

Recommendation:

That the report Building Department-2025-06, dated June 3, 2025, regarding Bill 17 be received and that Council provide direction to staff if there are comments they wish to submit the Environmental Registry of Ontario (ERO) on the proposed bill.

Overview:

On May 12, 2025, the Minister of Municipal Affairs and Housing (Minister) released Bill 17, Protect Ontario by Building Faster and Smarter Act, 2025. Bill 17 proposes changes to several key pieces of municipal and land use planning legislation, including but not limited to, the *Building Code Act*, the *Development Charges Act*, and the *Planning Act*. Together, the proposed changes aim to accelerate new housing and infrastructure development throughout the province by streamlining the development approvals process. At the time of writing this report, the Second Reading of Bill 17 has been debated and the debate subsequently adjourned.

The Minister has also released several regulatory proposals for the implementation of Bill 17 through the Environmental Registry of Ontario (ERO).

Building Code Act

The *Building Code Act, 1992 (BCA)* is proposed to be amended to reduce duplication for evaluation of innovative construction materials and to clarify the ability of Municipalities to pass by-laws relating to the construction or demolition of buildings.

The Canadian Construction Materials Centre (CCMC) is a national body that assesses and tests products for compliance with the National Construction Codes (Building, Fire, Energy Efficiency for Buildings, Farm, and Plumbing). Currently, Ontario requires a secondary approval (i.e., Minister's Ruling) for innovative construction products that have already been evaluated by the CCMC before they can be used in Ontario. Bill 17 proposes to introduce provisions that would remove the requirement for a manufacturer seeking to introduce an innovative material, system or building design to Ontario from having to go through the Building Materials Evaluation Commissioner (BMEC) to obtain a ruling from the Ministry of Municipal Affairs and Housing (MMAH). This exclusion would apply where the CCMC has examined or has expressed an intention to examine that material, system or building design.

Some municipalities in Ontario, including those identified by the province as "large and fast-growing municipalities", have set green or sustainable building standards that developers must achieve in order to obtain planning approvals. Developers and other stakeholders in the development industry have challenged the authority of municipalities to adopt such measures. The proposed amendments would clarify that the broad authority powers under the *Municipal Act, 2001*, do not authorize

municipalities to pass by-laws respecting the construction or demolition of buildings. This provides greater clarity to section 35 of the *BCA*, which already states that the *BCA* and the Ontario Building Code (OBC) supersede all municipal by-laws for the same purpose.

The commenting period for the proposed Building Code Act changes closes on June 11, 2025. If passed, the legislative changes are proposed to come into effect on July 1, 2025.

Development Charges Act

Bill 17 proposes several changes to the *Development Charges Act, 1997* that aim to streamline development and reduce barriers. Key amendments include exempting long-term care homes from development charges (DC), expanding provincial authority to limit eligible capital costs through regulation, simplifying the DC by-law amendment process for reducing charges, deferring DC payments for residential development to occupancy, removing interest charges on instalments for rental and institutional developments, and allowing the province to define local services through regulation.

While these changes may have significant implications for large, fast-growing municipalities with substantial development activity, the impact on Douro-Dummer is anticipated to be relatively minor given our limited growth and minimal reliance on development charges for capital funding. However, it should be noted that some of the proposed changes, particularly the expanded Provincial authority to limit eligible capital costs through regulation, remain vague in their implementation details. Until more specific regulations are released and our Township's specific study and By-law are assessed against these changes, we will not know the full extent of the potential impacts.

The administrative changes may introduce some additional complexity in DC administration, particularly regarding payment deferrals and the potential redefinition of eligible capital costs. Based on this assessment, staff do not recommend providing formal comments on *the Development Charges Act* amendments within Bill 17, as the proposed changes have limited relevance to our current development context.

Watson and Associates, the firm which completed the Township's Development Charge Study, has issued a letter summarizing the proposed changes to the *Development Charges Act* in detail. This letter has been attached for further information.

Planning Act

As proposed, Bill 17 would limit the information and materials a municipality may request in support of Planning Act Applications to that which is expressly identified in the municipality's Official Plan unless written approval is obtained from the Minister. The regulations for complete applications propose to eliminate the topics of sun/shadow, wind, urban design, and lighting from consideration towards a complete application. Any amendments to a municipality's Official Plan which would serve to expand the requirements for complete applications require written approval by the Minister. Bill 17 further proposes to provide that reports and technical studies prepared by prescribed qualified professionals (e.g., professional engineer) would be deemed to meet the requirements of a complete application. The list of prescribed qualified professionals has not yet been released.

