



**Staff Report DSES-2025-029**  
Planning Committee  
June 12, 2025

**TO:** Chair Bosomworth and Members of Planning Committee

**AUTHOR:** Jennifer Huff, Director of Development Services &  
Environmental Sustainability  
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**SUBJECT:** Bill 17, Protect Ontario by Building Faster and Smarter Act

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## **RECOMMENDATION**

BE IT RESOLVED THAT Staff Report DSES-2025-029 be forwarded to the Ministry of Municipal Affairs and Housing Public Input Coordinator – as the Township’s response to their request for comments on Bill 17, Protect Ontario by Building Faster and Smarter Act, 2025.

## **REPORT HIGHLIGHTS**

This report provides an overview of Bill 17, Protect Ontario by Building Faster and Smarter Act, 2025 of which the Province has sought feedback.

## **BACKGROUND**

### Bill 17 Introduction

On May 12, 2025 the Province introduced [Bill 17: Protect Ontario by Building Faster and Smarter Act, 2025](#). Details on this Bill can be found on the Environmental Registry of Ontario under [ERO No. 025-0416](#), [ERO No. 025-0462](#), and [ERO No. 025-0463](#). The Province has provided a 30-day consultation period on this draft Bill with comments being due by June 11, 2025 and 45-day commenting period on some of the associated regulations with comments due on June 26, 2025.

### Bill 17 Background

While Bill 17 proposes to amend various provincial statutes, staff will be focusing on proposed changes most relevant to the Township of Muskoka, being the proposed amendments to the Ontario Planning Act and the Development Charges Act.

The stated intent of this Bill is to remove unnecessary barriers to building, to expedite vital projects, fuel growth, create the conditions for investment and unlock new job markets. Much of the Provincial communications related to this Bill highlight its intention to expedite

the development and permitting processes. At a high level, the proposed changes may impact the development approvals process, the provision of housing, the provision of public infrastructure and a municipality's ability to collect development charges.

The province send a letter to all Municipalities advising of the proposed legislation (see Appendix I) and has created a [technical briefing](#) that provides useful information on the purpose and intent of the legislation.

Staff have provided, as attachments to the subject report, legal and technical reviews of the proposed legislation: Appendix II – Weir Folds Summary of Bill 17; Appendix III – Osler Summary of Bill 17; and, Appendix IV – Hemson Summary on Changes to Development Charge Act.

## **ANALYSIS**

### **Key Proposed Planning Act Amendments**

- Complete application requirements are proposed to be limited to only those studies that are currently identified in Official Plans, except where MMAH approves new requirements. A proposed regulation will specify what municipalities can and can not require for a complete application through regulation.

MMAH has specifically identified four studies that may be prohibited from being required as part of a 'complete application' package, being 'sun/shadow', 'wind', 'urban design', and 'lighting' studies;

- Further, MMAH is also consulting on prescribing a list of qualified professionals whose reports and studies must be accepted by municipalities as deemed to meet the requirements of a complete application. The list of 'prescribed professionals' has not yet been released;
- Introducing "as-of-right" minor variances for setbacks. It is currently proposed that variances up to 10% of required setbacks would be permitted "as-of-right" (this is proposed to apply to urban residential lands);
- Permitting publicly funded schools and associated childcare facilities as-of-right on parcels of urban residential land and providing exemptions from site plan control for portable classrooms; and,
- The Minister will have the ability to impose conditions on MZO's before they come into effect.

Staff Comments on proposed amendments to the Planning Act:

- Standardizing complete application requirements would bring clarity to the planning application process. However, each Municipality can have unique characteristics that require unique application considerations. For example, the Township of Muskoka Lakes is one of the few municipalities that has a Dark Sky By-law and includes Dark Sky friendly policies in its Official Plan. As such, it is possible that a Lighting Plan would be entirely appropriate for the submission of a certain type of development application (e.g. an OPA/ZBA to support the creation of a large resort). While the Township appreciates the Province's efforts to streamline the application requirements, municipalities should retain the autonomy to determine application requirements.
- Further clarity is requested regarding the proposed regulation that would prescribe a list of 'qualified professionals' whose reports and studies must be accepted by municipalities. There is a nuance between an application meeting the threshold of a complete application and the necessary review / peer review work that is required in order for a planner to make a recommendation on an application. It is unclear whether a report submitted by a 'qualified professional' is intended to merely satisfy the threshold for a complete application, or if the legislation intends to require municipalities to accept such submissions 'as-is' and exempts them from a review/peer review process.

