

Attachment 1
Bill 17, Summary of Key Proposed Changes and County Feedback
Protect Ontario by Building Smarter and Faster Act, 2025

Summary of Key Proposed Changes and County Implications Bill 17, Protect Ontario by Building Smarter and Faster Act, 2025			
Proposed Statute to Amend	Proposed Changes	County Implications and Potential Actions	Summary of Response to the Province
Schedule 1 - Building Code Act, 1992, S.O. 1992, c.23	Reduce Restrictions on Building Materials <ul style="list-style-type: none"> Restrictions on the Building Materials Evaluation Commission's powers to restrict innovative building materials. 	<ul style="list-style-type: none"> There is potential to see more innovative or low-cost materials being used in the design of new developments. County Staff will continue to work towards a CPPS to work with developers and support innovation for the sake of low-cost housing supply delivery. 	<p>The County supports innovative building materials to help reduce initial costs, as well as long-term maintenance. However, innovation should not come at the cost of quality. Through the County's Strategic Plan, the County is committed to exploring non-traditional housing types. Flexibility in the materials through this proposed amendment will help the County explore unique avenues to provide affordable housing.</p> <p>Staff will be transitioning towards a community planning permit system (CPPS) by the end of 2026 to ensure that, the County is able to maintain the community's character by directly incorporating design standards (something that is not enabled through zoning or site plan control).</p> <p>From a Building Code perspective, Staff have no comments.</p>

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	<p>Clarification on Authority</p> <ul style="list-style-type: none"> Clarify that certain sections of the Municipal Act, 2001 do not authorize a municipality to pass by-laws respecting the construction or demolition of buildings. 	<ul style="list-style-type: none"> The reduced authority may restrict additional requirements that the County looks for such as noise and vibration studies that help protect sensitive land uses around uses such as rail lines. To fulfill the goals of the County's Climate Action Plan, County Staff will need to look at options elsewhere to encourage sustainable built form. This legislation would prevent the County from passing by-laws related to green building standards or demolition salvage. County Staff will take this into account as we work towards the CPPS, with a key objective being standards that will help us maintain the character of established areas to manage change and gentle density. 	<p>The County has concerns with the proposed changes, which appear to reduce the capacity of municipalities to implement and encourage sustainable development through green standards and opportunities for salvage and building conservation.</p> <p>Although the County has not adopted formal green building standards, the County's current Climate Action Plan and Strategic Plan outline the development of green building standards. The County understands a desire to standardize practices across the Province, and recommends that the Province review the development of provincial-wide enhanced green standards within the Building Code.</p> <p>Similarly, the County is concerned that this amendment would limit the following needed construction requirements related to health and safety:</p> <ul style="list-style-type: none"> Municipal requirement for upgraded windows, cladding and air conditioning due to noise and vibration study recommendations (subdivision agreement)
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			<ul style="list-style-type: none">• Municipal requirements for installing a sanitary pump grinder for properties with low slope sanitary sewers (public works permit)• Municipal requirement for reduced pressure back flow preventor on water supply pipes (Site Plan agreement)• Municipal requirement for tertiary treatment septic systems (hydrogeological report) <p>Staff recommend further clarification on the scope of the proposed amendment, particularly in relation to complete application requirements. Specifically, clarification is requested on whether the changes would affect only those standards imposed through by-laws and not those that may be secured through a development agreement because of recommendations stemming from required studies. Given the proposed changes to the Planning Act in this Bill, which would allow the Minister to approve or reduce application requirements, staff seek assurance that necessary studies can still be required and</p>
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			implemented through planning tools such as development agreements rather than being limited to building code standards.
Schedule 4 - Development Charges Act, 1997, S.O. 1997, c.27	Defer Payment of DCs for all Residential Developments and Removal of Interest Charges <ul style="list-style-type: none"> Payment for all residential developments may be deferred from the time of building permit issuance to the time occupancy is granted, a deferral that exists but is currently limited to rental housing and institutional developments. No interest would be payable, and existing deferrals for rental housing and institutional developments would be exempt from interest payments. 	<ul style="list-style-type: none"> Deferred DCs can work to incentivize housing supply within the County of Brant which is a tool that can help us meet the needs of a growing population. The deferral of DC payments until occupancy increases the financial risk to the municipality, as payment is dependent on the developer successfully selling or renting units, potentially delaying or jeopardizing critical funding for infrastructure based on the housing market. The County shall continue to support and encourage a wider variety of residential development types for greater attainable and affordable housing supply within the County. 	<p>County Staff estimate that the 1 year shortfall with payment on occupancy rather than at Building Permit is estimated to be approximately \$6,149,129, with an additional \$276,711 related to interest costs to borrow and the loss of interest deferral revenue.</p> <p>County Staff support encouraging residential developments wherever possible given the housing crisis, however, Staff are concerned that this measure is not specific enough to support long-term sustainably planned housing supply, and will create a financing gap in the immediacy based on the period between building permit issuance and occupancy. Going forward, mid-to-high-rise developments as well as forms of gentle density such as additional residential dwelling units should be prioritized. Deferring payment of DCs for all residential types may lead to a continued supply of single-detached dwellings instead of more efficient</p>

