



June 11, 2025

Ministry of Municipal Affairs and Housing
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Toronto, ON
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PlanningConsultation@ontario.ca

Sent via online submission

Re: Town of Penetanguishene Comment Submission
Bill 17, *Protect Ontario by Building Smarter and Faster Act*

Thank you for the opportunity to comment on the Environmental Registry of Ontario (ERO) consultation on the above-noted legislation. The Town of Penetanguishene offers the following comments for consideration regarding the changes under Bill 17, *Protect Ontario By Building Smart and Faster Act*, and two proposed regulations that are in support.

Bill 17, *Protect Ontario By Building Smarter and Faster Act* (ERO #025-0504)

Development Charge Changes

The Town of Penetanguishene has significant concerns about Bill 17 changes that would shift the timing of payment of Development Charges to when occupancy is requested or when construction is complete as opposed to when obtaining a permit.

Requiring the payment to obtain a building permit is an appropriate and necessary tool for the municipality to ensure payment is received. The Town has recent experience with two rental housing projects that have permission under the existing *Development Charges Act* to defer payment until occupancy. In one scenario, the Development Charges went unpaid at the time of occupancy and required the Town to add these charges to the taxes. This involves significant staff time to prepare, calculate, and add to the tax roll while also impacting the Town's cash flow.

Additionally, staff question whether the Chief Building Official has the authority to withhold occupancy as the required changes to the *Building Code Act* to require payment were not made concurrently with the previous permission for deferred payment, nor is it being made as part of Bill 17. This will result in significant operational impacts on the Building Department and the Finance Department to administer this change, and the Town's recent experience suggests this will be problematic, requiring staff time to collect payment after the fact. The Town of Penetanguishene strongly discourages the Province from this proposed change as it removes the municipality's leverage point in collecting development charges.



The Town would also like to bring to the attention of the Province the complicated and challenging process for calculating interest payments that exist under previous changes to the *Development Charges Act* that will be expanded to all construction if the proposed changes under Bill 17 come into effect. The Town notes that there are *two dates where interest is imposed*: the first is on the frozen Development Charges based on the date of application submission, and the second is on the interest on the deferred Development Charges. To add complexity, *two charges must be calculated and recalculated*: the lower-tier development charge and interest and the upper-tier municipal development charge and interest.

The Town is concerned with the significant impacts and potential consequences of Bill 17. This legislation may diminish the Town's development charge revenue, which would, in turn, harm the municipality's cash flow. Such impacts could postpone crucial capital projects and force current residents to face higher user fees. Moreover, the bill introduces administrative challenges that would complicate operations and burden administrative resources.

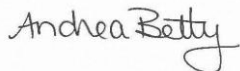
Proposed Regulations for "As of Right" Setbacks (ERO-025-0463)

The Town of Penetanguishene has significant concerns with the proposed change that would grant a 10% variance to all yard setbacks from all local zoning by-laws as of right. The Town of Penetanguishene updated the Zoning By-law in 2022, and the setback standards set are the minimum setbacks therefore, any further reductions substantial and negatively impact the built form of communities. The Town of Penetanguishene is of the opinion that the existing process of an application for a Minor Variance is the appropriate mechanism to address setback reductions that consider the local conditions. There are concerns about unintended consequences due to this change, and request additional time and consultation with municipalities before a regulation is approved.

We trust the above is satisfactory; however, should you have any questions, please get in touch with Andrea Betty, RPP, MCIP, Director of Planning and Community Development, at 705-549-7453 ext. 215 or by email at abetty@penetanguishene.ca.

Yours truly,

THE CORPORATION OF THE TOWN OF PENETANGUISHENE



Andrea Betty, MCIP RPP
Director of Planning and Community Development

cc: Jeff Lees, Chief Administrative Officer