

**TOWNSHIP OF ESSA
CONSENT AGENDA
WEDNESDAY, MAY 21, 2025**

A – ITEMS RECEIVED AS INFORMATION

- p. 1 1. Essa Building Department Report, April 2025.
- p. 2 2. Correspondence from Township of Champlain dated April 24, 2025, re: Surveillance and Monitoring of Heavy Vehicles in Ontario.
- p. 3 3. Correspondence from the Town of Orangeville dated May 12, 2025, re: Responsible Growth and Opposition to Elements of Bill 5.
- p. 4 4. Correspondence from Hemson Consulting Ltd. dated May 15, 2025, re: Development Charge Changes Arising from Bill 17.
- p. 10 5. Correspondence from AMO:
 - p. 12 a) April 2025 – Policy Update – Municipal Governance Changes.
 - p. 12 b) April 2025 – Policy Update– Proposed Legislation on Planning approvals and Development Charges.
- p. 14 6. Correspondence from the County of Simcoe:
 - p. 14 a) May 5, 2025 – Release - Emergency Preparedness week in Simcoe County from May 4 to May 10, 2025.
 - p. 16 b) May 9, 2025 – Advisory – National Paramedic Services week from May 18, 2025, to May 25, 2025.
 - p. 18 c) May 12, 2025 – Advisory – County of Simcoe Celebrates Nursing Week from May 12, 2025 to May 18, 2025.
 - p. 19 d) May 15, 2025 – Release – County of Simcoe is building up licensed childcare spaces in communities across the region.
 - p. 21 e) May 12, 2025 – Correspondence – Bill 17 Protect Ontario by Building Faster and Smarter Act, 2025.
- p. 43 7. Correspondence from Arid and Berlis. dated May 16, 2025, re: Bill 17 and the Push to Build: How Ontario Plans to Speed Up Development

B – ITEMS RECEIVED AND REFERRED TO SERVICE AREA FOR ACTION

None.

C – ITEMS RECEIVED AND REFERRED TO SERVICE AREA FOR REVIEW AND REPORT TO COUNCIL

None.

Apr-25						
Current						
Permits Issued	# Permits Issued	# Permits Issued YTD	Monthly Construction Value of Permits Issued	Construction Value of Permits Issued YTD	Monthly Building Permit Fees	Building Permit Fees YTD
Residential	8	27	\$771,500.00	\$3,686,101.00	\$10,247.60	\$40,111.95
Commercial	1	8	\$8,000.00	\$513,353.00	\$200.00	\$2,379.50
Industrial		0		\$0.00		\$0.00
Institutional		3		\$263,500.00		\$2,125.00
Public Utilities		0		\$0.00		\$0.00
Agricultural	1	3	\$350,000.00	\$1,565,000.00	\$6,400.00	\$8,019.31
TOTAL	10	41	\$1,129,500.00	\$ 6,027,954.00	\$16,847.60	\$ 52,635.76
Y.O.Y.	27	89	\$3,883,640.00	\$21,977,949.00	\$31,641.00	\$194,691.05

-72.96%

NEW SFD CONSTRUCTION				
Dwelling Units Created				
Type	Current Month	YTD	Dwelling Const. Value	Dwelling Const. Value YTD
SFD/SEMI/ROW	2	5	\$600,000.00	\$2,615,599.00
Mult Res Bldgs	1	1		\$0.00
ARU	2	2	\$ 100,000.00	\$150,000.00
TOTAL	5	8	\$700,000.00	\$2,765,599.00
Y.O.Y	4	27	\$1,126,080.00	\$ 12,002,489.00
	0.00%	-70.37%	0.00%	-76.96%

Reviewed by CBO Pedro Granes

Rachelle Buonan
2025-05-05

Township of Champlain

Resolution
Regular Council Meeting

Agenda Number: 11.1.
Resolution Number 2025-120
Title: Councillor Gerry Miner - Surveillance and Monitoring of Heavy Vehicles in Ontario
Date: April 24, 2025

Moved By: Gérard Miner
Seconded By: Paul Burroughs

Whereas the Council of the Township of Champlain is of the opinion that additional surveillance and monitoring of heavy vehicles in Ontario is required to ensure the safety of other motorists, property owners, and pedestrians.

Be it resolved that the Township of Champlain calls upon the Government of Ontario to: increase surveillance and spot checks of all heavy vehicles travelling on Ontario roads; as well as monitoring the testing standards maintained by privately-owned heavy licensing facilities.

Be it further resolved that this resolution be forwarded to the Minister of Transportation of Ontario, the Minister of Municipal Affairs and Housing, the MPP Glengarry-Prescott-Russell, the Ontario Provincial Police, AMO and all municipalities in Ontario.

Carried

Certified True Copy of Resolution

Alison Collard, Clerk Date:



Resolution

Meeting Date: May 12, 2025
Resolution No. 2025-093

Moved: Councillor Prendergast
Seconded: Councillor Andrews

Responsible Growth and Opposition to Elements of Bill 5

Whereas the Government of Ontario has introduced Bill 5: Protecting Ontario by Unleashing Our Economy Act, 2025, which proposes substantial changes to environmental planning legislation, including the repeal of the Endangered Species Act and the creation of "Special Economic Zones" that may override local planning authority; and

Whereas the Town of Orangeville supports increasing housing supply and economic growth, but believes this must be achieved without undermining environmental protections or compromising the integrity of municipal planning processes; and

Whereas Bill 5, as proposed, risks weakening safeguards for Ontario's natural heritage and reducing the role of municipalities in managing growth in a responsible and locally informed manner;

Now therefore be it resolved that Council for the Town of Orangeville:

- Opposes the provisions in Bill 5 that would reduce environmental protections or override municipal planning authority;
- Urges the Province of Ontario to advance housing and infrastructure growth through policies that respect sound environmental planning principles and uphold the planning tools available to local governments;
- Directs that this resolution be forwarded to:
 - The Honourable Doug Ford, Premier of Ontario
 - The Honourable Rob Flack, Minister of Municipal Affairs and Housing
 - The Honourable Todd McCarthy, Minister of the Environment, Conservation and Parks
 - The Honourable Sylvia Jones, Deputy Premier, Minister of Health and MPP for Dufferin-Caledon
 - The Association of Municipalities of Ontario (AMO)
 - All Ontario municipalities for their awareness and consideration.

Result: Carried Unanimously



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May 15, 2025

Dear Clients,

Re: Development Charge Changes Arising from Bill 17

This letter summarizes proposed changes to development charge (DC) matters introduced by Bill 17, the *Protect Ontario by Building Faster and Smarter Act, 2025*, which received first reading on May 12, 2025. While the bill proposes amendments to several Provincial statutes, the Minister of Municipal Affairs and Housing has indicated that changes to the *Development Charges Act, 1997* are a central focus.¹

The proposed DC-related changes can be grouped into two categories:

- those that would take effect immediately upon Royal Assent; and
- those that would take effect through Regulations, some of which are enabled by new legislative authority.

The stated objectives of the bill are twofold: to simplify and standardize DCs, and to reduce DCs as part of a broader effort to lower the cost of housing construction.

A blackline version of the changes, prepared by Osler, Hoskin & Harcourt LLP and referenced with kind permission of Chris Barnett, can be found at:

<https://www.osler.com/wp-content/uploads/2025/05/development-charges-act-bill-17-first-reading.pdf>

A. CHANGES TAKING EFFECT UPON ROYAL ASSENT

Four key amendments to the *Development Charges Act* would take effect upon Bill 17 receiving Royal Assent:

¹ Details about the range of amendments proposed can be found at:

<https://news.ontario.ca/en/release/1005903/ontario-getting-homes-and-infrastructure-built-faster-and-smarter>

i. DC Exemption for Long-Term Care Homes

Both non-profit and for-profit developments intended for use as long-term care homes would be exempt from paying municipal DCs.² This exemption is intended to encourage the construction of long-term care facilities in response to Ontario's aging population. Where a long-term care home is part of a mixed-use development—for example, one that includes commercial uses—only the portion of the development dedicated to the long-term care home would be eligible for the exemption.

ii. Streamlined Process for Certain By-law Amendments

Amending a DC by-law can be challenging as the *Development Charges Act* requires that a DC background study and public meeting be a prerequisite to any amendment, no matter how minor.³ Under Bill 17, municipalities would no longer be required to undertake a background study or hold a public meeting when amending a DC by-law, if the amendment solely:

- decreases one or more DC rate;
- repeals a provision to index DCs; or
- amends an indexing provision that provides for a DC not to be indexed.

iii. Deferral of Residential DC Payments Until Occupancy

A major proposed change is to the timing of DC payments for residential development. Currently, DCs are typically payable at building permit issuance.⁴ Under Bill 17, payment would be deferred until occupancy—defined as the earlier of:

- the day an occupancy permit is issued; or
- the actual date of occupancy.

Municipalities may require financial securities to ensure payment, with regulations to define the circumstances under which securities could be required, as well as other limitations.⁵

² Long-term care homes are licensed under the *Fixing Long-Term Care Act, 2021*, and include municipal homes, joint homes, and First Nations homes.

³ Except where the amendment extends the life of a DC by-law (up to 10 years).

⁴ The exceptions are a) where municipalities require payment at the time of subdivision approval (for water and wastewater services); b) where payment in six annual installments for rental housing and institutional development is required; and c) where an agreement under section 27 provides for early or late payment.

⁵ The Ministry technical briefing, released on 12 May 2025, suggests that financial securities may only be imposed if a residential development is **not** subject to an occupancy permit. However, the proposed legislation simply states that securities may be required "if the prescribed circumstances exist," without further elaboration.

Interest would not be able to be charged on deferred payments for residential development. **However, interest on frozen DCs for residential development could be recalculated to apply to the period between the date of the rezoning or site plan application and the date of occupancy.**⁶ Additionally, any interest that would have accrued on deferred DCs for rental housing and institutional development after Bill 17 came into force would be cancelled.

Developers eligible for DC deferrals would be permitted to opt for earlier payment - presumably at the date of building permit issuance, although the legislation is not clear on this point - without the need for an agreement under section 27 of the Act.

Building permits would continue to be able to be withheld for developments that have not paid DCs, unless the DCs are payable at occupancy.

iv. Revised DC "Freeze" Rule

Under the current subsection 26.2 (5) of the *Development Charges Act*, DC rates are frozen at the time of application for rezoning or site plan approval, provided building permits are not issued within 18 months of application approval. Bill 17 would require that the payable DC be the lower of:

- the frozen DC amount (including any interest applied); or
- the DC in effect at the time of permit issuance.

This change is intended to prevent frozen DCs from being higher than current rates. All applicable DCs at the time of payment would be included in the calculation.

