately and signed; local hiring and purchasing targets	Payroll evidence to the verifier; penalties in the agreement
7	Money the host can see	\$20/MWh of total site use, indexed, into a host-community fund	Facility meter; monthly; letter of credit for a year; on the public register
8	Heard before filing, answer recorded	Residents' own terms published and answered first; facts sheet before the first meeting; draft agreement 60 days before any hearing; positions recorded, response table, second position	Dated records; the host acceptance record on the dashboard and in the municipal file
9	Name what is built, for whom, how big	Tenant or tenant class and purpose before approval; the MW cap in the agreement, with phases agreed up front	In the agreement; growth beyond the agreed phases reopens Term 8

Seven Core Numbers, published for every project, most of them checkable by a resident without an engineer: megawatts the site is capped at · metres to the nearest home · litres of potable water for cooling (zero) · dBA at night at the boundary · hours on batteries before an engine starts · megawatts added to the local peak (zero) · dollars per year to the host fund.

What is new in v0.5 and why. The payment became a prerequisite of the standard (never of an approval) because the money terms that held were one published number. A recorded host-acceptance step was added because every case where building resumed had one and the imposed rules failed. A capacity cap and substation terms were added because Dublin and Loudoun were decided on power, and the cap was the number missing from both Ontario records. The certification mark and practitioner course were deferred until a council or a connection rule references the standard, because Cornerstone built certification first and closed. A transition route lets projects already filed under an interim control by-law reach council-ready status inside the freeze.

What it does for a proponent

Three gates decide whether a large load gets built in Ontario in the next three years, and the standard is written to open all three.

Gate	Who holds it	What the standard gives you there
Council	Nine jurisdictions with pauses or studies under way; the next council vote on a data centre in most of them will be about someone reading this	A file that already meets the performance standards the framework will contain, a recorded residents' answer before the hearing, and the sentence a councillor can say out loud. Under Bill 23 a yes with terms cannot be appealed by residents; a no is a tribunal proceeding measured in a year or more against a council with little political cost in fighting
Connection	The province and the IESO, with distributors. Ontario's draft Data Centre Playbook (August 13, 2026) proposes a strategic-priority assessment, including community investment, "where projects compete for limited electricity capacity"	A connection-allocation annex on the Quebec, Singapore and Ireland pattern: criteria, not queue position. Host acceptance as a gate, tier, contribution, grid contribution, efficiency, strategic value. The community chapter of your connection application, already written and verified
Finance	Lenders, equipment lessors, tenants	A covenant a lender can hold and a lease a lessor can finance against: battery plant in place of diesel is equipment that can be leased; a registered agreement with a letter of credit is a bankable obligation; a public dashboard is diligence that never goes stale. Lenders required Impact and Benefit Agreements in the North before any statute did

The schedule, honestly

The consent step adds three to four months (author's estimate from the P16 timetable) inside an engagement sequence that the October 19 technical review puts at 24 months before filing. A tribunal path against a council that has just been elected on data-centre guardrails is a year or more plus politics, and the next ten sites inherit the result. Current Ontario projects already meet much of the floor, closed-loop or air cooling, on-site supply, early outreach; the incremental cost is the battery ladder, the monitoring, the traffic plan, the contribution and the consent process, on the order of one percent of capital a year (planning estimate). The cost of a lost year on a billion-dollar campus runs to tens of millions in escalation (planning estimate); the cost of a refusal is the campus.

The window, and who moves first

Where building resumed, the rule was adopted within one to three years of the first refusal, and in eleven of twelve cases the text adopted already existed before the authority picked it up. Hamilton was June 2026. On the interim-control clock, nine frameworks will be drafted between now and mid-2027 by planners who cite existing standards rather than write new ones. The first proponent whose file is read against the standard in public, with the residents' answer recorded, becomes the worked example those frameworks have in front of them. There is exactly one of those. After it, the terms are ordinary commerce; before it, they are the only path to a yes in the province's largest markets.

What is asked of the industry

- Put one real file through the standard, in public, with the summary published. One worked case converts a proposal into practice.
- Commit publicly to Gold on one named site before the frameworks are drafted, with the residents in the frame. A commitment nobody asked for is the federal pledge again.
- Write to the studies. A proponent on the record saying industry will accept measurable terms removes the fear that stops staff from writing them.
- Sit on the technical committee. Consultants, distributors and proponents belong at the table; the conflict rule keeps live applications out of site-specific votes, not engineers out of the room.
- Fund the body under its proposed limits (no funder above 50% in year one, 30% in year two, 15% thereafter; every funder on the register). The text stays free; the register is what makes the label worth holding.

What it is not

Not a certification scheme to buy: the mark is deferred until a council or a connection rule references the standard, and the text is free to adopt. Not a substitute for the Planning Act, environmental approvals, the IESO's requirements or the province's connection regime. Not an argument against data centres: it is written by someone who ran energy and carbon at Toronto Pearson for seven and a half years and wants them built. Not a promise of unanimity: the 12% of Hamilton's hearing time that went to the purpose of the technology itself is not addressable by any site standard; the test is that the organized opposition stops opposing on terms, and a councillor can say yes and keep the seat.

The next ninety days (targets)

November 10	v0.5 published for comment, with the municipal adoption kit and the connection annex
November 14	The standards body incorporated; public register and interim technical panel live; funder limits in force
By December 15	The same submission filed into every open Ontario study, mapped to each study's own topic list
December – January	First worked case: a filed application read against the standard with the proponent's file open; summary published; residents' recorded answer
February – May 2027	Staff frameworks drafted across nine jurisdictions; the text in front of them is whatever exists

How this was built

The terms were derived from the record, not from a template: the full Hamilton transcript coded by subject, the Mississauga record, the petitions and town halls, and conversations with the people organizing the opposition and the resident groups. They were then placed inside a tiered standard modelled on the ones that spread (LEED, ISO 50001, Uptime, Envision, the Equator Principles), reviewed in a two-hour working session by the mission-critical and data-centre market lead of a national engineering firm, shared with resident groups and with two Ontario ministers' offices, and rebuilt in v0.5 against the precedent study summarized on page 2. The author served on Mississauga's Environmental Advisory Committee (2013–2015), wrote ASHRAE 189.1 into Toronto Pearson's construction code, and takes no interest in any site, land or approval beyond a fixed fee for applying the standard; the standard is being transferred to a not-for-profit body now being incorporated, and certifies nothing until a public authority references it.

Documents

The Approvable Data Centre, CRDC v0.5 (pre-publication draft, October 27, 2026): Part A normative, Annexes A–C (municipal adoption kit, connection allocation, transition), Part B informative. **The Community's Terms** (one page, v1.2 proposed). **What the Room Asked For** (v2): the Hamilton and Mississauga record and method. **After the backlash** (three pages, 41 sources): the fifteen cases, their precursors, authors and acceptance steps. All free to cite and adopt with attribution; comments to carl@gridfirst.ca.

Disclosure. The Community's Terms have been shared with resident groups and with two Ontario ministers' offices. The standard has been reviewed by, not endorsed by, a national engineering firm. Legal statements in this brief are the author's reading, for review by a municipal solicitor. Figures described as planning estimates or author's estimates are exactly that; every other figure is from the record listed on page 7.

Sources

By section, in order of appearance. Web sources retrieved October 27, 2026.

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