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			<p>housing types, although dependent on market demand.</p> <p>Staff are also concerned that deferring DC payments until occupancy may result in higher administrative burdens and costs for the County to oversee, reducing Staff capability to be efficient in the development approval process. Staff are also concerned about the potential for finances to be held back by key municipal servicing while waiting for developers to obtain tenants for residential developments and the removal of interest payments for installment payments. Staff advise that the Province continue to provide key infrastructure funding as a means to fund the construction of required infrastructure with the trend of shifting a portion of the financial responsibility burden from the development industry and new home buyers.</p>
	<p>Exempt Long-Term Care Homes from Municipal DCs</p> <ul style="list-style-type: none"> On a go-forward basis, long-term care homes shall be exempt from DCs to contribute to achieving 	<ul style="list-style-type: none"> Exempting long-term care homes may incentivize a greater number of long-term care beds which provide services to individuals requiring alternative housing forms. The County continues to encourage a mix of housing to support the County's aging population 	<p>County Staff are in support of this approach. The Province should consider how the impacts from this loss of funding can be made up elsewhere.</p>

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	the government's goal of 58,000 long-term care beds	as well as housing for persons with disabilities such as physical, sensory, or mental health disabilities.	
	Remove Procedural Requirements for DC Reduction <ul style="list-style-type: none"> A reduction in DCs by a municipality would not require a background study or consultation 	<ul style="list-style-type: none"> The reduction in procedural requirements proposes the removal of public consultation for residents. Further, the changes may remove the need for studies and consultation to be undertaken before reducing DCs. 	<p>The County supports streamlining the reduction of DCs to encourage housing but is concerned with the removal of the need for studies, which would provide a quantitative basis for the reductions. Municipal DCs play an important role in ensuring the safe and high-quality delivery of infrastructure. The County supports a quantitative and strategic approach to DC reductions, but recognizes that enhanced Provincial funding for infrastructure can assist with the Province's focus on freezing or reducing required DC funding amounts.</p>
	Standardization of Benefits to Existing and Local Services <ul style="list-style-type: none"> The Province intends to create standardized formulas for aspects of municipal DC By-laws that are currently defined by municipalities 	<ul style="list-style-type: none"> Will eliminate debate on the calculation of these aspects to a simple formula. 	<p>The County agrees with these aspects to remove ambiguous definitions and calculations towards what is constituted as a Local Service, and for the Benefit to Existing.</p>