B. CHANGES THROUGH FUTURE REGULATION

Some of the most far-reaching implications of Bill 17 may be implemented through future regulations. As such, these proposed regulatory powers warrant detailed financial impact analysis. Bill 17 would grant the Minister authority to make regulations that:

i. Merge Services for DC Credits

This would permit the merging of service categories for the purposes of issuing DC credits. While this could increase flexibility for developers—allowing credits to apply across multiple services—it also risks undermining municipalities' ability to pay for other unrelated capital

⁶ See s.26.2 (3) of the *Development Charges Act*.

works. A credit issued against multiple services could erode revenue available for infrastructure not directly connected to the credited work.

ii. Limit Eligible Capital Costs

In 2023, the Province created authority to identify services for which land is an ineligible capital cost. Bill 17 proposes to expand this authority further, allowing the Minister to provide for exceptions—including conditional exceptions—to **any capital costs** otherwise eligible for DC funding, not just those related to land.

The potential to remove previously eligible capital costs is a concern. If DCs cannot be used to fund key infrastructure, municipalities may face financial shortfalls, which could lead to capital project delays and negatively affecting housing supply. This is especially problematic for municipalities relying on DCs for roads, transit, water and wastewater infrastructure, which typically account for 70% to 80% of DC revenues.

If the Province is focused on limiting the eligibility of land costs, it is important to emphasize that acquiring land is a fundamental first step in many capital projects. More broadly, the uncertainty introduced by this regulatory power could hamper municipal efforts to prepare accurate and predictable capital plans.

iii. Define Local Services

Municipalities may require developers to fund or install “local services” as a condition or agreement to subdivide land. These services are not eligible for DC recovery. While the term “local services” is not currently defined in legislation, most DC background studies in Ontario establish clear definitions to guide both municipalities and developers and to avoid disputes.

Bill 17 proposes to grant the Minister authority to define local services. Hemson welcomes a standardized approach—provided it reduces disputes, clarifies funding responsibilities, and allows municipalities to plan and build infrastructure consistent with local policies and community objectives.

In addition to the new regulatory powers noted above, the Minister has indicated an intent to use existing authority to pass regulations addressing the following matters:

iv. Prescribe Benefit to Existing (BTE) Methodology

The Minister has suggested that, following consultations with municipalities and the development industry, regulations may be introduced to prescribe criteria for determining the extent to which an infrastructure project benefits existing development.

Hemson supports Provincial guidance on BTE methodologies to promote consistency and fairness in cost allocation. We note that Hemson recently developed similar guidance on growth-funding tools, including cost allocation for DCs, for the Province of British Columbia.⁷ In our view, any BTE framework should preserve the principle that cost allocations should reflect actual benefits received by existing versus new development.

v. Standardize DC Background Studies and Annual Reports

To improve transparency and consistency in the DC framework, the Minister has indicated potential regulations that would:

- expand the current requirement to spend or allocate 60% of DC reserve funds annually to apply to all services;
- broaden the reporting requirements for annual Treasurer's DC statements;
- standardize DC background studies; and
- improve public access to annual Treasurer's statements.

vi. Permit London DC Index

Currently, DCs can be indexed using the Statistics Canada Non-Residential Construction Price Index for either Toronto or Ottawa-Gatineau. It is proposed that London's new index also be permitted for use, enabling municipalities in southwestern Ontario to more accurately align their DCs with local construction costs.

⁷ See: https://www2.gov.bc.ca/assets/gov/housing-and-tenancy/tools-for-government/local-governments-and-housing/dcc_best_practices_guide.pdf; and https://www2.gov.bc.ca/assets/gov/housing-and-tenancy/tools-for-government/local-governments-and-housing/acc_best_practices_guide.pdf

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C. MINISTER'S COMMITMENT TO CONSULT

Comments on Bill 17 can be submitted through the Regulatory Registry of Ontario until **June 11, 2025**: <https://www.regulatoryregistry.gov.on.ca/proposal/50333>.

The Minister has also committed to further consultation with municipalities and the development industry, particularly regarding BTE methodologies and reporting requirements. Hemson will be seeking to actively participate in this consultation process.

Hemson remains committed to supporting changes to the *Development Charges Act* that promote a fair and effective framework for recovering development-related capital costs. We continue to work closely with the Municipal Finance Officers' Association (MFOA), the Association of Municipalities of Ontario (AMO), and our municipal clients to monitor the financial and policy impacts of Bill 17.


While we expect Bill 17 to proceed swiftly through the legislative process, it remains in draft form and subject to change. That said, the regulatory changes being considered could materially alter how DCs are calculated. Municipalities currently undertaking, or planning to initiate, DC background studies within the next six months should closely monitor these changes and build flexibility into their workplans to respond as needed.

Finally, we note that while the newly elected Federal government campaigned on a platform that included changes to DCs, there is currently no indication of the scope or timing of any Federal action. Until more information becomes available, it is premature to assess potential impacts on Bill 17 or on DC matters more broadly.

Should you have any questions, please don't hesitate to contact us.

Yours Truly,

HEMSON Consulting Ltd.


Craig Binning
Partner


Stefan Krzeczunowicz
Associate Partner

HEMSON

9

Sarah Corbett

Subject:

FW: AMO Policy Update - Municipal Governance Changes



AMO Policy Update - Municipal Governance Changes

Municipal Codes of Conduct Legislation

AMO welcomes the reintroduction of legislation that responds to the sector's calls for codifying and enforcing higher standards of accountability for elected officials.

Legislation was promised three years ago following an extensive public consultation process that concluded in Fall 2021. If passed and once regulations are finalized, this legislation will largely deliver on those promises by:

- enabling standardization of the municipal codes of conduct and integrity commissioner investigation processes;
- creating a role for the Integrity Commissioner of Ontario in municipal codes of conduct and integrity commissioner matters; and
- establishing a mechanism to remove and disqualify from office members of council and certain local boards for the most serious violations.

AMO [wrote to Minister Flack](#) in early April recommending some amendments to the proposed legislation, specifically noting that the consensus threshold for the proposed removal from office is too high and progressive penalties are still needed.

ASA

Strong Mayor Powers

The province has proposed [additional strong mayor powers](#) for an additional 169 municipalities. These would come into effect on May 1, 2025. The extension of the additional authority is intended to assist with delivering on provincial priorities, including building more homes, transit and infrastructure across Ontario.

We have heard from members across the province with questions about these new powers and how municipalities can use them responsibly.

Given these powers are new and that the Ministry is best placed to speak to the intention behind these powers, [AMO also wrote to Minister Flack](#) in response to member feedback encouraging the province to provide resources and training for the municipal sector, including elected officials, to help ensure effective implementation of the provincial strong mayor power framework.

As the most trusted order of government, AMO knows municipalities can be counted on to exercise new powers accountably and in the best interests of the public and the communities they serve.

This Policy Update is also available to read on the [AMO Website](#).

*Disclaimer: The Association of Municipalities of Ontario (AMO) is unable to provide any warranty regarding the accuracy or completeness of third-party submissions. Distribution of these items does not imply an endorsement of the views, information or services mentioned.

Association of Municipalities of Ontario

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[EXTERNAL]

Sarah Corbett

Subject: FW: AMO Policy Update - Proposed Legislation on Planning Approvals & Development Charges



Policy Update - Proposed Legislation on Planning Approvals & Development Charges

Province introduces *Protect Ontario by Building Faster and Smarter Act* to streamline development approvals

On May 12, the province introduced the [Protect Ontario by Building Faster and Smarter Act](#) intended to streamline development approvals and modernize development charges (DCs). The government also announced its intent to consult with municipalities on high impact proposals.

AMO broadly supports provincial efforts to standardize and streamline development approvals to boost housing and economic growth, a shared priority for municipalities. DCs are a critical tool for ensuring that municipalities can fund the infrastructure necessary to support growth, but modernization is needed.

AMO is pleased the proposed legislation includes joint [AMO and the Ontario Home Builders' Association \(OHBA\) recommendations for DC modernization](#), in addition to other proposals that go beyond AMO recommendations. This legislation is a marked departure from Bill 23, which introduced significant across the board reductions and discounts to DCs. This new bill provides the framework changes and room to consult on how to best accomplish them in future regulations.

AMO welcomes an approach that includes further consultation on a number of key elements to inform the development of regulations. This provides municipalities with a valuable opportunity to provide expertise and shape effective on-the-ground implementation.

Specific bill proposals and announcements include:

- Changes to the DC framework that reflect joint recommendations from AMO and OHBA, including:
 - Standardizing some DC calculations like Benefits to Existing and the definition of local services
 - Improving the DC freeze model
 - Examining how land value is included in DC rate calculations
 - Enhancing flexibility across service categories

- Other DC changes not included in AMO recommendations include deferring payment of residential DCs to building occupancy, exempting long-term care homes from DCs, and requiring municipalities to spend or commit 60% of reserve funds for select service categories at the beginning of a given year
- Standardizing and streamlining planning, including:
 - Permitting as-of-right minor variances, four-story townhome units, and K-12 public schools on residential lands
 - Standardizing and limiting the number of land use designations in official plans
 - Restrictions to Inclusionary Zoning
 - Allowing the Minister to impose conditions that must be met before an Minister's Zoning Order (MZO) can come into effect
 - Providing guidance to aligning Official Plans with Ministry of Finance population projections
- Standardizing the application of the Ontario Building Code, removing municipalities' ability to set higher green building standards and making it easier to use innovative construction and materials
- Expanding the definition of priority transit projects and transit-oriented communities to apply to a wider range of provincial projects, and making it easier for the province and municipalities to work together to advance provincial transit and infrastructure development
- Consultation on the expanded use of communal water and sewage systems, modular "off grid" water treatment facilities
- Consultation on the use of a public utility model for water and wastewater service delivery. AMO will continue to advocate for water/wastewater systems to remain public assets, with any shifts to public utility models undertaken voluntarily by municipalities

AMO will participate in the Bill's Standing Committee process. At oral deputations and beyond, AMO will continue to advocate for predictable, sustainable and adequate funding for municipal infrastructure to support an unprecedented pace and scale of growth, address aging assets and increase resilience to climate change.

Should the Bill receive Royal Assent, AMO will continue to collaborate with our members, OHBA and the province to ensure Ontario's development framework changes are responsive to local needs and can be effectively implemented.

An online version of this Policy Update is available on the [AMO Website](#).

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Release

County of Simcoe, Office of the Warden and CAO
1110 Highway 26, Midhurst, Ontario L9X 1N6
simcoe.ca

FOR IMMEDIATE RELEASE

Emergency Preparedness Week in Simcoe County May 4 to 10, 2025

Midhurst/May 5, 2025 – The County of Simcoe is once again reminding residents about the importance of preparing themselves and their families for a wide range of potential emergency situations by observing Emergency Preparedness (EP) Week from May 4 to 10, 2025. EP Week is a federal-provincial-municipal initiative to promote emergency preparedness across Canada.

The theme for Emergency Preparedness (EP) Week 2025 is “**Plan for every season**”, with a focus on prolonged power outages and severe summer weather. Take some time this week to prepare for emergencies by knowing your risks, making a plan and preparing an emergency kit. For more information on the steps to being prepared, or to download a copy of the County of Simcoe Emergency Preparedness Guide, visit simcoe.ca/beprepared.

