



REPORT

TO: Mayor Lawlor and Members of Council

FROM: Melissa Ricci, Senior Policy Planner and Jessica Rahim, Senior Development Review Planner

DATE: June 4, 2025

REPORT NO.: PD-2025-039

SUBJECT: Bill 17, Protect Ontario by Building Faster and Smarter Act, 2025, Proposed Legislative Changes

RECOMMENDATION:

THAT Report No. PD-2025-039 dated June 4, 2025, regarding Bill 17, Protect Ontario by Building Faster and Smarter Act, 2025, and respective staff comments be received;

AND FURTHER THAT staff continue to assess the implications of Bill 17, Protect Ontario by Building Faster and Smarter Act, 2025, and provide further update reports to Council as may be appropriate;

AND FURTHER THAT a copy of this report be forwarded to the Ministry of Municipal Affairs and Housing, the Ministry of Infrastructure, the Region of Halton, the City of Burlington, the Town of Milton and the Town of Oakville.

KEY POINTS:

The following are key points for consideration with respect to this report:

- On May 12, 2025, the Province introduced Bill 17, the "*Protect Ontario by Building Faster and Smarter Act*", 2025.
- Related postings on the Environmental Registry of Ontario (ERO) were released seeking feedback regarding changes proposed through Bill 17.
- Two postings were also released on Ontario's Regulatory Registry (RR) related specifically to proposed changes to the *Development Charges Act, 1997*, and the *Building Code Act, 1992*.

- Bill 17 passed Third Reading in the Ontario legislature, without amendment, on June 3, 2025. Staff expect that by the Council date of June 16, 2025, Bill 17 will have received Royal Assent and will be in force and effect.
- As of the date of finalizing this report, comments on the ERO and RR postings remain open on the provincial portals, with deadline dates ranging between June 11 and June 26, 2025. While the postings remain open, given the Bill has already passed, the comments will not likely result in any changes to the legislation. Attachment 1 has been appended to this report which reflects staff comments on the draft ERO and RR postings at the time of initial review.
- This report provides Council with the key highlights of Bill 17, staff comments on the legislative changes, potential impacts to the Town, and recommendations where appropriate.
- This report is identified as requiring immediate action so that staff can ensure that key comments regarding Bill 17 are endorsed by Council ahead of the commenting deadline for two of the ERO postings regarding complete applications and as of right zoning, which is June 26th.

BACKGROUND AND DISCUSSION:

On May 12, 2025, the Minister of Municipal Affairs and Housing announced Bill 17: *Protect Ontario by Building Faster and Smarter Act, 2025*. As part of the release of the Bill, the Minister sent a [letter](#) to the Heads of Councils across the Province which explained that, “*Through this legislation, ...we are responding to recommendations and requests from municipal leaders to make it easier and faster to build new homes and infrastructure Ontario needs like transit, roads, water, and wastewater systems*”.

As described in the [news release](#), the intent of the legislation is to speed up the construction of infrastructure and homes with the goal of supporting economic and community growth and “keep workers on the job”. Bill 17 as passed makes amendments to various Acts, including the *Planning Act* (Schedule 7 of Bill 17), *Development Charges Act* (Schedule 4 of Bill 17) and the *Building Code Act* (Schedule 1 of Bill 17), among others. Feedback for the key proposed changes was being sought through multiple postings on the Environmental Registry of Ontario (ERO) and the Regulatory Registry (RR) as follows:

Bill 17 Posting	Comment Deadline	Link
Changes to the Development Charges Act, 1997 to Simplify and Standardize the Development Charge (DC) Framework.	11-Jun-25	Proposal 25-MMAH003
Proposed Planning Act and City of Toronto Act, 2006 Changes (Schedules 3 and 7 of Bill 17 - Protect Ontario by Building Faster and Smarter Act, 2025)	11-Jun-25	ERO 025-0461
Proposed Regulation– Complete Application	26-Jun-25	ERO 025-0462