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<p>Schedule 7 - Planning Act, 1990, R.S.O., c.P.13</p>	<p>Minister Regulating the Requirements for a Complete Application</p> <ul style="list-style-type: none"> • Municipalities must obtain written approval from the Minister before adopting amendments to the requirements for a complete application • Enable the Minister to prescribe a list of subject matters for which studies cannot be required as part of a complete application, what studies are only required, and specify certified professionals from whom municipalities would be required to accept studies. A proposed regulation currently posted on the ERO (#025-0462) will limit the scope of the permitted studies such as, excluding sun and shadow, urban design, and lighting studies. 	<ul style="list-style-type: none"> • The proposed change will create efficiency in the approval process, as applicants will be able to submit complete applications with less confusion over requirements. • The process of getting written approval needed for future studies being introduced into the Official Plan, could likely be denied as a means to streamline development approvals. • Proposed limitations on aspects of lighting, sun and shadows, and urban design requirements reduces the County's ability to administer studies that work to ensure site compatibility within the County. There will be a higher level of responsibility on the municipality to ensure the Official Plan is clear on the key studies and objectives that support compatibility and mitigation of environmental impacts. • The County will need to rely on strong policies and its own review of issues related to urban design, lighting, or sun and shadows typically associated with larger and taller developments. It will be important to consider these impacts at a broader level – namely when undertaking secondary planning exercises. • This will have minimal impact on smaller developments within the County such as single-detached residential homes. 	<p>The County agrees that there should be standardization and streamlining for the requirements for a complete application. However, Staff have do not agree with the approach to remove reports that would support good planning practice, including sun and shadow, light, and urban design studies. Staff suggest that either the Province produce standardized versions of each study type with standard approaches to terms of references or the Province provide clarity surrounding key studies within official plans. Staff advise the Province to outline the role of lighting, sun and shadow, and urban design studies within official plans, if they are to be removed entirely or if these studies can continue to be enforced through alignment with the official plan.</p> <p>As municipalities look at ways to integrate 3D modelling into their planning processes, this provides an opportunity for the municipality to simply rely on their own review rather than studies provided as part of the application. This approach would shift the workload and responsibility to the municipality, which would ultimately impact staff workload. If this is the expectation of the Province,</p>
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		<ul style="list-style-type: none"> Future transitions to a Community Planning Permit System will provide the County with more regulatory power over design-related aspects. 	support should be provided for this approach (funding, standardized 3D data, etc.).
	Conditional Approvals for Minister's Zoning Orders (MZOs) <ul style="list-style-type: none"> The Minister will have the authority to impose conditions that must be met before any uses permitted by a Minister's Zoning Order (MZO) can take effect. These conditions may be enforced through an agreement that can be registered on title. 	<ul style="list-style-type: none"> Major implications are not anticipated, as there are currently no MZOs within the County. 	County Staff do not have any comments at this time but will continue to monitor for potential MZO usage within the County.
	Schools As-of-Right <ul style="list-style-type: none"> Provisions shall restrict official plans and zoning by-laws with respect to schools. Schools including elementary, secondary or ancillary uses to such schools within urban lands zoned for residential uses shall be permitted as of right. The act also 	<ul style="list-style-type: none"> Streamlining approval for schools will work to provide the services needed to families within the County. The County's Official Plan – <i>A Simply Grand Plan</i>, 2023 (5.1.18), takes a similar approach in that it is the intention of the Plan to recognize the importance of planning for and encourage schools to support the County's growing population. The Official Plan works to ensure that the design of schools goes beyond the school site but is supported by within compatible neighbourhoods 	The County supports policy directions to ensure school facilities form part of the community and adequately service growing populations. Within the County, Staff recognize that there is a current gap in the amount and type of schools to support the community. Streamlining school development approvals can help meet the needs of families within the County. However, Staff advise that schools are a sensitive land use and it should be

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	proposes the removal of timing restrictions related to portable classrooms for the purposes of the definition of development.	with safe streets to encourage active transportation. Schools are seen as an appropriate use of land in any designation that is outside an employment area.	clarified that minimum distance setbacks from uses such as employment will take precedence to avoid exposure to industrial uses. Even with the setback, the County cautions that not all neighbourhoods may be planned for safe active transportation surrounding schools, namely when schools are put on higher-order roads (like arterials). Where schools are permitted as-of-right, the Province should consider adopting a guideline to show how schools should be designed in various settings.
	Minor Variance and As-of-Right Variations <ul style="list-style-type: none"> The Minister of Municipal Affairs and Housing would have regulation-making power to allow certain variations as-of-right. The <i>Bill</i> proposes legislation that would permit a setback variation up to a specified percentage. A regulation for comment on the ERO (#025-04563) currently proposes 	<ul style="list-style-type: none"> The buffer will reduce the workload of staff to process minor variance applications. The change may require Staff undertake consultations and studies to update key zoning requirements so that the buffer matches the vision of the County. The buffer may also cause concerns around setbacks that are set for safety reasons (eg. sight lines). Staff will need to ensure that the current setback standards provide enough buffer to prevent these issues. Staff will continue to work towards reducing these types of applications, particularly with the introduction of the CPPS, the development 	The County supports a streamlined approach whereby certain zoning by-law standards are provided as a percentage buffer to reduce minor variance applications. The County of Brant recognizes the need to reduce staff workload surrounding the Committee of Adjustment applications. The County is transitioning toward a CPPS by the end of 2026, which aligns with these directions of the legislation to provide more flexible standards.