“Just one month ago, we were reminded how critical it is for residents, businesses, and governments to be prepared for an emergency, no matter the time of year, after an ice storm wreaked havoc on many of our communities” said Warden Basil Clarke. “While many were without power for over a week, our communities banded together to protect our most vulnerable and ensure no lives were lost – for that we are very fortunate. It was in part due to the valuable partnerships we have across the province, but also to the incredible planning that goes on behind the scenes in between emergencies. We’d like to thank to our partners, our emergency personnel, and our residents for working together to get through this and for preparing for the future.”

In the spirit of the theme, **Plan for Every Season**, the County encourages residents to check their emergency kits to make sure they have items required for the current season, and that all non-perishables, medications, and other items are up to date, and that the kit ensures your family has adequate supplies for a prolonged power outage. Previous experience shows that by getting or preparing an emergency kit in case of natural disaster, families and individuals are able to reduce the risk and impact, as well as cope better both during and after a major disaster.

Follow [@simcoecountymc](https://twitter.com/simcoecountymc) on Twitter and [Emergency Management Simcoe County](https://www.facebook.com/EmergencyManagementSimcoeCounty) on Facebook for tips throughout EP Week 2025.

EP Week special training activity in Orillia

From May 5-6, 2025, special flood barrier training will be conducted at the Orillia waterfront to train local emergency management teams from municipalities across Simcoe County on when and how to use temporary flood barriers in an emergency situation. There will be increased emergency personnel in the area during this time as they learn and practice using these critical resources.

Simcoe Emergency Response Committee (SERC)

Preparing for emergencies takes planning, coordination and partnerships. In 2005, the County of Simcoe established a committee to bring together emergency managers and response personnel from local municipalities and partner organizations to coordinate emergency planning in the area.

About the County of Simcoe

A6a

County of Simcoe is composed of 16 member municipalities and provides crucial public services to County residents in addition to providing paramedic and social services to the separated cities of Barrie and Orillia. Visit our website at simcoe.ca.

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Advisory

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FOR IMMEDIATE RELEASE

May 18 to 25 is National Paramedic Services Week

Midhurst/May 9, 2025 – The County of Simcoe proudly joins municipalities across the country in celebrating National Paramedic Services Week, taking place from May 18 to 25, 2025. This year's theme, "We Care. For Everyone." highlights the professionalism and commitment of our paramedics in providing compassionate and high-quality care to residents and visitors alike.

County of Simcoe Paramedic Services (CSPS) has continued to evolve into a highly sophisticated emergency medical service, providing a broad range of community healthcare supports to Simcoe County. From a highly trained team of Primary Care Paramedics and Advanced Care Paramedics to Community Paramedics, supporting vulnerable individuals and those managing chronic diseases, every role within CSPS is vital to continuously enhancing patient outcomes across the region.

"Our County of Simcoe paramedics represent the very best of our community – skilled professionals who continually answer the calls for emergency medical support," said Warden Basil Clarke. "Day after day, in all conditions and across our diverse region, they provide expert medical care with compassion and dignity. The evolution of our paramedic service reflects our commitment to excellence in emergency healthcare. This Paramedic Services Week, I invite all residents to join me in expressing profound gratitude to these everyday heroes who truly embody this year's theme: 'We Care. For Everyone.'"

Upcoming Paramedic Services Week events include:

Paramedic for a Day Swearing-in Ceremony

When: Tuesday, May 13, 2025 ~ 9 a.m.

Location: County Council, County of Simcoe Administration Centre (1110 Highway 26, Midhurst)

The winner of the "Paramedic for a Day Contest," whose essay best captured the Paramedic Services Week theme, "We Care. For Everyone," will be sworn in.

Media: Kindly notify [Service Simcoe](mailto:Service@simcoe.ca) if you wish to attend.

Town of Midland Public Works Palooza Event

When: Saturday, May 24, 2025 ~ 11 a.m. to 2 p.m.

Where: North Simcoe Sports and Recreation Centre (527 Len Self Blvd., Midland)

County of Simcoe Paramedic Services will be taking part in the Town of Midland's second annual Public Works Palooza. Attendees will be able to get up close and personal with the equipment that keep the community safe. Visit the [Town of Midland website](https://www.midland.ca/town-of-midland-website) for full details.

Tay Township Meet the Fleet

When: Saturday, May 24, 2025 ~ 10 a.m. to 2 p.m.

Where: Veteran's Lane, Victoria Harbour

County of Simcoe Paramedic Services will be taking part in Tay Township's Meet the Fleet event. Guests will learn more about what Public Works professionals do for the community to make it safe and fun all year round. Visit [Tay Township's website](https://www.tay-twp.ca/tay-township-website) for full details.

A6b

The County of Simcoe is composed of sixteen member municipalities and provides crucial public services to County residents in addition to providing paramedic and social services to the separated cities of Barrie and Orillia. Visit our website at simcoe.ca.

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ALC

Advisory

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FOR IMMEDIATE RELEASE

County of Simcoe celebrates Nursing Week May 12 to 18, 2025

Midhurst/May 12, 2025 – The County of Simcoe has proclaimed May 12-18, 2025, as Nursing Week, celebrating the exceptional nurses who serve our communities.

That includes the dedicated nursing professionals who serve in the County's four long-term care homes providing 24/7 care to our vulnerable residents by overseeing complex medical care while also delivering daily treatments and medications.

"The nurses who serve in our long-term care homes and support in our seniors services locations demonstrate remarkable skill, compassion, and dedication every day," said Warden Basil Clarke. "They don't just address medical needs – using their expertise, specialized knowledge and unique approach in caring for our older adults, they honour each resident's dignity and support their quality of life."

Over the last number of years, these nursing professionals adapted to ever-changing conditions while maintaining quality care. They built meaningful relationships with residents and families, creating a true home environment within our facilities.

Throughout the week, residents are encouraged to share their thanks and show their support to the outstanding nurses in their lives and communities.

The County of Simcoe is composed of 16 member municipalities and provides crucial public services to County residents in addition to providing paramedic and social services to the separated cities of Barrie and Orillia. Visit our website at simcoe.ca.

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A6d



Release

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FOR IMMEDIATE RELEASE

County building up licensed child care spaces in communities across the region

Midhurst/May 15, 2025 – In an earlier presentation to County Council, County Council and staff thanked the Province of Ontario for increasing the region's licensed child care space allotment by an additional 1,778 spaces by 2026. This local expansion delivers on the Federal-Provincial Canada Wide Early Learning and Child Care (CWELCC) agreement, helping Ontario reach its target of creating 86,000 spaces for children under five by the end of 2026.

With this increase, the County is now able to create up to a total of 4,859 new spaces across the region, including those that have been created since 2022.

To date, the County has approved 2,519 spaces for creation since 2022 and intends to develop 2,340 more by December 31, 2026. Of these remaining spaces, 303 are reserved for pre-determined, school-based programs and 2,037 will be created in community-based locations.

	Original Spaces	New School Spaces	New Community Spaces	New Total Spaces	Variance
2022	355	0	0	355	0
2023	806	0	0	806	0
2024	776	127	675	802	+26
2025	698	49	1,869	1,918	+1,220
2026	446	127	851	978	+532
Total	3,081	303	3,395	4,859	+1,778

With an additional \$16.5 million, these spaces are created through cost-based funding and start up grants. A \$4.6 million commitment has been made to support infrastructure improvements. Pre-qualified operators were invited to apply for these additional spaces, with the applications accepted from April 16 - May 5, 2025. Spaces will be awarded with consideration given to system stabilization, location (in comparison to high-priority areas and proximity to existing child care programs), provincial expectations, program size, and viability of the proposed program.

Children Services Dashboard now available on open.simcoe.ca

To enhance accessibility and transparency, a Children Services Dashboard was created on the County's open data portal, found at open.simcoe.ca. The Children Services Dashboard provides insights into the region's early years and child care system. It allows residents and community partners to access data on licensed child care, EarlyON Child & Family Centres, CWELCC directed growth approvals to date, and the Early Development Instrument (EDI). The dashboard offers valuable perspective on both the growth and demand for early years and child care services throughout Simcoe County.

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About the County of Simcoe

County of Simcoe is composed of sixteen member municipalities and provides crucial public services to County residents in addition to providing paramedic and social services to the separated cities of Barrie and Orillia. Visit our website at simcoe.ca.

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Sarah Corbett

Subject: FW: Bill 17 -- Protect Ontario by Building Faster and Smarter Act, 2025
Attachments: Building Faster and Smarter Act.pdf

Sarah,

Can this be added to the Consent Agenda for next Council meeting?

Thanks,
Sam

Samuel Haniff, MCIP, RPP

Manager of Planning

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From: Westendorp, Nathan <Nathan.Westendorp@simcoe.ca>

Sent: Monday, May 12, 2025 3:48 PM

To: Alan Wiebe <awiebe@townofbwg.com>; Andria Leigh <aleigh@innisfil.ca>; Amy Cann <acann@clearview.ca>; Andrea Betty <abetty@penetanguishene.ca>; Andrea Woodrow <AWoodrow@townshipofsevern.com>; Ben Krul <bkrul@nvca.on.ca>; Brandon Correia <bcorreia@innisfil.ca>; Chris Russell <chris.russell@springwater.ca>; Christine Hyde <chyde@smcdsb.on.ca>; Clee, Sandy <sclee@scdsb.on.ca>; Dave Ruggle <D.Ruggle@lsrca.on.ca>; Derek Abbotts <dabbotts@newtecumseth.ca>; Doug Herron <doug.herron@springwater.ca>; Greg Marek <gmarek@nvca.on.ca>; Jennifer Best <JBest@townofbwg.com>; Stong, Jennifer <jstong@ramara.ca>; Jill Lewis <jlewis@orillia.ca>; Karaiskakis, Andy <akaraiskakis@oro-medonte.ca>; Kartik Sally <ksally@adjtos.ca>; Keuken, Andrew <AKeuken@scdsb.on.ca>; ksuggitt@newtecumseth.ca; Lindsay Ayers <layers@collingwood.ca>; Mark Bryan <mark.bryan@wasagabeach.com>; Maryann Hunt <mhunt@tiny.ca>; Michelle Banfield <Michelle.Banfield@barrie.ca>; Rossalyn Workman <rworkman@clearview.ca>; Samuel Haniff <shaniff@essatownship.on.ca>; Spagnol, Brent <bspagnol@oro-medonte.ca>; Steve Farquharson <sfarquharson@midland.ca>; Summer Valentine <svalentine@collingwood.ca>; Todd Weatherell <tweatherell@tay.ca>; Tomasz Wierzba <twierzba@midland.ca>; Trevor Houghton <trevor.houghton@wasagabeach.com>; wzekry@ramara.ca

Cc: All Planning Employees <AllPlanningEmployees@simcoe.ca>

Subject: Bill 17 -- Protect Ontario by Building Faster and Smarter Act, 2025

Good afternoon everyone,

As many of you likely know, the Provincial government tabled another round of proposed legislation earlier today. Bill 17, entitled the Protect Ontario by Building Faster and Smarter Act, 2025, is the latest in a series of omnibus bills aimed at addressing issues in the housing and affordability spaces.

