



Staff Report

Meeting Date: June 4, 2025

To: County Council

Report Number: PDPW 2025-19

Title: Comments on Bill 17 - Protect Ontario by Building Faster and Smarter Act, 2025

Author: Keziah Holden, General Manager of Planning
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Approved by: Sheridan Graham, CAO/Deputy Clerk/Deputy Treasurer

Recommendation: That Report PDPW 2025-19, Comments on Bill 17 – the Protect Ontario by Building Faster and Smarter Act, 2025, be received;

That staff be directed to submit Report PDPW 2025-19 on the Environmental Registry of Ontario (ERO) posting number 025-0461 as the formal response from Peterborough County on the proposed Bill; and

That a copy of the report be forwarded to each local Township and to our local MPPs for their information.

Overview

On May 13, 2025, the Minister of Municipal Affairs and Housing sent a letter to heads of Council introducing the Protect Ontario by Building Faster and Smarter Act, 2025 (Bill 17). The letter states that the legislation is intended to make it easier and faster to build new homes and infrastructure in the Province. These changes will impact the Building Code Act, Development Charges Act, Planning Act, Ministry of Infrastructure Act, Transit-Oriented Communities Act, Building Transit Faster Act and the Metrolinx Act. This report focuses primarily on changes proposed to the Planning Act ([ERO posting 025-0461](#)), particularly those changes which have potential to impact County land use



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planning applications and/or processes. The commenting period remains open until June 11, 2025, for this posting.

The Ministry is also seeking comments on associated regulatory changes through Environmental Registry of Ontario (ERO) postings [025-0462 \(Proposed Regulations – Complete Application requirements\)](#) and [025-0463 \(Proposed Regulations – As-of-right Variations from Setback Requirements\)](#).

Analysis

There are several key changes proposed to the Planning Act. The first is intended to streamline approvals for new schools by permitting them as-of-right on lands that are designated or zoned for residential uses and prevents municipalities from adopting Official Plan Amendments or passing zoning amendments that would prohibit a school use in a residential designation/zone. This includes elementary and secondary schools as well as any childcare centre located within the school. Within the County of Peterborough this would impact the four serviced settlement areas the most, since all other settlement areas are designated to allow a wide variety of uses as-of-right. Serviced settlement areas such as Lakefield and Norwood have more specific land use designations to direct development. There are no concerns from County staff with respect to this change as new school sites are typically identified through the processing of subdivision applications, in which case the school boards work directly with the applicant and County to secure appropriate lands. To identify a site that is not subject to a Planning Act application such as this, a school use would not be deemed incompatible with residential development. The new County Official Plan already permits school uses within the Residential designation so there is no conflict with this policy moving forward. Local municipalities may need to update their Zoning By-Laws to include provisions in residential zones for school uses.



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Bill 17 is also proposing to make changes relating to studies that are required to deem an application complete and also require municipalities to accept studies at face value from certain certified professionals. Specifically, the change will limit the information and material that can be required by a municipality to support an Official Plan amendment, Zoning By-Law amendment, site plan control, plan of subdivision or consent application by excluding the following types of studies:

- Sun/Shadow
- Wind
- Urban Design
- Lighting

Within Peterborough County, the above studies are not typically required as part of a complete application simply because development in the area is not constructed to the height or scale associated with these types of studies. The County has no concerns from excluding these studies from complete application requirements. That said, the County requests that the Ministry continue to permit the following studies, and any others that are listed in the existing or new County Official Plan, as part of a complete application:

- Functional Servicing and Stormwater Management
- Hydrogeological
- Traffic Impact
- Environmental Impact
- Planning Justification
- Geotechnical
- Archaeological

To improve consistency among municipalities, the Province may wish to consider a standardized terms of reference for common studies as they relate to specific types of applications. Environmental Impact Studies, as a local example, are regularly required to support development applications but the scope of the study varies significantly depending on the geographic location of the property and author of the study. As such there is no consistent 'yard stick' by which to evaluate the studies by application type or across municipalities.