Bill 17 proposes expanded powers for the Minister with respect to Ministerial Zoning Orders (MZO's). As proposed, Bill 17 would allow the Minister to grant conditional MZO's, meaning that the permissions of the MZO would become valid once the Minister is satisfied that the conditions imposed have been or will be fulfilled. The Minister may require that an agreement be entered into and registered on the title of the land to render the conditions enforceable on present and future owners of the land.

Bill 17 also proposes to introduce as-of-right variations to setback requirements provided in municipal zoning by-laws. The required minimum setback distance would become a prescribed percentage of the setback distance otherwise required by the municipal zoning by-law. As proposed, the provincial regulations for as-of-right setback variations contemplate a 10% variation. For example, if the municipal zoning by-law requires a setback of 10 metres, a building could be constructed at a setback of 9 metres without requiring relief from the municipal zoning by-law. The proposed regulations limit the applicability of as-of-right setback variations to parcels of urban residential lands, which means lands designated for residential use within settlement areas on public services (i.e., water and sewage).

Additionally, Bill 17 would serve to exempt school portables from site plan approval whereas currently, only those existing as of January 1, 2007, are exempt from site plan approval.

The commenting period for the proposed *Planning Act* changes closes on June 11, 2025, the comment period for regulations for as-of-right variations from setback requirements and complete applications closes on June 26, 2025.

Additional Legislation

In addition to the proposed changes to the *Building Code Act*, *Planning Act* and *Development Charges Act*, changes are also being proposed that focus on public transportation (*Metrolinx Act*).

Bill 17 amends the *Metrolinx Act, 2006* to grant the Minister of Transportation (MTO) the authority to direct any municipality or its municipal agencies to produce information or data that may be required to support the development of a provincial transit project or a transit-oriented community project

If Bill 17 is passed as written, all Metrolinx transit projects will be characterized under a new definition, “provincial transit projects”, and will benefit from the provisions of the *Building Transit Faster Act, 2020*. Most notably, such projects are exempt from *Expropriations Act* provisions that permit expropriated landowners to request Hearings of Necessity and require special permits for development of any lands within 30 metres of a transit corridor.

Bill 17 also proposes to transfer responsibility for the powers granted by the *Transit-Oriented Communities Act, 2020* from the MTO to the Ministry of Infrastructure (MOI)

Conclusion:

Staff support the province’s goal of building more homes and protecting Ontario by Building Faster and Smarter. The proposed changes through Bill 17 appear to be focussed, and have a greater effect, on large and fast-growing communities or transit-oriented communities with urban development and public infrastructure such as water and sewer. It can be anticipated that a municipality with scattered settlement areas that are not on municipal services, and without public transportation, such as Douro-Dummer will experience some benefits and challenges with the proposed changes. Without the benefit of a comprehensive professional review and forecast of the effects on Douro-Dummer, staff feel it is prudent to refrain offering comments on the proposed Bill.

Financial Impact:

At this time, it does not appear that the proposed changes within Bill 17 would have a significant financial impact to the Township. However, staff will continue to monitor the status of the Bill as it moves through the legislature and the exact details are finalized and assess the impacts on our policy, processes and finances.

Township of Douro-Dummer Strategic Plan 2023-2027



Service Modernization and Innovation

Modernizing, refining and innovating services for residents is essential to effectively meet the needs of our community, enhance our operational efficiency, and ensure we remain adaptable in a rapidly changing world.



Business Attraction, Expansion, and Retention

Business attraction, expansion, and retention is vital for the economic health and sustainability of our Township, such as job creation, tax revenue, investing in innovation, maintaining our quality of life, and supporting community stability.



Infrastructure Renewal

Infrastructure renewal is a critical investment for our Township as it will ensure our adherence to health and safety, economic development, investment attraction, environmental sustainability, quality of life, public confidence, and regional competitiveness.

Report Approval Details

Document Title:	Bill 17 - Council Update - Building Department-2025-06.docx
Attachments:	- Aird Berlis Bill 17 Summary.pdf - Watson and Assoc DCA summary.pdf
Final Approval Date:	May 29, 2025

This report and all of its attachments were approved and signed as outlined below:

Martina Chait-Hartwig

No Signature - Task assigned to Todd Davis was completed by workflow administrator Martina Chait-Hartwig

Todd Davis