Proposed Regulation– As-of-right Variations from Setback Requirements	26-Jun-25	ERO 025-0463
Proposed Changes to the Building Code Act, 1992	11-Jun-25	Proposal 25-MMAH004
Bill 17: Protect Ontario by Building Faster and Smarter Act, 2025 – Amendment to the Building Transit Faster Act, 2020	11-Jun-25	ERO 025-0450
Bill 17- Protect Ontario by Building Faster and Smarter Act, 2025 - Accelerating Delivery of Transit-Oriented Communities	12-Jun-25	ERO 025-0504

As of the date of finalization of this report, the ERO and RR postings remain open for comment, despite Bill 17 having been passed in the legislature. The following section of this report provides information regarding the changes proposed in each of these ERO/RR postings, highlighting any significant impacts or areas of concern and staff comments and recommendations.

Proposal 25-MMAH003: Changes to the Development Charges Act, 1997 to Simplify and Standardize the Development Charge (DC) Framework

Changes to the *Development Charges Act, 1997* (DCA) have been made with the stated intent of standardizing the development charge (DC) methodology and framework and improving the predictability of costs.

i. Key changes:

- Development Charge (DC) exceptions will be granted for long-term care homes.
- DC payment has been deferred to occupancy for residential developments, without interest. This will include a regulation that will determine the financial instrument when security is deemed appropriate.
- Removal of interest on mandated DC instalment payments for rental and institutional development.
- The merging of service categories for the purpose of using DC credits.
- New regulations will be prepared that prescribe what constitutes a local service directly within the regulations. There are currently no standard rules governing local services.
- Simplified DC by-law process where municipalities will have the authority to amend DC by-law(s) without procedural requirements for minor changes and rate reductions (i.e. reduce DC rates, remove indexing, provide exemptions or discounts and extend by-law(s)).
- Impose limits to eligible capital costs (i.e. conditional exceptions, including cost of acquiring or improving land) subject to regulation.
- Prescribing methodologies for calculating the benefit of new infrastructure to existing development.

- Annual reporting (including exploring amendments to standardize DC background studies, a requirement that 60% of all reserve funds be spent or committed and potentially other changes that would improve transparency).
- ii. Staff Comments:
- Cash Flow and Long-Range Financial Plan Impacts:
 - A number of the legislative changes will directly impact DC collection timing resulting in negative impacts to the Town's cash flow. This will have negative impacts on the availability of DC funds in the short-term for growth-related projects, which will see more of these projects deferred or unfunded. Additionally, the potential removal of certain costs from DC eligibility, which is still to be determined by regulation, could require additional funding for projects from an alternate funding source (i.e. property taxes) which may further impact project viability.
 - Administrative Impacts:
 - Some of the proposed changes will lead to an additional administrative burden placed on staff to track and monitor new requirements such as new securities requirements, and collections of residential DCs at occupancy. These changes will require significant review of existing processes to ensure legislative compliance, and to ensure proper controls are in place. There is also concern about increasing scenarios where unpaid DCs may be required to be collected as property taxes in cases where a building is occupied illegally, or DCs remain unpaid after occupancy. Additional legal costs to the Town to pursue or defend situations of non-payment may be an impact in the future.
 - Staff also note that these changes are in addition to previous provincial changes in recent years that have led to an increasingly complicated DC and development process for developers and builders to navigate. These additional administrative impacts have the potential to impact resourcing requirements in the short-term.

ERO Postings 025-0461, 025-0462 and 025-0463: Proposed *Planning Act* and *City of Toronto Act, 2006* Changes (Schedules 3 and 7 of Bill 17 - *Protect Ontario by Building Faster and Smarter Act, 2025*)

The ERO postings noted above specifically reference changes to the *Planning Act, 2006* and include the following:

1. Minor Variances (As of Right Variations from Setback Requirements)¹

- i. Key changes:
- The Province is consulting on a proposed regulation that would allow variations to be permitted “as-of-right” if a proposal is within 10% of setback requirements applicable to specified lands (which include parcels of urban

¹ This item was also discussed in ERO Posting 025-0463

residential land outside of the Greenbelt Area), and exclude areas such as hazardous lands, and lands near shorelines and railways.