Here is some information you might find helpful:

Press Release – [Ontario Getting Homes and Infrastructure Built Faster and Smarter | Ontario Newsroom](#)

Technical Briefing – See attached

Link to Bill 7 -- [Bill 17, Protect Ontario by Building Faster and Smarter Act, 2025 - Legislative Assembly of Ontario](#)

Happy Reading Everyone! Never a dull moment....

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Cheers,

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[EXTERNAL]

TECHNICAL BRIEFING

Protect Ontario by Building Faster and Smarter Act, 2025

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PROTECT
ONTARIO



Ministry of Municipal Affairs and Housing
May 12, 2025



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6	Enabling authorities to speed up transportation permitting and harmonizing road construction standards
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14	Streamlining/standardizing development charges framework

If you need this information in an alternative format, please contact mma.media@ontario.ca

Protect Ontario by building faster and smarter

The Protect Ontario by Building Faster and Smarter Act, 2025, if passed, would remove unnecessary barriers to building, so Ontario can get shovels in the ground faster for vital projects and protect Ontario workers during this time of increasing U.S. tariffs. The package includes legislative and related initiatives to fuel growth, create the conditions for investment, open up new markets and create good-paying jobs, and is the next step in the government's plan to protect Ontario by building a stronger, more resilient economy that can withstand whatever comes our way.

Accelerating transit and provincial infrastructure development

Faster Transit Project Delivery

- Proposed amendments by the Ministry of Transportation to the Building Transit Faster Act (BTFA) would expand the definition of priority transit projects and BTFA measures to all provincial transit projects.

Accelerating Transit-Oriented Community projects

Expanding the scope of TOC projects and reducing red tape to support delivery of the program

- Ontario is proposing to amend the Transit-Oriented Communities Act, 2020 to match similar changes proposed to the Building Transit Faster Act, 2020, to include transit projects along the GO Heavy Rail and Light Rail Transit (LRT) lines as priority transit projects.

Enabling authorities to speed up transportation permitting

Building roads faster

- Ontario will consult with municipalities and stakeholders to develop a framework that will standardize road building specifications and design across the province. That will speed up construction while reducing costs.

Speed up corridor management permits

- By reviewing MTO's corridor management permitting process Ontario will modernize MTO's corridor management approvals process and accelerate the review and issuance of highway corridor management permits.

Streamlining/standardizing municipal development processes and development charges framework

Reduce municipal requirements that impede housing development

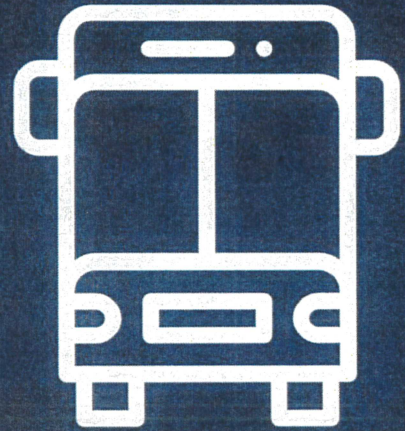
- Ontario is proposing measures that, if passed, would: clarify that municipalities do not have jurisdiction to create construction requirements for buildings; reduce the scope and studies municipalities can require for new developments; allow for some variations from zoning by-laws without additional approvals; improve development charges standardization, predictability and transparency.

In the face of economic uncertainty, Ontario is doubling down on its **\$200 billion plan** to build by proposing changes to make it easier and faster to build new homes, and infrastructure like transit, roads, water and wastewater. This will help protect Ontario jobs and communities by encouraging new investment, creating jobs, and increasing Ontario's economic competitiveness.

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Accelerating transit and provincial infrastructure development

Ontario is significantly accelerating the delivery of major transit projects by extending measures in the *Building Transit Faster Act, 2020* to all provincial transit projects.



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Accelerating transit and provincial infrastructure development

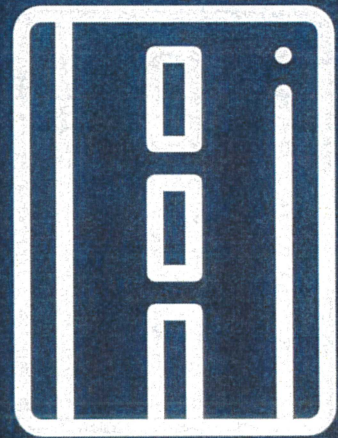
Initiative	Current State	Future State
Changes for Faster Transit Project Delivery	<ul style="list-style-type: none"> The <i>Building Transit Faster Act, 2020</i> (BTFA) was introduced to provide the province with the tools to expedite Priority Transit Project prescribed via regulation. There are currently challenges in meeting project timelines, land access issues, and lengthy approval and notification periods that prevent transit from being built faster. 	<ul style="list-style-type: none"> An amended BTFA and <i>Metrolinx Act, 2006</i> would, upon Royal Assent: <ul style="list-style-type: none"> Expand the applicability of the BTFA measures to all provincial transit projects without needing to prescribe projects via regulation, and Provide the Minister of Transportation, through an amendment to the <i>Metrolinx Act</i>, with the authority to request information and data from municipalities or municipal agencies required to support provincial transit projects or Transit-Oriented Communities projects.
Accelerating Transit-Oriented Communities (TOCs)	<ul style="list-style-type: none"> Minister's Zoning Order (MZO) authority needed to address certainty in land use planning matters affecting TOCs are currently under the authority of the Minister of Municipal Affairs and Housing, splitting accountability for TOC deliverables between ministries. The current definition of TOC is narrowly scoped to priority transit projects, and therefore does not cover, for example, the broader GO network. OIC approval is required to enter into ancillary TOC agreements, which can slow down execution. 	<ul style="list-style-type: none"> By providing this authority to the Minister of Infrastructure, decision-making authority would be better aligned with the Minister accountable for the TOC Program. Amending the <i>Transit-Oriented Communities Act, 2020</i> to match similar amendments proposed to the <i>Building Transit Faster Act, 2020</i> that will include projects on GO transit and LRT lines and enable the designation of TOC lands to apply more broadly. Amending the <i>Transit Oriented Communities Act, 2020</i> to exempt ancillary TOC agreements from requiring OIC approval.
Accelerating provincially funded projects delivery	<ul style="list-style-type: none"> The <i>Ministry of Infrastructure Act, 2011</i> (MOIA) was introduced to provide the scope of work that would fall within the purview and authorities of the Ministry to accelerate and deliver on government infrastructure projects. There are currently challenges in meeting project timelines, resulting in costly delays in meeting project delivery timelines. 	<ul style="list-style-type: none"> An amended MOIA, upon Royal Assent, would provide the Minister with the authority to request information and data from a municipality or municipal agency needed to support infrastructure projects funded in whole or in part by the province.

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Enabling authorities to speed up transportation permitting and harmonizing road construction standards

Ontario is reviewing MTO's corridor management permitting process and standards to confirm that the processes and standards are aligned with government policies.

Ontario is also looking to standardize road building standards across the province and consult with municipalities and industry stakeholders on road construction standards.



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Enabling authorities to speed up transportation permitting and harmonizing road construction standards

Initiative	Current State	Future State
<p>29</p> <p>Reviewing Corridor Management Permitting Process and Standards</p>	<ul style="list-style-type: none"> The <i>Public Transportation and Highway Improvement Act</i> (PTHIA) governs the protection and management of provincial highway corridors. MTO's corridor management requirements, standards and processes are based on a balanced risk-based approach that prioritizes public safety, mobility and protecting for future needs of highway corridors. The standards and processes conflict at times with a proponent's preferences for proposed developments. Approximately 2-3% of the 2,000 development proposals processed annually are escalated internally as the developer's preferences conflict with ministry standards, and a mutually acceptable solution is elusive. In these cases, file resolution periods are extended, and projects can be delayed. 	<ul style="list-style-type: none"> MTO to undertake a review of the current Corridor Management process and standards. The purpose of the review is to confirm that the processes and standards are aligned with government priorities and supporting policies. The Ministry will provide options and recommendations, including on highway corridor setback standards, building and land use permits, encroachment permits and access management permits and a proposed implementation plan by the end of July 2025.
<p>Harmonization of Road Construction Standards</p>	<ul style="list-style-type: none"> The road construction industry has advocated for the harmonization of certain road building standards which can differ amongst Ontario's 444 municipalities. 	<ul style="list-style-type: none"> MTO will consult with municipalities and stakeholders by fall 2025 on a framework for greater harmonization and clarified governance of municipal standards, which will lead to cost savings through more efficient design and technical review, greater construction efficiencies, and streamlined procurement processes.

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Streamlining/standardizing municipal development processes and development charges framework

Ontario is proposing to reduce red tape, municipal requirements that impede housing development, and increase accountability and encourage innovation.



Streamlining municipal development processes

Initiative	Current State	Future State
Ensuring Municipalities Abide by Building Code	<ul style="list-style-type: none"> The <i>Building Code Act</i> requires that municipalities adhere to the provincial standards outlined in the Code, and they cannot pass by-laws respecting the construction of buildings. However, despite this, builders are having to comply with different construction requirements depending on the project location and municipal preferences. 	<ul style="list-style-type: none"> Same set of rules for everyone in Ontario. Clarity that municipalities do not have the authority to require their own unique standards beyond the Building Code, helping to provide consistency, reduce costs, and increase uniformity of technical standards for builders. These changes would help standardize construction requirements, resulting in faster approvals and reduced costs to help build more homes faster. It also prevents developers from having to re-design their products and designs from one jurisdiction to another saving money and time.
Study Requirements and Certified Professionals	<ul style="list-style-type: none"> Currently, there is inconsistency in the scope, type and number of studies required for planning applications across Ontario. Municipalities are currently requiring various studies and reports that are not identified within their official plans and these requirements are not consistent across jurisdiction, leading to delays and complications in the application process. 	<ul style="list-style-type: none"> Through legislative changes to the <i>Planning Act</i> and the <i>City of Toronto Act, 2006</i> effective upon Royal Assent, municipalities would no longer have the ability to require new complete application studies/reports beyond what is currently identified in their official plans except where/if MMAH approves new requirements. As well, MMAH would have the regulation-making authority to create rules to: <ul style="list-style-type: none"> List topics that can't be required for a complete application. Specify the only studies that can be required for a complete application. Require municipalities to accept studies from certified professionals. This will create more consistent and predictable requirements across municipalities.
As-of-right Variations from Setback Requirements (Minor Variances) –	<ul style="list-style-type: none"> A minor variance is a small change from a zoning by-law. Currently, approval for a minor variance can only be given by a committee of adjustment who must consider 4 tests when making their decision – whether it: 1) Is minor, 2) Meets the intent of the official plan, 3) Meets the intent of the zoning by-law, 4) Is desirable for development 	<ul style="list-style-type: none"> Through an amendment to the <i>Planning Act</i> effective upon Royal Assent MMAH would have the regulation-making authority to allow variations to be permitted "as-of-right" if a proposal is within a prescribed percentage (e.g., 10%) of setback requirements in specified lands (e.g., urban residential lands), there will be a reduced necessity for planning applications for minor variances, streamlining processes and reducing barriers for development. The ministry would have flexibility to adjust rates in future. The measure would reduce red tape and address barriers to getting homes and renovations built faster. Fees for a minor variance application can help save approximately \$1,000 to \$5,000 per development and can help eliminate 12-15 months to a development project.

