June 11, 2025

Ministry of Municipal Affairs and Housing

Office of the Minister

777 Bay Street, 17th Floor

Toronto, ON M7A 2J3

**Re: Comments – Assessment of Bill 17, *Protect Ontario by Building Faster and Smarter Act, 2025***

This letter serves to provide comment on the changes under Bill 17, *Protect Ontario by Building Faster and Smarter Act, 2025* and the potential impacts on the City of Cambridge. Many of the changes bear a lack of clarity, produce an incremental administrative burden, and shifts costs to be funded through the tax base with an underlying concern about how growth is to be sustainably funded.

**Building Code Act** – Schedule 1 ([25-MMAH0042](https://www.regulatoryregistry.gov.on.ca/proposal/50334))

**Summary:** The proposed changes include adding a provision to clarify that municipalities do not have the authority to create or enforce their own construction standards. Also, eliminating the requirement for a secondary provincial approval of innovative construction products for products that have already undergone a “Canadian Cost Compliance Evaluation” by the federal Canadian Construction Materials Centre.

**Comments:** No Comments.

**Development Charges Act** – Schedule 4 ([25-MMAH003](https://www.regulatoryregistry.gov.on.ca/proposal/50333))

**Create a regulation-making authority to merge service categories for development charge credits**

**Summary:** Proposal would allow for DC credits to be applied across DC service categories.

**Comments:** As per Section 33 of the DCA, municipalities shall establish a separate reserve fund for each service to which the development charge relates. Currently, DC rates are charged, revenues are received, and credits are given (when applicable) and are accounted for separately through a reserve fund established for each DC service.

Bill 17 would allow credits across different services. This would erode revenues intended to fund growth related infrastructure works that may not be directly related to the credits given. The City of Cambridge proposes that DC credits remain applicable only to the service they relate to, thereby ensuring DC funding is used for its intended purpose.

**Create a regulation-making authority to specify what constitutes a “local service”**

**Summary:** Proposal to define local services to assist in standardizing what infrastructure services are captured under municipal local service infrastructure policies compared to infrastructure services captured by DCs.

**Comments:** The City of Cambridge has a local service policy that reduces negotiation and is aligned with regional norms. The financial impact of this proposed change is difficult to measure at this point until further details are provided. Depending on the determination of a "local service", costs currently born by the developer through the local service policy may be transferred as an eligible capital cost through the next DC study update and will be charged through DC rates to the developer instead.

**Defer payment of DCs for all residential developments**

**Summary:**

▪ All residential developments would be eligible to defer payment.

▪ Municipalities would no longer be given the authority to charge deferral interest on any legislated DC deferral amounts.

▪ DCs payments would no longer be due at permit and would be due at the earlier of:

* The day an occupancy permit is issued; or
* The actual date of occupancy

▪ If a residential development is not subject to an occupancy permit, municipalities would have the authority to require financial security for payment of deferred DCs for non-rental residential developments.

**Comments:** This proposal will have a significant financial impact as a result of the removal of DC interest revenue collected on DC deferrals, cash flow implications as developers may elect to defer payments for residential developments, and cash flow implications as DCs are no longer due at building permits and can now be paid up to occupancy. The requirement for municipalities to fund development costs ahead of the receipt of funds results in an opportunity cost on earned investment income which in turn will adversely affect annual tax rates and taxpayer affordability, and impacts available funding for other non-growth related capital rehabilitation infrastructure requirements.

The interest collected on the DC deferral installment payments reflects the borrowing costs to bridge the gap between development and full DC collections and reflects the true costs of the infrastructure.

Deferral of all residential DCs will reduce cashflow at the City, potentially delaying DC related infrastructure projects, increasing reliance on developer-built assets, and increase funding pressures from municipal taxes and user fees to fund growth related infrastructure projects.

The constant changing of legislation creates uncertainty for developers to make long-term investment decisions as well as create difficulties for municipalities to adjust long term strategies and investments already in motion driven through official plans, background studies and financially supported through forecasted budgets.

There will be significant administrative costs associated with the tracking and processes of DC deferrals for all residential DCs. This will require agreements to be updated, tracking payments of varying occupancy dates over 5 years (through multiple DC collection timelines depending on the development), and potentially sending revised DC bills if payments are received prior to permit issuance and changes are made to the application which alters the amount of DCs owed. This requires additional staffing resources at a cost to taxpayers through the annual levy. Also, paying the DCs too early in the application timeline may not accurately reflect the true infrastructure costs at the time the building process is underway.

