

May 27, 2025

Hon. Robert Flack
Minister of Municipal Affairs and Housing
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Hon. Prabmeet Singh Sarkaria
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Minister Flack and Minister Sarkaria

**Re. County of Dufferin Comments on the Province of Ontario's Proposed
Bill 17, *Protect Ontario by Building Smarter and Faster Act*, 2025**

On May 12th, 2025, the Province of Ontario undertook a first reading of the *Protect Ontario by Building Smarter and Faster Act*, 2025 (herein referred to as '*Bill 17*'). *Bill 17*, at a basic level, proposes amendments to various existing legislation, such as the *Building Code Act*, *Building Transit Faster Act*, *City of Toronto Act*, *Development Charges Act*, *Metrolinx Act*, *Ministry of Infrastructure Act*, *Planning Act*, and *Transit-Oriented Communities Act*. In understanding that the Province has provided the opportunity for municipalities to submit comments on *Bill 17* through the Environmental Registry of Ontario until June 11th, 2025, the County of Dufferin has prepared comments speaking to *Bill 17*. It is our hope that the Province will review and strongly consider the comments submitted as part of this letter.

To start, the County of Dufferin appreciates the Province of Ontario's continued fight to build more housing in Ontario through the streamlining and simplification of development processes. Ontario has long remained one of Canada's most attractive provinces for immigration, both from an international and inter-provincial lens. Housing in Ontario, therefore, has become highly unaffordable for many first time homebuyers and new immigrants to Ontario. The County of Dufferin appreciates the government's proposed actions under *Bill 17* that aim to expedite processes associated with housing development as a means to rapidly grow the housing stock in Ontario

While the County of Dufferin can appreciate these efforts, the currently drafted *Bill 17* brings forth more questions and concerns than it does answers from the perspective of Dufferin County. Those

questions and concerns mainly pertain to the amendments proposed to the *Development Charges Act* and *Planning Act*.

The amendments proposed to the *Development Charges Act* seem to indicate the Province's desire to remove financial delays for residential development projects. Though the avoidance of financial delays would be beneficial to the rapid establishment of residential housing, the currently proposed amendments seemingly create undue financial stress for municipalities in Ontario. *Bill 17* would allow for development charges for residential housing to be deferred to the occupancy permit date, with these charges also being allowed in annual installments of up to five (5) years after occupancy. In addition, *Bill 17* further proposes the reduction of development charge rates without the requirement for a development charge background study and proper public consultation. While the County of Dufferin can understand the need to expedite housing construction in Ontario, it must not come at the cost of financial instruments that assist municipalities in providing the critical infrastructure and services required for new developments. Development charges play a crucial role in the establishment of infrastructure and services associated with new residential development and, in the opinion of Dufferin County, *Bill 17*, as drafted, shifts those upfront costs onto the municipalities and, in turn, the local taxpayers.

Where the County of Dufferin has further concern is with the amendments proposed to the *Planning Act*. The amendments to the *Planning Act*, as drafted, create a notable shift away from municipally led development application processes and the trust the Province has passed down to the municipalities with respect to development. Housing, as noted previously, is a critical feature that Dufferin County understands must be rapidly expanded in Ontario as a means to address the massive unaffordability issue that presently persists. Though that may be the case, the County of Dufferin does not believe that the growth of homes should come through the omission of municipalities and the wealth of advice they provide. Municipalities provide a level of understanding on the local context, both socially speaking and also from a technical perspective, that Dufferin County believes cannot be replicated at the Provincial level. Municipal led development processes allow for extensive public consultation to occur, for staff and external consultants to thoroughly review technical materials, and for any concerns at the local level to be appropriately addressed. *Bill 17*, as it reads presently, would remove those critical elements from the development process. This, in the opinion of Dufferin County, would potentially lead to situations whereby developments are approved without support at the municipal level.

In the opinion of the County of Dufferin, *Bill 17* should not be further considered in its currently drafted state. The Bill proposes several significant changes to critical processes relating to development charges and planning application processes in Ontario and, further to that, seeks to remove municipal input and involvement in projects related to residential development. Though the County of Dufferin can appreciate the Province's desire to expand the housing stock in Ontario, this



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must not come at the expense of municipal involvement in the development process and the financial instruments used to support new residential development.

The County of Dufferin will recommend that any decision regarding *Bill 17* be deferred until such a time that further consultation with municipalities can take place. In the meantime, the County has also provided a more comprehensive list of comments in *Appendix A*.

Respectfully submitted,

A handwritten signature in black ink that reads 'Janet M Horner'.

Janet Horner, Warden
County of Dufferin



Appendix A – List of County of Dufferin Comments

Act	County of Dufferin Comments
<i>Development Charges Act, 1997</i>	<p>The addition of residential development to section 26.1 may result in situations whereby the establishment of necessary municipal services is delayed as a result of section 26.1 (3), which allows annual installments of up to five (5) years after occupancy. This delay and extension in development charges for residential development may require local municipalities to increase taxes for existing residents in order to pay for those additional services required for the new residential development.</p> <p>The term “residential development” is extremely broad in nature, and, in the opinion of Planning staff, should be further refined. Different styles of residential development have varying impacts on the infrastructure and service requirements of local municipalities, and, as such, this broad approach may only create further issues for municipalities.</p> <p>The amendment to section 28, which speaks to the withholding of a building permit until a development charge is paid, presents a more reactive approach to residential development. In essence, the new amendment would allow for a building permit to be issued for a residential development even if the development charge has not been paid. Once again, this approach proposes an approach to residential development that allows construction to occur without the financial means to support the services and infrastructure required as part of the new residential development. This financial gap would, therefore, fall on the municipality and local residents.</p>
<i>Planning Act</i>	<p>The additional subsections regarding minimum setback distances for buildings will have minimal impact to the County Official Plan policies and, as such, the County Planning division has no concerns or comments. However, the local Towns and Townships will likely have comments pertaining to these proposed changes.</p>

	<p>The proposed amendment to section 17, which proposes written approval from the Minister prior to adopting an official plan amendment for certain sections of the <i>Act</i>, undermines the trust and delegated authority that is provided to the municipalities by the Province. Specifically, this amendment speaks to ‘other information’ requested by Council as part of official plan amendments, zoning by-law amendments, site plan applications, draft plans of subdivision, and consent applications. In the opinion of County Planning staff, such requests are frequently supported by rationale from the various disciplines associated with the development application process. The municipality understands the local context and the needs (i.e., studies, reports) for certain planning application processes, which would be all but removed as part of this amendment. To be frank, this amendment would only further add an additional layer of bureaucracy that <i>Bill 17</i> is aiming to eliminate.</p>
	<p>The amendments proposed to section 47 (Power of Minister regarding Zoning and Subdivision Control) further reduce the municipalities’ ability to help guide development and growth in the local area. The ability for an agreement to be entered into with either the Minister or the municipality provides an avenue for an agreement to proceed even though the municipality may not be supportive of such development. As long as the Minister is accepting of the application, subject to certain conditions, the construction of buildings or structures can be proceeded with. In the opinion of County Planning staff, the due diligence and review process associated with planning applications is brought into question. Further clarification on the process is requested to be presented.</p>