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Streamlining municipal development processes

Initiative	Current State	Future State
Minister's Zoning Orders	<ul style="list-style-type: none"> MZOs are used to fast-track development projects in Ontario, often bypassing municipal zoning decisions. This has raised concerns about transparency and environmental impacts. The Auditor General, proponents, municipalities and stakeholders have recommended that the Minister should have authority to make MZOs subject to the fulfillment of conditions. 	<ul style="list-style-type: none"> Through legislative changes to the <i>Planning Act</i> effective upon Royal Assent, the Minister would have authority to impose conditions that must be met before a use permitted by an MZO comes into effect. These conditions could involve actions for municipalities and/or proponents, helping to improve accountability and ensure projects meet provincial objectives.
Streamline Planning Approvals for Schools	<ul style="list-style-type: none"> Currently, the placement of school portable classrooms on public school sites that existed after 2007 can be subject to site plan control under the <i>Planning Act/City of Toronto Act, 2006</i>. Education stakeholders, including school boards, identified this as an impediment to school capacity planning. School boards have noted that municipal zoning by-laws are generally not permissive, adding to a lengthy process for new schools. 	<ul style="list-style-type: none"> Reduced barriers and length of approvals for school boards to expand capacity through amendments to the <i>Planning Act</i> and the <i>City of Toronto Act, 2006</i> to exempt the placement of portable classrooms on all school sites from municipal site plan control; and Amending the <i>Planning Act</i> to provide explicit permission to allow for publicly funded schools (kindergarten to grade 12) and associated childcare on urban lands zoned for residential uses.
Streamline Approvals for Construction Material	<ul style="list-style-type: none"> Currently a secondary provincial approval for innovative construction products through a Minister's Ruling is required, even if has already been evaluated by the federal agency, the Canadian Construction Materials Centre. 	<ul style="list-style-type: none"> Legislative and regulatory changes to the <i>Building Code Act</i> and the 2024 Building Code to eliminate the need for a secondary provincial approval would speed up the process. Manufacturers would have one less approval to obtain, thereby streamlining approvals and providing early access to Ontario's construction market. Manufacturers would be able to save up to almost \$800 in application fees and access the Ontario market approximately 90 days sooner in the process.
Preferential Treatment for Canadian Manufacturers	<ul style="list-style-type: none"> Manufacturers must apply to the Building Materials Evaluation Commission (BMEC) for an authorization of their innovative construction product (e.g., fiberglass rebars, which are known to perform the same as steel rebars but half the cost), before it can be used in Ontario. Applicants pay a fee of \$11,000 + tax totaling approximately \$12,000. Canadian applicants do not have any advantage over international applicants in this process. 	<ul style="list-style-type: none"> Through Minister's regulation, MMAH would amend the 2024 Building Code to eliminate application fees for Canadian manufacturers. MMAH will work with the Ministry of Economic Development, Job Creation and Trade and BMEC to explore opportunities to prioritize Canadian manufacturers. This would have a positive impact on domestic supply, innovation and economic growth. The elimination of the BMEC fee would save manufactures of innovative building materials approximately \$12,000.

Streamlining municipal development processes

Initiative	Current State	Future State
Inclusionary Zoning (IZ)	<ul style="list-style-type: none"> IZ was enabled in Ontario in 2018 under the <i>Planning Act</i> and an associated regulation (O. Reg. 232/18) as a way for municipalities to require affordable residential units in developments (of 10 or more units) IZ can only be used in Protected Major Transit Station Areas (PMTSAs), in a community planning permit system area ordered by the Minister, or in a municipality prescribed by the Minister. Currently, municipalities can establish set-aside rates (how many units) and affordability periods (how long the units need to be affordable) at their discretion, as long as they first complete an assessment report and economic study. Recent economic shifts already impacted the homebuilding sector. If IZ requirements are set too high, this is likely to stall the development of both market units and affordable IZ units, leading to lower housing starts overall. 	<ul style="list-style-type: none"> Through amendments to the Minister's IZ regulation, MMAH would establish a 5% maximum set-aside rate and a 25-year maximum affordability period in PMTSAs. This change would help to ensure that IZ does not prevent housing projects from proceeding as a result of market conditions and economic viability. Economic modelling has demonstrated that IZ capped at 5% could result in more projects being viable in the current market conditions. This percentage could be adjusted based on market conditions in future.
Provincial Policy Tests	<ul style="list-style-type: none"> Under the current system, outside of the Greenbelt Area, Minister's Zoning Orders are not required to be consistent with provincial policy. However, official plan decisions and some minister's orders are required to be consistent with the provincial planning statement and conform with provincial plans. 	<ul style="list-style-type: none"> MMAH would consult on opportunities for making provincial policy tests inapplicable with respect to all of the Minister's decisions under the <i>Planning Act</i> (e.g., approval of municipal official plans), on a case-by-case basis to enable priorities. This reform could support increased flexibility for the Minister in decision making, thereby enabling faster, and potentially strategic, decisions aimed at increasing housing supply. It would not be intended for broad, routine use. A transparent and accountable oversight framework, would be developed to support implementation.
Streamlining Official Plans	<ul style="list-style-type: none"> Concerns have been raised that municipal official plans have become lengthy, complicated, and highly restrictive planning documents that take multiple years to prepare and update. 	<ul style="list-style-type: none"> MMAH would consult with municipalities on proposed legislation/regulatory changes needed to establish simplified, standardized and inclusive land use designations with more permitted uses. This would be more predictable and faster for developers and approvers, especially if coupled with moving toward a permit-based system for zoning.

Also

Streamlining municipal development processes

Initiative	Current State	Future State
Official Plan Population Updates	<ul style="list-style-type: none"> Recent MOF forecasts indicate that some areas will experience higher growth than previously estimated. MMAH assessed that some of the 50 large and fast-growing municipalities official plans (OPs) are outdated or misaligned with the new projections The provincial growth planning guidance hasn't been updated since 1995. 	<ul style="list-style-type: none"> Undertake targeted outreach to municipalities where additional population growth is projected to surpass previous estimates in their current official plans (OPs). Require those municipalities to update their plans to align with the Ministry of Finance's October 2024 population forecast, or approved upper tier forecasts, whichever is higher. The updates would be informed by updated provincial growth planning guidance (i.e., Projection Methodology Guideline (PMGI)). The PMG is currently undergoing its first update since 1995. The PMG plays a vital role in helping municipalities plan for growth in a manner consistent with provincial priorities. Through this action, municipalities will have updated OPs that reflect current population projections, ensuring better planning for future growth.
34 Planning, Data, and Building Code IT Solutions	<ul style="list-style-type: none"> There is currently no provincial land use IT/data system when a municipality is the approval authority. The Building Code is currently not digitized hence its utility in expediting permitting applications is limited. 	<ul style="list-style-type: none"> MMAH would explore the standardization of municipal data tracking in the land use planning, building code and permit applications spaces, and leverage technology (e.g., Artificial Intelligence, enhanced digitization of Building Code) to better automate planning and permitting processes and improve transparency. The Ministry would also publish municipal planning data on an Ontario webpage.
Providing More Flexible Design and Construction Options for Four-Storey Townhouse Units	<ul style="list-style-type: none"> Currently, four-storey townhouses are permitted under the Ontario Building Code and Ontario Fire Code, but they often require an Alternative Solutions pathway, similar to a custom and targeted approach, for approval. This process can be complex and costly, impacting the economic viability of such projects. 	<ul style="list-style-type: none"> Consultation will consider whether amendments to the Ontario Building and Fire Codes could improve economic viability of single-unit four storey townhouses, coupled with a focused package of compensating measures for fire and life safety requirements. These changes may allow houses with more living area or bedrooms to be developed on small footprints and more predictable and transparent construction requirements, which could improve the economic viability of these projects to incent more development, contributing to more family-sized units.

Streamlining municipal development processes

Initiative	Current State	Future State
Streamlining the Development of Communal Water/Sewage Systems and Permissions for Distributed, Modular "Off-Grid" Water Treatment Facilities -	<p>Communal Water/Sewage Systems</p> <ul style="list-style-type: none"> Legislation requires municipal consent for the construction of communal water/sewage systems. These systems are built and operated by private owners in low density developments and they are not tied to the municipal water and wastewater system. At this time, there is no uniform process to seek municipal consent and there may be barriers to receiving it (e.g., ongoing operating costs, environmental impairment resulting from operator or system failure). Beyond use of own-source revenues (e.g., property taxes), some municipalities (small and rural) have little resources to mitigate any potential risks. <p>Modular "Off-Grid" Water Treatment Facilities</p> <ul style="list-style-type: none"> Exploring modular "off-grid" water treatment facilities (including proponent funded) as a potential tool to help underserved rural communities with low-cost options for water/sewage servicing as part of a communal system. 	<ul style="list-style-type: none"> Consultations will consider potential approaches to streamline municipal consents for communal water/sewage systems and modular "off-grid" water treatment facilities to support greater adoption, where appropriate and unlock housing supply in underserved rural communities.
Exploring a Public Utility Model for Water and Wastewater Infrastructure	<ul style="list-style-type: none"> Accelerating housing supply requires expansion in water and wastewater infrastructure capacity across the province. Municipal water and wastewater services are facing pressures related to both aging infrastructure and growth needs. As noted by the Association of Municipalities of Ontario's Local Authority Services, the cost of expansion is not generally recovered from water and wastewater user rates. In municipalities that collect development charges. These charges are used to fund growth-related infrastructure. 	<ul style="list-style-type: none"> The province is exploring the use of a public utility model (e.g., establishing a new type of municipal service corporations) for water and wastewater to provide opportunities to enable infrastructure expansion. Targeted changes to the existing municipal services corporation-model could include. <ul style="list-style-type: none"> Governance: Appointing a skills-based municipal services corporation board with municipal representation to enable timely and effective decision-making. Financial: Access to favourable financing opportunities for municipal services corporations to pay for water and wastewater investments. Water and wastewater systems would remain publicly-owned.

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Streamlining/standardizing development charges framework

Ontario is proposing to simplify and standardize development charges and work with municipalities to reduce fees that can add to the cost of a new home.

The majority of the proposed changes are based on feedback from the municipal and building sectors. If passed, many of the proposed changes would require implementing regulations that will be consulted on by the province.