**Simplified DC by-law process**

**Summary:** Those municipalities making changes to their DC by-laws for the sole purpose of the following, would not be subject to a new background study, hold public consultation, etc.:

* Decreasing one or more DC rates;
* Repealing a provision to index DCs; or
* Amending an indexing provision that provides for a DC not to be indexed

**Comments:** The City supports the streamlined process when there is a reduction to DC rates. This will alleviate administrative burdens and streamline the DC by-law process. However, by eliminating the statutory public process, there will be no opportunity for the general public to delegate Council to voice concerns regarding DC reductions, thereby reducing transparency.

**Create regulation-making authority to prescribe limits on recoverable capital costs**

**Summary:** The current DCA lists eligible capital costs, such as land, buildings, and computer equipment, to be recovered from DCs. The proposed change would create a regulation-making authority to prescribe limits and exceptions to the eligible capital costs, including land costs.

**Comments:** The financial impact of this proposed change is difficult to measure at this point until further details are provided.

Depending on the changes to the capital cost definitions and exceptions, the financial impact could be significant as exempting recoverable costs will reduce the City of Cambridge's ability to recover growth-related costs which would then be born onto the taxpayer.

**Lower applicable DC rate**

**Summary:** A development eligible for a DC rate freeze would receive the lower of the frozen DC rate plus interest or the current DC rate in force.

**Comments:** This proposed change ensures the developer is not being penalized for proceeding within the allotted 18-month timeframe as outlined in the DC Act.This reflects the current practice of the City of Cambridge.

**Exempt long-term care homes from DCs**

**Summary:** This includes exemptions for both non-profit and for-profit developments.

**Comments:** The City of Cambridge is supportive of the development of long-term care homes throughout the City. However, this proposed exemption would decrease the DC revenues collected for this type of development. In turn, placing the burden on taxpayers to make up the difference to support growth across the City.

The City of Cambridge will continue to track lost DC revenue incurred as a result of Bill 23, Bill 185 and Bill 17 and will continue to advocate with the Province to be made whole again.

**Prescribe a Benefit to Existing (BTE) Methodology**

**Summary:** Regulations may be introduced to prescribe criteria for determining the extent to which an infrastructure project benefits existing development.

**Comments:** The creation of guidelines to BTE calculations could create more transparency and reduce disputes between municipalities and developers. However, significant consultation with municipalities and stakeholders will be essential to ensure standardization calculations and guidelines would be appropriate and applicable to all municipalities.

**Standardize DC Background Studies and Annual Reports**

**Summary:** Expand regulatory changes to include spending or allocating 60% of money in all reserves at the beginning of each year, instead of the select services current (water, wastewater and roads). Also, standardization of background studies and improving public accessibility of annual municipal treasurer DC statements using an existing authority.

**Comments:** The expansion of this requirement would require additional administrative tracking for all DC services to ensure a certain percentage (e.g., 60%) is accurately allocated.

**Planning Act** – Schedule 3 and 7 ([ERO 025-0461](https://ero.ontario.ca/notice/025-0461))

**Minor variances**

**Summary:** Minister would have authority to allow certain variations as of right if a proposal is within a prescribed percentage of the required setback (e.g., 10%) in specified lands (e.g., urban residential lands).

**Comments:** There are some concerns with as-of-right variance where development may not be adequately accommodated on sites such as in older built up areas where structures were built prior to zoning bylaws and in new areas where setbacks are minimal.

Rather than moving to an as-of-right regulation, the Province could consider amendments to Section 39.2 of the Planning Act to provide delegated authority for minor variance applications. This could allow for an improved, faster process where the variance is within a prescribed percentage. In this instance, municipalities could ensure that the proposed development satisfies Building Code requirements ahead of permit submissions.

Should the proposal be enacted, the legislation should be clear that if the setback variance impacts other regulations that it not be permitted as-of-right (for example, side yards that are also a legal parking space or access to a parking space or side yard areas required for drainage swales).

