



# SMITHS FALLS

RISE AT THE FALLS

**June 11, 2025.**

**The Honourable Rob Flack  
Ministry of Municipal Affairs and Housing  
17th Floor, 777 Bay Street  
Toronto, ON M7A 2J3**

Dear Minister:

**RE: Responding to Bill 17, Protect Ontario by Building Faster and Smarter Act, 2025**

Thank you for providing the opportunity to myself and Council to review and provide our recommendations regarding Bill 17. Council wishes to convey the following:

Schedule 7 – Proposed Changes to the Planning Act

Minor Variances (Proposed changes to Section 34)

- Given the unique local context of each site, and the wide application of zoning setbacks across the province we suggest that as-of-right approval of the setback reductions be discretionary and that an appointed individual (staff) be delegated authority to assess impact, which would then be approved by staff, or otherwise referred to the Planning Advisory Committee/Committee of Adjustment for consideration of a variance application.
- Many Zoning By-laws include sections allowing “permitted projections” such as eaves, balconies and porches into required setbacks. The Town’s Zoning By-law also allows as-of-right a reduced front yard setback to match the existing character of a street block. To ensure consistent interpretation and application, this provision should be clarified to confirm whether the authorized setback reduction is gross or net.

Supporting Study Requirements

- Rather than limit what studies a municipality can ask for, the Province should focus on outlining the Terms of Reference for these studies, providing a standard across the Province, while allowing municipalities to



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properly consider the local context. We encourage the Province to consult with professional organizations and municipalities in this regard.

- We note with concern the proposed change to the Act and implementing regulation that would appear to require a municipality to accept without review a supporting study from a designated professional. While we understand the rationale of the change when professional disagreements between consulting and reviewing engineers on scope result in longer approval processes, we also note many instances where a professional review of a study can find a flaw in the methodology or assumptions made that can shed new light on the review of an application and lead to revisions that ultimately lead to a better outcome for the developer and broader public interest. This has particularly been the case relating to stormwater management and drainage plans. Correcting these after the fact, even if future litigation ultimately assigns responsibility to the original consultant, creates significant financial costs on the municipality and the developer and impacts on the community we are serving. Removing this tool from the development review process can lead to significant unintended consequences.

### Planning for New and Expanded Schools

- We support the proposed changes in principle, noting that schools are an integral part of a complete residential community and should be accessible and close to as many residents as possible. If Council's ability to regulate location through zoning is removed, staff would request that the applicable school boards work directly with municipal staff to identify and address planning considerations such as traffic and servicing.

### Schedule 4 - Proposed Changes to Development Charges Act

#### Exempting Long Term Care Homes from Development Charges

- Making this provision come into effect upon Royal assent reduces the Town's ability to fund growth related infrastructure based on previously planned revenues. Staff suggest either making this amendment retroactive to new long-term care homes approved after Royal assent or providing funding support from another source to offset this financial impact.



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### Deferral of Residential DC Payments until Occupancy

- Proposed changes appear to limit the ability of the municipality to pay for growth, which can create an infrastructure backlog that affects new and existing residents. Staff suggest that the ability to set interest rates be retained, or that other funding be made available to municipalities to offset anticipated reductions in revenue.
- We suggest that the legislation be clarified to specify whether it is the first occupancy in a multiple occupancy dwelling that would trigger the payment of development charges, as well as ensure logical and easy-to-administer provisions to ensure that the charges can be collected in the event that ownership changes at occupancy, which is common in a subdivision.

### Definition of Capital Costs

- While the financial implications of this proposed change cannot be quantified until a regulation is passed, the uncertainty introduced by this regulatory power could hamper municipal efforts to prepare accurate and predictable capital plans, with municipalities potentially needing to adjust funding rapidly. The Province is urged to cover capital budget shortfalls that municipalities are left with and which may hinder home building.

### Schedule 1 - Proposed Changes to the Building Code Act

#### Municipal Building Standards and Simplified Approval of New Materials, Systems or Designs

- We support the principle of the proposed changes, as the former would create a standardized and consistent approach to construction and the second change would provide the opportunity for vetted products to get to market faster. Staff support the use of innovative materials, if they demonstrate quality and serve a clear, functional purpose. Staff encourage the Ministry to consider adopting and standardizing sustainable building standards in the Code where those standards achieve measurable benefits at a minimal additional cost to the consumer.



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Please continue to advise the Town of Smiths Falls of any updates to this process, or whether we can be of further assistance.

Sincerely,

Kerry Costello, Clerk  
Town of Smiths Falls

- c. Chief Administrative Officer M. Morris;  
Manager of Development Services K. Grenke