Streamlining/standardizing development charges framework

Initiative	Current State	Future State
Create regulation-making authority to merge DC service categories for credit purposes	<ul style="list-style-type: none"> Under the <i>Development Charges Act, 1997</i>, builders can recoup costs for eligible infrastructure that they build in the form of a credit to be used towards their payable DCs. However, unless the municipality provides an exemption through an agreement, these credits can only be used towards DCs for the same service (e.g., DC credits for road infrastructure can only be applied to road DCs). This current structure limits the amount of DC credit room for developers to receive reimbursement for work performed. 	<ul style="list-style-type: none"> A proposed legislative change would give the province regulation-making authority to merge related service categories for the purpose of DC credits (for example, road credits could be applied to transit DCs). If a regulation is made, it would allow developers to receive credit for work that they perform over a broader range of categories. This would also enhance consistency with municipal plans such as Transportation Master Plans. This proposal was identified by the Association of Municipalities of Ontario and the Ontario Home Builders' Association.
Create regulation-making authority to define a local service	<ul style="list-style-type: none"> Local services are infrastructure that a municipality may require a developer to build, as a condition of their development. These capital services may be installed and/or paid for by the developer. The <i>Development Charges Act, 1997</i> prohibits municipalities from levying DCs on "local services," but there is no definition of "local services" in the Act. This lack of a definition for local service infrastructure has led to disputes between municipalities and developers about what infrastructure is deemed to be a local service. 	<ul style="list-style-type: none"> A proposed legislative change would provide the province with regulation-making authority to define local services to assist in standardizing what infrastructure services are captured under municipal local service infrastructure policies compared to infrastructure services captured by DCs. This would help to reduce disputes between developers and municipalities causing delays in housing and other developments proceeding. This proposal was identified by the Association of Municipalities of Ontario and the Ontario Home Builders' Association.

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Streamlining/standardizing development charges framework

Initiative	Current State	Future State
Defer payment of DCs for all residential developments	<ul style="list-style-type: none"> Under the <i>Development Charges Act, 1997</i>, only rental housing and institutional developments (e.g., retirement homes) are subject to a mandatory payment deferral. For developments subject to the DC deferral provisions, DCs are paid in annual installments beginning at building occupancy, rather than at the time of municipal building permit issuance. This provides more cashflow flexibility for these developments as they pay their DC rates much later in the development approvals process. Municipalities may charge interest on deferred DCs to help offset deferred revenues. Non-rental residential developments generally pay DCs at the building permit issuance and do not benefit from the current DC deferral provisions. The <i>Building Code</i> only requires occupancy permits (OP) for certain residential developments where developers want occupancy to begin prior to construction being completed. To receive an OP, the Code requires developers must meet certain health and safety standards. 	<ul style="list-style-type: none"> A builder could elect that DCs for any residential development be deferred from building permit issuance, until building occupancy to provide greater cash flow flexibility. If a residential development is not subject to an occupancy permit, a municipality may require a financial security (e.g., a letter of credit) to secure payment of DCs at the time of building. Municipalities would not be able to charge interest on any legislatively-deferred payments. Proposed regulation-making authority would enable the government to prescribe the instruments (i.e., financial securities) a municipality could require to secure payment of DCs. For consistency across all types of developments subject to the DC deferral provisions, it is proposed that interest payments would also be removed from the existing deferral for rental and institutional developments. <ul style="list-style-type: none"> For example, in a large central Ontario municipality, this could reduce costs for rental housing development by approximately 11 percent. This proposal was a recommendation in Mississauga's Partners in Homebuilding: Mayor's Housing Task Force Report.
Help enable by-laws to be amended to reduce DC rates without certain procedural requirements	<ul style="list-style-type: none"> If a municipality wishes to amend their DC by-law to provide new developments relief from increases due to planned indexing of rates, introduce exemptions or discounts, or introduce an annual phase-in of rate, the municipality would need to undertake steps such as developing a new background study. DC background studies can take up to a year to produce and be quite costly. 	<ul style="list-style-type: none"> Municipalities would be enabled to make any changes that would only have the effect of reducing DCs without having to amend or undertake a new background study, hold public consultations, etc. <ul style="list-style-type: none"> For example, municipalities could remove annual indexing, allow for annual phasing-in of DCs, and provide exemptions or discounts without the need to undertake certain lengthy procedural requirements. This would save time and improve cost certainty for new developments. Potential savings would vary based on municipal size, DC by-law complexity and amendment sought. Analysis of a small, central Ontario municipality illustrated potential financial savings of up to \$60,000 and more than 6 months saved in staff time spent. This proposal was identified by the City of Toronto.

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Streamlining/standardizing development charges framework

Initiative	Current State	Future State
Help enable use of the Non-residential Building Construction Price Index (BCPI) for London	<ul style="list-style-type: none"> Currently, only the Toronto and Ottawa-Gatineau StatsCan Non-Residential Building Price Index is available for use for the purpose of indexing DCs. 	<ul style="list-style-type: none"> It is proposed that the new StatsCan Non-residential Building Construction Price Index for London would be prescribed as additional option for the purposes of indexing DCs. <ul style="list-style-type: none"> This would provide Southwestern Ontario municipalities that use DCs to use an index that more closely reflects their costs (instead of the Toronto index). This proposal is aligned with a request from the City of London to the province to provide local flexibility to reduce their DC by-laws rates from indexing.
Create regulation-making authority to prescribe limits on recoverable capital costs	<ul style="list-style-type: none"> The <i>Development Charges Act, 1997</i> lists eligible capital costs, such as land, buildings, and computer equipment, to be recovered from DCs. Currently there is regulation-making authority to prescribe the services for which only land would be an ineligible capital cost for DCs. According to a recent report by BILD/OHBA, while land costs are a reasonable eligible DC cost, the eligible land values being estimated and included in DC background studies can significantly inflate municipal DC rates across eligible services. 	<ul style="list-style-type: none"> The proposed legislative change would create a regulation-making authority to prescribe limits and exceptions to the eligible capital costs, including land costs. This proposal would help make DC costs more predictable across all municipalities and DC services. This proposal was identified by the Association of Municipalities of Ontario and the Ontario Home Builders' Association.

Aluc

Streamlining/standardizing development charges framework

Initiative	Current State	Future State
Help enable developments to benefit from the lowest applicable DC rate	<ul style="list-style-type: none"> The DCs on a particular development are frozen when a site plan application or zoning application is made and typically payable at the time of building permit issuance at that frozen rate, plus municipal interest. If a homebuilder is issued their building permit within 18 months of the relevant application being approved, they pay the DC frozen rate. Otherwise, they pay the DC rate in effect at that time. In some circumstances, the DC rate in effect at the time can be lower than the frozen rate at the time of payment. 	<ul style="list-style-type: none"> A development receives either the frozen DC rate or a lower DC if the rates have been reduced during the freeze period. This will help to create predictability. In the future, frozen developments could benefit from this change, which could result in DCs being as much as \$45k lower for a single-detached home as seen in the City of Vaughan.
Exempt long-term care homes from municipal DCs.	<ul style="list-style-type: none"> DCs paid by long-term care homes (non-profit and "for profit" entities) are not paid at building permit issuance (as they are for most other developments) but are instead deferred and paid in 6 annual installments over five years beginning at the time of issuance of an occupancy permit. Municipalities may charge these types of developments interest on the amounts deferred, which may increase costs further. However, even though LTC developments benefit from the existing DC deferral, payment of DCs for these institutions can serve as a financial barrier for the building of this provincial priority. 	<ul style="list-style-type: none"> Make a legislative amendment to make long-term care homes exempt from municipal development charges on a go-forward basis. This would remove a financial barrier for LTC developments and could incent more builders to construct LTC homes for Ontario's aging population. Removal of development charges will contribute to achieving the government's 58,000 LTC bed commitment by removing costs that can total over \$30,000/bed.

Streamlining/standardizing development charges framework

Initiative	Current State	Future State
Prescribe methodologies for calculating the benefit of new infrastructure to existing development	<ul style="list-style-type: none"> Under the <i>Development Charges Act, 1997</i>, municipalities are required to deduct the costs for the share of infrastructure that would benefit existing development from the total capital cost that can be recovered from DCs. In determining DCs, "benefit to existing" (BTE) reflects the portion of a project's costs that are deducted from the total project's costs to account for the value that infrastructure provides to those already living in the area. This deduction ensures that DCs are used to cover the costs directly attributable to growth. There is no consistent formula or definition for calculating BTE development in the legislation. <ul style="list-style-type: none"> Calculations are made at the discretion of municipalities based on local circumstances. The BTE is typically calculated as a percentage of the total cost of each project or piece of infrastructure. This percentage reflects the proportion of the project's benefit. The BTE deduction reduces the amount of the infrastructure cost that can be recovered from new development through DCs. A regulation-making power exists to prescribe methodologies for calculating the benefit to existing development. 	<ul style="list-style-type: none"> Pending feedback from consultations with the development industry and municipalities, the government could prescribe a methodology, through LGIC regulation, for calculating the benefit of new infrastructure on existing development. This would provide homebuilders with better clarity and cost certainty and make municipalities more transparent on the methodology used to determine their DCs. This proposal was identified by the Association of Municipalities of Ontario and the Ontario Home Builders' Association

Alc

Streamlining/standardizing development charges framework

Initiative	Current State	Future State
Increased Transparency Through Annual Reporting	<ul style="list-style-type: none"> Under the <i>More Homes Built Faster Act, 2022</i> (Bill 23), legislative changes were made to require that municipalities must spend or allocate 60% of the money collected from DCs in a reserve fund for select services (i.e., water, wastewater, and roads) at the beginning of each year. Municipal treasurers must prepare a financial statement accounting for the DC funds collected and in reserves each year. <ul style="list-style-type: none"> This statement has to be made publicly available on the municipality's website, if the municipality has one. Additionally, regulatory changes were made to require, beginning in 2023, the statement to set out whether the municipality anticipates incurring the capital costs projected in the background study. <ul style="list-style-type: none"> If not, an estimate of the anticipated variance from that projection needs to be provided along with an explanation for it. There has been criticism that information on the municipal collection and use of DCs (e.g., annual treasurer statement) is not made readily accessible on municipal websites and is difficult to obtain. 	<ul style="list-style-type: none"> Make regulatory changes to expand the DCA requirement that municipalities must spend or allocate 60% of the money in a reserve fund for select services (i.e., water, wastewater, and roads) at the beginning of each year to all services (e.g., libraries, fire, police, childcare, etc.); for example, municipalities would have to spend or allocate 60% of the money in a reserve fund for recreation at the beginning of each year. Consult on use of existing regulation-making authority for additional requirements to enhance municipal DC information transparency. Additionally, the Ministry will explore amendments to standardize DC background studies and improving public accessibility of annual municipal treasurer DC statements, using an existing authority. This will lead to increased transparency to the public on the municipal collection and use of DCs towards infrastructure investment

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Bill 17 and the Push to Build: How Ontario Plans to Speed Up Development

By: Laura Dean, Andrew Everton, Jasmine C. M. Fraser, Anna Lu, Naomi Mares, Tom Halinski, Patrick Harrington, Matthew Helfand and John George Pappas

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The Ontario legislature has a penchant for buzzwords in its legislative titles. Since the 1st Session of the 44th Parliament of Ontario began just a month ago, “Protect” has emerged as one of this legislature’s favourites. Ontario lawmakers have used or proposed to use “Protect” in at least five legislative titles. True to form, one of its newest bills (Bill 17), which reached first reading on May 12, 2025, is titled the *Protect Ontario by Building Faster and Smarter Act, 2025*. The bill is in its second reading at the time of publication of this article.