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	<p>setbacks within 10% of the standards be “as-of-right.”</p> <ul style="list-style-type: none"> ○ I.e. If the zoning by-law (ZBL) requires a 5-metre front yard setback, this would effectively reduce the setback to 4.5-metres without a minor variance or ZBL amendment 	<p>process will be further streamlined by delegating variations in the By-Law to staff and Council.</p>	<p>Staff suggest providing more support to municipalities transitioning towards or who are hesitant to implement a CPPS. Policies and a clear framework to encourage and make CPPS a standard process would encourage flexibility and support for housing objectives, not burdening staff with minor variance applications.</p>
<p style="text-align: center;">Summary of Key Potential Changes and County Implications Not Addressed in Bill 17 But mentioned in Technical Briefing - Protect Ontario by Building Faster and Smart Act, 2025</p>			
Proposed Statute to Amend	Proposed Changes	County Implications	No Comment Until Legislatively Introduced
<p>Building Code Act, 1992, S.O. 1992, c.23</p>	<p>Flexibility in the Design and Construction of Four-Storey Townhouse Units</p> <ul style="list-style-type: none"> • Future consultation will consider amendments to the Ontario Building and Fire Codes with a focus on improving the economic viability of single-unit four-storey townhouses. Focus would look to 	<ul style="list-style-type: none"> • May encourage more four-storey townhouse developments within the County on small footprints. • Can lead to more family-sized units supporting various living needs within the County. 	<p><i>Not applicable at this time</i></p>

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	compensate measures for fire and life safety requirements.		
	Preferential Treatment for Canadian Manufacturers <ul style="list-style-type: none"> Amendment to the Building code to eliminate application fees for Canadian manufacturers. MMAH will explore further opportunities to prioritize Canadian manufacturers. 	<ul style="list-style-type: none"> More local materials can help offset carbon emissions associated with the transportation of international goods. Can help improve local economic activity by encouraging greater demand for domestic supply. 	<i>Not applicable at this time</i>
Development Charges Act, 1997, S.O. 1997, c.27	Regulation-Making Authority to Prescribe Limits on Recoverable Capital Costs <ul style="list-style-type: none"> Although not yet released, the Minister will be able to make regulations to limit and exempt certain capital costs, including land costs. Related service categories could be combined to give developers greater opportunities to receive DC credits for infrastructure construction. Following 	<i>Not applicable at this time</i>	<i>Not applicable at this time</i>

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	consultation, a methodology may be prescribed to calculate the benefit to existing development (BTE), which reduces DCs payable by new development.		
	Prescribe Methodologies for Calculating the Benefit of New Infrastructure to Existing Development	<ul style="list-style-type: none"> This approach could limit municipal flexibility in determining Development Charges (DCs). This may reduce recoverable costs from new growth, shifting more financial burden onto the municipality (additional debt) or existing taxpayers (higher taxes) to fund infrastructure upgrades. 	<i>Not applicable at this time.</i>
Planning Act, 1990, R.S.O., c.P.13	Streamlining Official Plans <ul style="list-style-type: none"> In response to municipal official plans becoming more lengthy, complicated, or highly restrictive, the Province proposes MMAH work with municipalities to establish simplified, standardized, and inclusive land use designations with more permitted uses. 	<ul style="list-style-type: none"> Could result in future official plan amendments to simplify and standardize the County's OP. Currently no implications as proposed goals from the Province are not yet actionable. 	<i>Not applicable at this time.</i>

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	Official Plan Population Updates <ul style="list-style-type: none">Require municipalities whose population is anticipated to surpass their estimates in their official plan to update their plans to align with the Ministry of Finance's October 2024 population forecast. The updates would be informed by updated provincial growth planning guidance.	<ul style="list-style-type: none">Major implications are not anticipated as the County's most recent population projections are still aligned within current growth rates.	<i>Not applicable at this time.</i>
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