- There is also potential for the proposed regulation and/or further opportunities to allow variations “as-of-right” for additional performance standards including height and lot coverage.
- The intent of the proposed changes is to eliminate barriers related to setbacks for Additional Residential Units (ARUs).

ii. Staff Comments:

- Staff have concerns regarding the broad application of the "as-of-right" provision across all zoning by-law setback requirements. The zoning by-law review process is intended to ensure that land use planning is orderly, safe, and sustainable. Zoning standards are carefully established to regulate land and buildings in a way that protects public health and safety, preserves neighbourhood character, and promotes compatibility between uses. Applying a general 10% reduction to setback requirements could undermine these objectives and result in unintended impacts on adjacent properties and the overall planning framework.
- When Planning staff review a minor variance application for setback relief, several key considerations are assessed. These considerations include maintaining sufficient separation between the dwelling and the lot line to accommodate private surface drainage, the extension of municipal services and utilities to support ARUs, and to facilitate building maintenance, such as access to eaves and exterior walls, while also ensuring clear and unobstructed access to the rear yard. Setback requirements also play a crucial role in maintaining a consistent development pattern, protecting privacy, and reinforcing the established character of mature neighbourhoods. The application of a 10% "as-of-right" setback reduction within the zoning by-law could directly impact these considerations, potentially undermining the intent and effectiveness of the current standards.
- Staff have similar concerns regarding the potential for increased height and lot coverage permissions. Greater flexibility in both height and lot coverage could undermine the intent of previously approved Mature Neighbourhood zoning provisions, which were designed to preserve the established character and built form of these areas. Additionally, increased lot coverage may negatively impact stormwater management and could lead to drainage issues.
- Town staff urge the Province to consult with local municipalities during the development of the proposed regulations that would allow variations to be permitted “as-of-right”. Consultation with local municipalities responsible for implementing these regulations is vital.

2. Minister's Zoning Order

i. Key Changes:

- The Bill 17 changes to the *Planning Act* will allow the Minister of Municipal Affairs and Housing to impose conditions (i.e., on municipalities or proponents) that must be met before a use permitted by a Minister's Zoning Order (MZO) comes into effect.
- The purpose of the legislative changes is to enhance oversight and ensure projects meet requirements, as well as to increase transparency and accountability in the Minister's Zoning Order process.

ii. Staff Comments

- In situations where MMAH issues a Minister's Zoning Order, it is critical that certain conditions imposed by the local municipality related to specific development applications (such as addressing environmental risks) be included in these agreements.
- Agreements should consider local planning priorities such as encouraging affordable housing, economic development initiatives, protecting key natural heritage features, supporting active transportation, and integrating land use with mobility. The Town urges that these agreements be drafted in collaboration with local municipalities to ensure that development proceeding through MZOs continues to meet both provincial and local land use planning objectives and requirements.

3. Study Requirements (Complete Application) and Certified Professionals²

i. Key Changes:

- Changes have been made to the *Planning Act* that would limit complete application (studies/reports) requirements to what is currently identified in municipal official plans, except where the Ministry of Municipal Affairs and Housing approves any amendments to the list of requirements.
- Bill 17 also includes regulation-making authority that enables the Minister of Municipal Affairs and Housing to further regulate the reports or studies required as part of a complete application. The changes now enable the Minister, by regulation, to:
 - prescribe a list of subject matters for which studies cannot be required as part of a complete application;
 - identify the only studies that could be required as part of a complete application;

² This item was also discussed in ERO Posting 025-0462

- specify certified professionals from whom municipalities will be required to accept studies.

ii. Staff Comments:

- Staff have significant concerns regarding the potential limitations imposed on the Town's ability to request additional studies beyond those explicitly listed in the Official Plan. Currently, the Official Plan identifies specific studies that may be required as part of an application for an Official Plan Amendment, Zoning By-law Amendment, Plan of Subdivision, Consent, or Site Plan. Importantly, the Plan also includes a provision stating that "other information or material may be required by the Town, in consultation with the Region and other applicable agencies, in response to a particular development proposal."
- Through the passage of Bill 17, this flexibility has now been eliminated. Removal of such a policy limits the Town's ability to request studies which are critical for building healthy, safe and livable communities, such as urban design briefs. This significantly hinders the Town's ability to respond appropriately to unique or unforeseen issues associated with complex development applications.
- In order for staff to properly evaluate the merits of a development proposal, particularly for infill development, access to additional studies such as urban design briefs, sun/shadow impact analyses, photometric lighting plans etc. are essential. These studies provide critical insight into how a proposed development may affect the surrounding established neighbourhood and how it can be appropriately integrated into the existing built environment.
- Removing the municipality's ability to request information and material related to lighting and lighting levels on site will also prevent staff from ensuring that there are no lighting (glare) impacts to surrounding properties and that the municipality's existing standard of full light cut-off at the property line is achieved.
- Staff do not anticipate impacts to the Town's complete application process from requiring that municipalities accept studies prepared by certified professionals. The assessment of submission quality is not a factor in determining whether an application is deemed complete. As such, the Town's current approach to processing complete applications will remain unchanged. Staff would like the Province to confirm that the intent of this change is not to preclude a municipality from reviewing submitted studies as part of the application review process. The review process is essential to evaluate the submission for accuracy and completeness. This allows the Town to protect the public interest by ensuring that local concerns and potential adverse effects are addressed and mitigated.

4. Streamline Planning Approval for Schools

i. Key Changes:

- The Bill 17 changes exempt the placement of all portable classrooms at public school sites from site plan control. Prior to Bill 17, public school sites built before

January 1, 2007, were already exempt from site plan control when adding a portable classroom. This change extends the exemption to all school sites.

- In addition, the *Planning Act* has been amended to provide explicit permission for the use of Kindergarten to Grade 12 public schools and ancillary uses (such as associated childcare) on urban land zoned for residential uses “as-of-right”.

ii. Staff Comments:

- Staff have no major concerns regarding the streamlining of planning approvals for schools, provided municipalities retain the ability to review and update zoning by-laws to implement appropriate regulations, such as setbacks, height, lot coverage, and other relevant design standards that may be necessary.
- It is important to note that given the planning process that the Town follows in collaboration with the school boards, school sites are generally identified in advance with the appropriate setbacks established.

Proposal 25-MMAH004: Proposed changes to the *Building Code Act, 1992*

This proposal on the Regulatory Registry identifies changes to the *Building Code Act, 1992* (OBC), including eliminating secondary approvals for innovative construction materials and restricting municipalities from passing by-laws relating to the construction or demolition of buildings.

i. Key Changes:

- Bill 17 removes additional Ontario specific approvals for building materials that have already been approved for use in Canada by the Canadian Construction Materials Centre.
- In addition, the Bill removes the ability of municipalities to pass by-laws relating to the construction or demolition of buildings.

ii. Staff Comments:

- Staff are in support of the proposal to remove additional Ontario specific approvals for building materials that have already been given approval for use in Canada by the Canadian Construction Materials Centre. The Ontario approvals are costly to manufacturers and a duplicated process. The Ministry no longer provides their approvals on a public forum for municipalities to verify that a product has been approved for Ontario. As such, this is a welcome change to assist in streamlined permit processing.
- The Town first developed Green Development Standards (GDS) in 2010. Since that time, our GDS has been updated two times with the most recent update being approved by Council in 2021. The Town has also included forward-thinking green/sustainable development policies in the Official Plan and Secondary Plans, such as Vision Georgetown. In our view, it is important that municipalities not be precluded from continuing to develop and implementing GDS. If, however, the

goal is to standardize construction practices in Ontario, the Province should consider incorporating appropriate Green Development Standard construction requirements and best practices into the OBC.