Beyond “Protect,” the legislature has also revived two of its previous go-to terms in municipal and land use planning legislation – “Faster” and “Smarter.” While the effectiveness of Bill 17 in delivering “Smarter” planning remains to be seen, one thing is certain: speeding up development approvals is at the heart of this latest legislative push.

Speed, in its simplest definition, measures how quickly something moves over time. In this case, the provincial government is aiming to expedite infrastructure preparation and land use approvals to facilitate new housing developments of varying sizes and densities.

But speed is also influenced by resistance, and the province has made it clear that reducing obstacles to development has been a top priority in recent legislative rounds. Much like the *Get It Done Act, 2024* and the *More Homes Built Faster Act, 2022*, Bill 17

seeks to strip away regulatory hurdles that slow down projects on their way to approval and implementation.

This article offers a high-level narrative review of Bill 17, with a focus on how its proposed amendments seek to make Ontario's land use planning and development regime both "Faster" and "Smarter." While changes after first reading are always possible, we anticipate that key measures within the bill will remain and will effectively streamline approval timelines as well as reduce financial barriers, thereby speeding up Ontario's ability to implement new development.

Development Charges Act, 1997

New Exemption for Long-Term Care Homes

The *More Homes Built Faster Act, 2022* created certain development charge ("DC") exemptions for the creation of "affordable" and "attainable" residential units, non-profit housing developments and units created pursuant to inclusionary zoning requirements.

Bill 17 proposes to introduce a new section 4.4 to the *Development Charges Act, 1997* (the "**DCA**"), which will provide that the development of any part of a building or structure intended for use as a long-term care home will be exempt from development charges. This proposed exemption would not apply to a DC that was payable prior to Bill 17 coming into effect but would apply to any future DC payment or DC instalment(s) that is payable in accordance with section 26.1 of the DCA.

New Rules for Administrative Amendments to DC By-laws

Typically, any amendment to a DC by-law requires the passing of an amending by-law. Sections 9-18 of the current DCA impose a rigorous process for the passing of any DC by-law, including the requirement for a background study, statutory public meeting requirements, appeal rights, etc. These requirements have historically applied equally to amending by-laws.

In 2024, with the passing of the *Cutting Red Tape to Build More Homes Act, 2024*, the DCA was amended to make clear that sections 9-18 do not apply to an amendment to a DC by-law if the only effect of the amendment is to extend the expiry date of the DC by-

law. Bill 17 proposes to amend subsection 19(1.1) to similarly specify that sections 9-18 of the DCA will also not apply to an amendment to a DC by-law that:

- repeals a provision providing for the indexing of a DC or amends such a provision to provide for a DC not to be indexed; or
- decreases the amount of a DC that is payable for one or more types of development in the circumstances specified in the amendment.

These new rules will make it easier for municipalities to amend DC by-laws which have the effect of reversing planned DC increases or which decrease DCs for certain development.

DC Instalment Payments and Interest

Currently, section 26.1 of the DCA requires DCs for institutional and rental housing developments to be paid in six equal instalments, with municipalities empowered to charge interest on the instalments from the date the DC would otherwise have been payable.

Under Bill 17, DCs for institutional and rental housing development will continue to be paid in six annual instalments but may be pre-paid at any time without requiring an early payment agreement. Bill 17 proposes to further amend the rules for interest payments on DC instalments by potentially prohibiting a municipality from charging interest on instalments that come due after a yet-to-be-determined date.

Notwithstanding the foregoing, the DCA would continue to allow a municipality to charge interest on all DCs that are paid pursuant to rates that are frozen under section 26.2 of the DCA. This leaves a gap in the proposed legislation that may be amended as Bill 17 moves through subsequent readings in the legislature.

Section 26.1 is also proposed to be amended to provide that DCs for all residential development that is not rental housing shall be payable on occupancy of the building (or, where applicable, the issuance of an occupancy permit). These DCs may also be pre-paid at any time without requiring an early payment agreement. It is not immediately clear if changing the DC payment date from building permit to building occupancy will entice new projects to proceed where they might otherwise have not.

Cap for Frozen DCs

Currently under the DCA, section 26.1 creates a DC freeze, by providing that the total amount of a DC is the amount of the DC that would be determined under the DC by-law on the date that a complete zoning by-law amendment or site plan application is filed (whichever comes later). The municipality may charge interest on the frozen DC at a maximum rate that can currently be described as a “floating” prime plus one per cent.

In some situations, the amount of the frozen DC plus interest can exceed the amount that would otherwise be payable if the DCs were never frozen (e.g., where the DC rate decreases after a site plan application has been filed). Bill 17 proposes to amend section 26.2 to provide that the DC freeze does not apply to a DC if the total amount of all charges, including any interest, exceeds the total amount of all charges that would be payable if the freeze had not applied.

DC Credits

Ordinarily under section 41 of the DCA, a credit that relates to a service may be used only with respect to that part of a DC that relates to the service. This siloing of charges and credits can be limiting when a developer undertakes a larger infrastructure project. Section 41 is proposed to be amended to provide that, if two or more services are deemed to be one service (with the “merging” of service categories being determined through a forthcoming regulation), a credit that relates to any one of those services may be used against DCs charged under the larger service category. The result would be greater flexibility in the availability and use of DC credits.

Defining Local Service

Currently, section 59 of the DCA establishes that a municipality shall not impose a charge, as a condition of subdivision or consent approval, that pays for DC eligible work without giving the applicant a DC credit. An exception to this is where the work is considered “local service,” where no credit is provided. However, what is or is not a “local service” has not been statutorily defined, leaving the definition to be addressed through local service guidelines included in local DC background studies.

While the definition of a “local service” is often tied to whether the work benefits more than one development, this has not been applied consistently across municipalities and can often lead to challenges or appeals. Bill 17 proposes to add a new regulation-making authority to empower the province to create regulations specifying what constitutes a local service. Given the history of headaches in this area, a uniform definition is likely to be welcomed by both municipal staff and development applicants.

Planning Act and City of Toronto Act, 2006

Limiting Requirements for Complete Applications

In practice, complete application requirements have often led to disagreements between municipalities and applicants regarding what is properly required before an application will be deemed “complete.” This stage is important as it starts the clock on when a municipal decision must be made before a right to appeal for non-decision arises. Bill 17 introduces a series of proposed amendments that aim to limit the extent of the municipality’s powers in deeming an application complete.

The *Planning Act* currently requires that certain “prescribed information and material” be provided as part of planning approval applications, including applications for official plan amendment, zoning by-law amendment, site plan approval, draft plan of subdivision and consent. The *Planning Act* further empowers municipal councils to require additional information or materials it may need, over and above the prescribed requirements, so long as the relevant official plan contains provisions relating to those extra requirements. The *City of Toronto Act, 2006* contains the same provisions as it relates to site plan approval applications.

Disagreements often stem from municipalities asserting that the reports and drawings provided with a development application are deficient and therefore the application cannot be deemed complete. For their part, applicants often claim that such criticisms are unrelated to whether an application should be deemed complete for the purpose of circulation to municipal departments for comment. These disagreements can range from whether a study or report should be provided up front to whether a drawing has been stamped by a relevant professional – and everything in-between.

Deeming Materials Prepared by Prescribed Professionals Complete

Proposed subsections 22(6.0.1), 34(10.3.1), 41(3.5.1), 51(19.0.1) and 53(4.0.1) of the *Planning Act* and subsection 114(23) of the *City of Toronto Act, 2006* would definitively state that certain requisite information and materials provided as part of a development application are deemed to meet the applicable requirements if the information or material is prepared by a person authorized to practise a prescribed profession.

As an example, a transportation impact study prepared by a qualified engineer would be deemed to meet the requirement to submit such a study, notwithstanding any municipal concerns with the study's contents. Issues with the study's contents would go to the merits of the application, not the "completeness" of the application.

Ministerial Approval Required Before Changes to Municipality's Complete Application Requirements

Bill 17 would further restrict a municipality's powers in determining what is required for a "complete" development application. New subsection 17(21.1) (with an equivalent provision under the *City of Toronto Act, 2006*) would add an additional layer of ministerial approval by requiring written approval from the Minister of Municipal Affairs and Housing (the "**Minister**") before an official plan amendment could be undertaken to add to the local municipality's complete application requirements. To avoid a last-minute rush to add new local requirements, Bill 17 indicates that any official plan amendment adopted on or after May 12, 2025 (i.e., the date of Bill 17's first reading), that does not have ministerial written approval will be deemed not to have been adopted.

Limiting Certain Reports From Complete Application Requirements

The province is consulting on proposed regulations that would prescribe a list of subject matters and identify which reports and studies will be required as part of a complete planning application. As drafted, the changes would apply to official plan amendments, zoning by-law amendments, site plan applications and subdivision or consent applications. The proposed regulation would also identify specific types of certified professionals whose studies municipalities must accept. According to the relevant ministry posting, the following topics are currently being contemplated for exclusion from complete application requirements:

- **Sun/Shadow:** Information on the impact of shadows cast by a proposed development on the subject property and surrounding lands, including public streets.
- **Wind:** Information related to the potential effects of a proposed development on wind conditions in the surrounding area.
- **Urban Design:** Information concerning how a proposed development aligns with applicable urban design guidelines or policies.
- **Lighting:** Information about lighting levels on the site, including the location and type of exterior fixtures proposed for the building and surrounding property.

As-of-Right Setback Variations

Setback requirements are typically stipulated in municipal zoning by-laws, rather than the *Planning Act*. Bill 17 proposes to add new rules with respect to minimum “setback distance” to section 34 of the *Planning Act*. The proposed definition of “setback distance” would be “the distance that a building or structure must be setback from a boundary of the parcel on which the building or structure is located in accordance with a by-law passed under this section.”

New subsection 34(1.4) would provide that “a minimum setback distance is deemed to be the prescribed percentage of the setback distance.” If passed, this provision would deem a setback that deviates from the requirement of a zoning by-law up to a prescribed percentage to be permitted as-of-right without the need to formally vary the setback required by the relevant zoning by-law.

To implement the proposed addition of subsection 34(1.4), the province is consulting on a new regulation that contemplates a prescribed percentage (i.e., an as-of-right deviation) of up to 10 per cent. As an example, if a zoning by-law requires a five-metre setback from a property line, a setback of 4.5 metres would be permitted as-of-right without the need to seek a minor variance. This proposed change should have the effect of reducing the number of minor variance applications, thereby saving time and costs for applicants and municipalities.