Peer review protocols serve not only as a risk mitigation strategy for municipalities, but also as a means of reinforcing public safety, maintaining professional accountability, and demonstrating that the municipality has taken reasonable steps to validate the adequacy and accuracy of works prior to approval or construction. As such, municipalities should retain the authority to request peer reviews where deemed necessary.

- The proposed introduction of an "as-of-right" variance model for proposals that are within 10% of setback requirements is intended to streamline approvals and reduce the volume of minor variance applications. While this may reduce administrative burden, it is noted that this proposal only applies to minor variances for setbacks in urban residential lands, and as such may have limited impact in the Township. It is also noted that permitting 'as-a-right' variances, may have building code and / or fire protection implications.
- The Township supports efforts to provide more options for the development of public schools in residential areas, including schools that contain daycare centres.
- Proposed changes to Minister's Zoning Orders (MZOs) are intended to enhance transparency and accountability; however, they also expand the Minister's authority. An increase in the use of MZOs could potentially diminish local planning certainty and limit municipal input in land use decisions, thereby

affecting long-term community planning efforts. To date, there have been no MZO's locally within the Township.

### Proposed Amendments to the Development Charges Act

Changes to the Development Charges Act (DCA) will take effect through one of two ways: 1) upon Royal Assent; and 2) through Regulations, some of which are enabled by new legislative authority.

The following proposed amendments are to be effective upon Royal Assent:

- exempt long-term care homes (both not-for-profit and for-profit) from DCs;
- removal of the requirement for a DC Background Study where making amendments to municipal DC by-laws for the following changes:
  - decreases one or more DC rates;
  - repeals a provision to index DCs; or
  - amends an indexing provision that provides for a DC not to be indexed;
- defer the payment of DCs on residential development until occupancy and disallow the calculation of prescribed interest on deferred amounts (either issuance of occupancy permit or actual occupancy);
- revise the existing DC “freeze” rule under s.26.2 (rate currently frozen at the rate in effect at the time of site plan or zoning by-law application) to the lower of the frozen DC amount or the DC amount in effect when the building permit is issued.

Proposed changes through changes to regulatory authority are the following:

- increase flexibility for developers to apply DC credits across multiple services;
- expand provincial authority to identify any services as an ineligible capital cost for the purposes of development charges (currently, only land is ineligible);
- new provincial authority to define local services where municipalities require developers to fund or install services in a subdivision;
- new provincial authority to prescribe criteria for determining the extent to which an infrastructure project benefits existing development;
- improvements to improve transparency by:
  - expand the current requirement to spend or allocate 60% of DC reserve funds annually to apply to all services (currently just applicable to services related to a road);
  - broaden the reporting requirements for annual Treasurer's DC statements;
  - standardize DC background studies; and,
  - improve public access to annual Treasurer's statements;
- allow indexation of DC rates using the Statistics Canada the new London Non-Residential Construction Price Index (existing indices for Toronto or Ottawa-Gatineau)

Staff Comments on proposed amendments to the Development Charges Act

Of the proposed changes upon passage of the bill, the most impactful change for the Township would be related to the timing of the collection of development charges. DCs are most commonly currently collected at the time of the issuance of the building permit. Currently, only rental housing and institutional development have a statutory deferral of DC payments. While currently permitted, municipalities would no longer be able to charge interest on deferred DC payments. Deferral of the collection of DCs to the date of occupancy will have cashflow implications and potentially increase costs by requiring the temporary use of other funding sources (e.g. reserve funds or debt) or potential delays for growth-related capital projects. Additional administrative costs may also be incurred with administering securities (where permitted) and occupancies.

The impacts related to the proposed regulatory authorities are not significant to the Township. Of note, the requirement to spend or allocate 60% of all DC reserve service funds will require additional identification of growth-related, DC eligible projects through the annual budget process, and increased communication through the Treasurer's statement to identify those projects to be funded through DC amounts collected.

## **ALTERNATIVES**

Committee may choose to not forward any comments to the Province or suggest alternative comments in response to the draft Bill.

## **FINANCIAL IMPLICATIONS**

None as a result of this report.

## **STRATEGIC PLAN**

Goal: Enhancement of Natural Environment

Goal: Strengthen our Cultural and Community Fabric

## **COMMUNICATIONS**

This staff report was distributed to Committee and all those registered to receive notification through the meeting agenda electronic notification system, and was published on the Township's website in accordance with the Township's Procedural By-law.

## **ATTACHMENTS**

Appendix "I" – Letter from Ministry of Municipal Affairs and Housing re. Bill 17

Appendix "II" – Weir Folds Summary of Bill 17

Appendix "III" – Osler Summary of Bill 17

Appendix "IV" – Hemson Summary on Changes to Development Charge Act

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