ERO Posting 025-0450: Protect Ontario by Building Faster and Smarter Act, 2025 – Amendment to the Building Transit Faster Act, 2020

This ERO posting discusses an amendment to the *Building Transit Faster Act, 2020* (BTFA) with the intended goal of helping the Province complete transit projects faster.

i. Key changes:

- Expands the definition of provincial transit project to include any transit project that Metrolinx has authority to carry out. This would include GO transit line and station improvements.
- Exempts Metrolinx's projects from certain procedural processes to build transit faster such as procedures to access municipal services and rights of way and inspect/remove physical barriers, such as trees, without permission from the property owner, but with appropriate notice.
- Requires owners of adjacent land and infrastructure to obtain a corridor development permit for construction and development activities that may interfere with transit construction.

ii. Staff Comments:

- Staff has requested to be consulted on key environmental risks such as tree removals, vibration, noise pollution, light pollution and temporary/permanent traffic related matters that will impact municipal roads. Any changes to the municipal road network to improve the GO Train service should be approved by the Town.
- The Town also suggests that a process be put in place to ensure that municipalities have the ability to engage early on with Metrolinx to coordinate construction works including potential road closure and right of way improvements. This will ensure that there are no conflicts with other planned municipal projects.
- The Town requests that appropriate notification be provided to local residents that may be impacted by the potential transit projects and future construction work.

ERO Posting 025-0504: Protect Ontario by Building Faster and Smarter Act, 2025 - Accelerating Delivery of Transit-Oriented Communities

The legislative amendments identified in this ERO posting are intended to streamline the planning and delivery of the Transit Oriented Communities (TOC) program. Changes would include expanding the TOC definition and removing approval when entering into transit-oriented community agreements with municipalities and building partners.

i. Key changes:

- This changes the Minister responsible for administering the *Transit Oriented Communities Act* from the Minister of Municipal Affairs and Housing to the Minister of Infrastructure.
- The definition of Transit-Oriented Communities is amended through Bill 17. The new definition now includes projects on the GO transit line, which will enable the designation of TOC lands to apply more broadly.

ii. Staff Comments:

- If the Province expands the TOC framework, it is important to ensure that mid-sized municipalities like Halton Hills benefit from investments that support transit-oriented growth.

Conclusion and Next Steps

The identified Bill 17 legislative changes raise a number of concerns for the Town, including the associated financial implications, administrative impacts, implementation challenges, and future project impacts. In addition, many of the potential impacts stemming from Bill 17 are difficult to quantify or determine given that as of the date of finalization of this report, the associated regulations have not been provided yet by the Province.

Comments have been submitted to the respective ERO and RR postings in advance of the stated deadlines, despite Bill 17 having received Third Reading on June 3, 2025.

Staff will continue to monitor and provide updates regarding Bill 17 implementation and release of the related regulations as further details become known.

STRATEGIC PLAN ALIGNMENT:

This report recognizes potential ramifications to each of the four objectives of the Town's Strategic Plan. These impacts will not be fully understood until the related regulations have been released, and staff has had the opportunity to evaluate how the regulations will apply to existing Town policies and programs.

RELATIONSHIP TO CLIMATE CHANGE:

At this time, the impacts to the Town's Climate Change portfolio and initiatives, specifically related to the Town's Green Development Standards, are not fully understood given the magnitude of the legislative changes proposed through Bill 17 and the additional criteria that is to be determined through future regulations.

PUBLIC ENGAGEMENT:

Public Engagement for Bill 17 is coordinated by the province through the various ERO and RR postings. Where possible, at the implementation stages, the Town will ensure the public is provided with an opportunity to be engaged and consulted on the required changes to local policies and procedures resulting from Bill 17.

INTERNAL CONSULTATION:

Various internal departments and divisions were involved in the review of the changes presented in Bill 17, including staff from Planning Policy, Development Review, Finance, Transportation, Building, Climate Change, Recreation and Parks and Development Engineering.

FINANCIAL IMPLICATIONS:

At this time, the impacts to the Town's finances are not fully understood given the magnitude of the legislative changes included within Bill 17 and the additional criteria that is to be determined through future regulations.

Reviewed and approved by,

Bronwyn Parker, Director of Planning Policy

John Linhardt, Commissioner of Planning & Development

Bill Andrews, Commissioner of Transportation & Public Works and Acting Chief Administrative Officer