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Relating to study requirements is a proposed change to the Planning Act which requires approval authorities to accept studies where the information or material is prepared by a “person authorized to practise a prescribed profession”. It is unclear whether the provisions proposed to be added to the Planning Act are intended to curtail the use of peer reviewers acting on behalf of Municipalities or whether it is solely to be used for the purposes of deeming an application complete. Furthermore, Bill 17 does not define a “person authorized to practise a prescribed profession”. The County agrees that supporting information and material should be completed by a certified professional but strongly objects to these changes if the intent is to eliminate a Municipality’s ability to conduct an independent review of any or all supporting studies. The peer review process ensures that all applicable legislation and regulations are followed, that the recommendations are reasonable and in the interests of the public, and that there will be no undue burden placed on the Municipality or existing taxpayers. Particularly where infrastructure will ultimately be assumed by the Municipality or where recommendations relate to public health and safety, the peer review process is critical for protecting against any liability.

Lastly, Bill 17 has introduced as-of-right variations to setback requirements. The County is not approval authority for and does not process minor variance applications. These changes do, however, have potential to impact all eight Municipalities within the County as the Bill is proposing to allow a 10% variation to setback requirements established in local Zoning By-Laws. The intent is to reduce the volume of minor variance applications and permit more development as-of-right. The County does have high level concerns that allowing these variances as-of-right may have the unintended consequence of negatively impacting the natural environment or allowing a noxious use to negatively affect nearby sensitive uses.



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The Technical Briefing, attached as Appendix B to this report, alludes to the possibility of the Province introducing legislation which would establish simplified, standardized and inclusive land use designations with more permitted uses. The contents of Bill 17 do not currently address this matter. Any future legislation changes in this regard should be carefully considered as it would have overarching implications across all Municipalities in Ontario, and what is appropriate for major urban areas such as Toronto may not be appropriate in the Peterborough County context.

Financial Impact

Bill 17 proposes four key changes to the Development Charges Act, each of which could have a financial impact to the County.

1. Development charges will be exempt on long term care homes. Where they are being built as part of a mixed-use development, only the residential component will be exempt. Development charges will still apply to the commercial space.

The current Development Charges Act (DC Act) requires municipalities to complete an amended background study and hold a public meeting when amending the development charge by-law.

2. Bill 17 proposes waiving the requirement for a background study and public meeting if the amendment results in the development charges decreasing or if the amendment repeals the provision for indexing of the development charge rates.
3. Currently, development charges are payable at issuance of a building permit.

The proposal under Bill 17 is to defer the payment of residential development charges until the earlier of: the date the occupancy permit is issued; or the actual occupancy date.

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This will have a cash flow implication to the County as the receipt of development charges will be delayed. This is of particular concern as the majority of the County's growth-related projects are for infrastructure that is generally required to be in place prior to the growth (i.e. roads and bridges).

The current DC Act requires development charges to be paid prior to the issuance of a building permit therefore there is a mechanism to ensure payment is received.

With the proposed change deferring the payment of development charges to occupancy, the lower tier municipalities will need to somehow secure payment of development charges from the developer (i.e. letter of credit). This will add an additional administrative burden to the lower tiers.

4. 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 proposed that the development charges payable would be the lower of the frozen amount (including any interest applied or the development charges in effect at the time of building permit issuance.

This change is intended to prevent frozen DCs from being higher than current rates.

Anticipated Impacts on Local and/or First Nations Communities

None.

In consultation with:

1. Iain Mudd, Director of Planning, Development and Public Works



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Communication Completed/required:

Submission of this report to the Ministry of Municipal Affairs and Housing via the relevant ERO postings.

Attachments

Appendix A – Bill 17 Letter from Hon. Robert Flack, MMAH

Appendix B – Technical Briefing prepared by MMAH

Respectfully submitted,

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MISSION

Peterborough County is an upper tier municipal government serving residents, visitors, and eight townships to meet the needs of our community, in consultation with First Nations. The County provides paramedic services (emergency and community); public works and land use planning services as well as partnered services including public health, economic development and tourism, municipal long-term care, social and children's services, and housing support.

VISION

Working together with our townships and service delivery partners to provide high quality municipal services to our communities.