Subsection 34(1.5) proposes to limit the application of this as-of-right variance to urban residential lands. Subsection (1.5) further provides that the new rule would not apply to

a building or structure located: (a) in the Greenbelt Area, (b) on land that is not a “parcel of urban residential land” (which is a defined term in the *Planning Act*), and (c) on land that is prescribed under subsection 41(1.2) of the *Planning Act*, which includes land that is within 300 metres of a railroad (with some exceptions) and land that is within 120 metres of conservation authority regulated lands.

Subsection 34(1.6) is a proposed transition and deeming provision in the circumstance where the prescribed percentage changes (either higher or lower) over time. It provides that the minimum setback is deemed to be the minimum setback (a) on the day a building permit is issued and where that permit has not been revoked, or (b) on the day the lawful use of the building or structure was established where no building permit was required.

The province is also seeking input on whether other zoning standards – such as building height or lot coverage – should be eligible for similar as-of-right performance standards variations.

Minister’s Power to Impose Conditions on MZOs

Section 47 of the *Planning Act* sets out, among other things, the Minister’s power to impose a ministerial zoning order (“**MZO**”). Bill 17 proposes to add new provisions that would grant the Minister additional power to impose conditions on MZOs – an authority that the Minister currently does not have. New subsection 47(1.0.1), if passed, would allow the Minister to impose conditions relating to the use of land or the erection, location or use of buildings or structures, if in the Minister’s opinion the conditions are reasonable. The proposed language “The Minister may ... impose such conditions ... as in the opinion of the Minister are reasonable” can be broadly interpreted. Curiously, similar language is found in subsection 51(25) of the *Planning Act* as it relates to conditions imposed on a plan of subdivision.

Proposed subsection 47(1.0.2) further provides that the Minister may require such conditions to be secured through an agreement that may be registered on title and that such agreement may be enforceable against the owner and subsequent owners of the land. Subsection (1.0.3) provides that if a condition has been imposed under subsection (1.0.1), the MZO is suspended until the Minister is satisfied that the condition has been or

will be fulfilled. Subsection (1.0.4) requires the Minister to notify the municipal clerk if the Minister is satisfied that the conditions have been or will be fulfilled. Finally, subsection (1.0.5) requires the municipal clerk to notify the public within 15 days after receiving notice from the Minister.

Elementary and Secondary Schools and Associated/Ancillary Facilities

Sections 16 and 35.1 of the *Planning Act* contain restrictions on what official plan policies and zoning by-laws can cover, including the use of certain residential units in houses and associated parking ratios and minimum unit sizes.

New subsections 16(3.2.1) and 35.1.1(1) propose additional restrictions that would prevent official plan policies and zoning by-laws from prohibiting the use of a parcel of urban residential land for an elementary school or secondary school of a school board or any ancillary uses to such schools, including the use of a child care centre located in the school.

Amendments to the site plan approval authorities under the *Planning Act* and the *City of Toronto Act, 2006* are also proposed to remove the existing specification that portables on school sites can only be exempt from site plan approval where such sites were in existence on January 1, 2007. The effect would be to encourage the placement of more portable classrooms on existing school sites throughout the province.

Building Code Act, 1992

Streamlining Innovative Building Techniques and Construction Materials

Bill 17 also proposes a series of changes to the *Building Code Act, 1992* (the “**BCA**”), aimed at simplifying approvals for innovative construction products.

First, the bill proposes to limit the authority of the Building Materials Evaluation Commission (the “**Commission**”), which plays a role in authorizing new and innovative building materials, systems and designs. At present, manufacturers of innovative construction products must apply to the Commission for an authorization before they can be used in Ontario. In addition, the Commission may, of its own initiative, research and examine construction materials, system and building designs. Bill 17 proposes to

remove the Commission's ability to exercise these powers where the Canadian Construction Materials Centre ("**CCMC**") of the National Research Council of Canada has examined or has expressed its intention to examine an innovative material, system or building design.

Second, and in a similar vein, the bill proposes to remove the Minister's authority to, by Minister's ruling, approve the use of innovative materials, systems or building designs that have been evaluated by an entity designated in the Ontario Building Code (the "**Building Code**"). At present, the only evaluation body designated in the Building Code is the CCMC. While the CCMC's approvals are valid for many other provinces, in Ontario at present, an approved product may not be used in construction without a Minister's ruling.

These changes would remove the need for manufacturers to obtain a secondary approval of new and innovative building materials, thereby saving time and money and enhancing the private sector's ability to introduce new and innovative construction techniques in Ontario. Regulatory changes to the Building Code itself are anticipated to follow to speed up this approval process, including removing application fees for Canadian manufacturers.

Clarifying Municipal Jurisdiction Over Construction and Demolition

At present, section 35 of the BCA sets out a "paramountcy" provision. It provides that the statute and the Building Code supersede all municipal by-laws respecting the construction or demolition of buildings, consistent with the intention that the BCA and Building Code establish a uniform provincial regime for the regulation of construction.

Bill 17 seeks to take this proposition a step further by clarifying that the broad authority and spheres of jurisdiction of municipalities under the *Municipal Act, 2001* and the *City of Toronto Act, 2006* do not authorize municipalities to pass by-laws respecting the construction or demolition of buildings. The effect of this amendment, if adopted, is that municipalities will no longer be able to rely on their general powers to regulate in respect of construction or demolition to create local requirements that differ from the BCA or the Building Code. This measure is aimed at enhancing consistency across the

province, reducing costs for builders and standardizing construction practices across municipalities.

How these changes will impact existing by-laws and municipal powers remains to be seen. For instance, section 97.1 of the *Municipal Act, 2001* authorizes a municipality to pass by-laws respecting environmental protection and conservation by requiring buildings be constructed in accordance with certain provisions of the Building Code, including the power to require green roofs. However, that power is described as an articulation of the broad authority and spheres of jurisdiction under sections 9, 10 and 11 of the *Municipal Act, 2001*, which, if Bill 17 is passed in its current form, will no longer authorize municipalities to pass by-laws in respect of construction and demolition.

Building Transit Faster Act, 2020

As readers may recall, the *Building Transit Faster Act, 2020* eliminates certain expropriation-related procedural steps relating to the construction of the Ontario Line, the Scarborough Subway Extension, the Yonge Subway Extension and the Eglinton Crosstown West Extension.

Bill 17 proposes to amend the *Building Transit Faster Act, 2020* to generally replace the concept of “priority transit project” with “provincial transit project.” The bill currently defines “provincial transit project” as “a transit project that Metrolinx has authority to carry out and includes a project that, immediately before the day subsection 1 (2) of Schedule 2 to the *Protect Ontario by Building Faster and Smarter Act, 2025* came into force, was a priority transit project).”

This change would have the practical effect of expanding the types of projects that may benefit from the procedural relief introduced by the *Building Transit Faster Act, 2020* to potentially include all projects that Metrolinx has authority to carry out.

Metrolinx Act, 2006

Bill 17’s proposed change to the *Metrolinx Act, 2006* stipulates that the Minister of Transportation may direct a municipality, including certain municipal agencies, to provide information that may be required to support the development of a provincial

transit project or transit-oriented community project. This could include data, contracts, reports, surveys, plans and other documents that the Minister of Transportation believes are necessary to support a provincial transit project or transit-oriented community project.

Transit-Oriented Communities Act, 2020

Through Bill 17, the Minister of Infrastructure replaces the Minister of Transportation in matters relating to the administration of the *Transit-Oriented Communities Act, 2020*. As well, the definition of “priority transit project” would be expanded to include provincial transit projects pursuant to the above-noted *Building Transit Faster Act, 2020* revisions.

Certain procedures would also be streamlined, as Bill 17 proposes to eliminate the necessity of approval from the Lieutenant Governor in Council for any dealings between the Minister of Infrastructure, or their delegate, and a municipality or First Nation.

Critically, the *Transit-Oriented Communities Act, 2020* would be revised to expand the list of entities that the Minister of Infrastructure may delegate certain powers to, including Metrolinx and the Ontario Infrastructure and Lands Corporation. These delegates would be permitted to enter into agreements with landowners that are required to support a transit-oriented community project. Bill 17 also proposes that such agreements may be registered on title and enforced by the Minister of Infrastructure or the municipality against the landowner and all subsequent owners.

The changes would also require the Minister of Infrastructure, or their delegate, to ensure that any funds invested in transit-oriented community projects are also invested in accordance with an approved investment policy.

Ministry of Infrastructure Act, 2011

Currently, the Minister of Infrastructure (pursuant to the *Ministry of Infrastructure Act, 2011*) and the Minister of Transportation (pursuant to the *Transit-Oriented Communities Act, 2020*) may, subject to approval of the Lieutenant Governor in Council, support or develop transit-oriented community projects related to priority transit projects.

As noted above, Bill 17's proposed amendments to the *Transit-Oriented Communities Act, 2020* would remove the Minister of Transportation's authority related to "provincial transit projects" and would place this authority with the Minister of Infrastructure and their delegates. Amendments to the *Ministry of Infrastructure Act, 2011* are proposed to reflect this change.

Bill 17 also proposes to add a new section to the *Ministry of Infrastructure Act, 2011* that would require municipalities and municipal agencies to comply with the Minister of Infrastructure's directives for the provision of information, similar to what is proposed for the *Metrolinx Act, 2006*, as summarized above.

Regulatory Proposals

Comments may be submitted through the Environmental Registry of Ontario posting, with respect to the proposals below:

- 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*) | [ERO Number 025-0461](#) (comment period closes June 11, 2025);
- Bill 17: *Protect Ontario by Building Faster and Smarter Act, 2025* – Amendment to the *Building Transit Faster Act, 2020* | [ERO Number 025-0450](#) (comment period closes June 11, 2025);
- Bill 17 – *Protect Ontario by Building Faster and Smarter Act, 2025* – Accelerating Delivery of Transit-Oriented Communities | [ERO Number 025-0504](#) (comment period closes June 12, 2025);
- Proposed Regulation – As-of-right Variations from Setback Requirements | [ERO Number 025-0463](#) (comment period closes June 26, 2025); and
- Proposed Regulations – Complete Application | [ERO Number 025-0462](#) (comment period closes June 26, 2025).

The [Municipal & Land Use Planning Group](#) at Aird & Berlis LLP is well-acquainted with the ever-evolving legislative regime governing and affecting development in Ontario. If you have questions or require assistance, please contact the authors or a member of the group.

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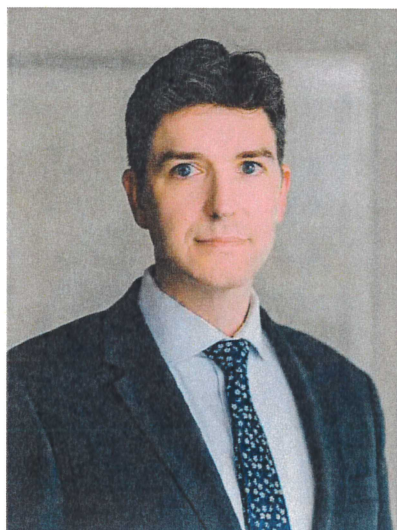


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