**Study Requirements and certified professionals**

**Summary:** The proposed changes would limit municipal complete application requirements to what is currently identified in official plans. Any new or revised requirements would have to be approved by the Minister. Also propose to create regulatory authority to list topics that cannot be required, list the only studies that could be required and specify certified professionals. Studies that are proposed to not be required include sun/shadow, wind, urban design, lighting.

**Comments:** The type of studies required varies depending on the form of development proposed. Limiting the ability to require studies could result in poorly executed development that impacts livability. Many of the concerns heard through public meetings on development proposals related to sun/shadow, wind, urban design and lighting which are all impacts on existing and future residents. Good design considers these elements. Further consultation with municipalities is recommended to ensure that limitations on studies does not result in negative long-term impacts. Generally limited concern about certified professionals, as the standard is already to require certified professionals to prepare studies in support of development applications.

**Streamlining approval for Schools**

**Summary:** Propose to exempt the placement of all portable classrooms from site plan control where currently only schools built prior to January 1, 2007 are exempt. Amend the Planning Act to provide as-of-right permission for Kindergarten to Grade 12 public schools and ancillary uses on urban land zoned for residential uses.

**Comments:** The City agrees with the extension of exemptions to all schools. With respect to as-of-right zoning permissions for schools on residential lands, the City of Cambridge permits schools within lands designated residential in the Official Plan and within lands zoned residential. Generally, there are concerns with potential impacts of large-scale secondary schools locating within neighbourhoods. Regulations could be introduced to restrict the locations of large-scale secondary school’s locations along collector or arterial roads. While property size requirements may limit new secondary schools from being built in an infill situation, the inclusion of regulations for larger schools would alleviate impacts within neighbourhoods.

**Minister’s Zoning Order**

**Summary:** Allow the Minister to impose conditions on Minister’s Zoning Orders that must be met before a use is permitted.

**Comments:** The City agrees that conditions should be imposed on Minister’s Zoning Orders. Typically, a Minister’s zoning order permits a range of uses as-of-right without consideration for matters such as servicing, traffic improvements, environmental protection, etc. The implications of development should be understood prior to approving an order. Where that is not possible, conditions will protect the public interest by allowing for review and approval prior to development.

**Ministry of Infrastructure Act – Schedule 6** ([RR-25M0I003](https://www.regulatoryregistry.gov.on.ca/proposal/50413))

**Summary:** To provide the Minister of Infrastructure with the authority to request information and data from municipalities and municipal agencies, where needed to support provincially funded infrastructure projects.

**Comments:** No Comments

**Transit-Oriented Communities Act** ([ERO 025-0504](https://ero.ontario.ca/notice/025-0504))

**Summary:** The proposed legislative amendments are intended to streamline the planning and delivery of the Transit Oriented Communities (TOC) program. Changes would include expanding the TOC definition and removing approval when entering into transit-oriented community agreements with municipalities and building partners.

This proposal expands the scope of priority transit projects beyond the current definition, which is focused on the Ontario Line, the Scarborough Subway Extension, the Yonge Subway Extension and the Eglinton Crosstown West Extension.

The expanded scope would include all provincial transit projects that Metrolinx has authority to carry out, including expansion or improvements to the GO Train system. This will mean that all these projects will be exempt from the provisions of the Expropriations Act that permit a hearing of necessity to be requested. Additional permit requirements for development near these projects will be required, and additional powers are given to the province/Metrolinx on lands within 30 metres of transit corridors.

**Comments:** At the present time, Metrolinx has not established a train station or rail line connection to Cambridge. This Act will be monitored for potential future application should plans for a rail link be approved.

**Ministry of Transportation – Schedule 2** ([ERO 025-0450](https://ero.ontario.ca/notice/025-0450), [RR 25-MTO005](https://www.regulatoryregistry.gov.on.ca/proposal/50314), [RR 25-MTO006](https://www.regulatoryregistry.gov.on.ca/proposal/50414))

**Summary:** The bill proposed to change the Building Transit Faster Act, 2020 (BTFA) that, if passed, would extend the use of the BTFA measures to all provincial transit projects.

A proposed amendment to the Metrolinx Act, 2006, permits the Minister of Transportation to request certain information and data from municipalities or municipal agencies necessary to support the development of provincial transit projects or Transit- Oriented Communities projects.

**Comments:** No Comments.

Respectfully,


Mayor Jan Liggett