

## Document 1: Description of Proposed Changes in Bill 17

### Building Code Act

- The Bill will provide additional clarity to the *Building Code Act* that a municipality does not have the authority to pass a by-law under sections 9, 10 or 11 of the [Municipal Act](#) to create or enforce their own construction standards. By-laws can still be passed under other authorities, such as those under the [Planning Act](#) (demolition control, zoning, etc.) and other sections of the *Municipal Act* or [Building Code Act](#) (i.e. property standards, tree by-laws).
  - Building Code Services does not have concerns with the proposal; however, staff in Infrastructure and Water Services are concerned about the potential impacts to the [City's Accessibility Design Standards](#) which go above and beyond the provincial standards.

### Planning Act

- Application Document requirements: Currently, municipalities may require specified information or studies as part of a development application to be considered complete. Under the *Planning Act* municipalities have the specified number of days from the day the application is considered complete to make a decision. Some applications have different timeframes. If no decision is made within that timeframe, the applicant has the right to appeal to the OLT for failure to make a decision.
- The Ministry is proposing to limit the information or studies that can be required by a municipality for an application for official plan amendment, zoning by-law amendment, site plan control, plan of subdivision or consent to sever.
- The Province is proposing through [ERO 025-0462](#) that the following topics would not be required as part of a complete planning application:
  - Sun/Shadow: information and material related to the impact of shadows cast by a proposed development on the subject land and on surrounding lands including streets and parks.
    - This study is currently requested by the City.
  - Wind: information and material related to the potential impacts of a proposed development on wind conditions in surrounding areas.
    - This study is currently requested by the City.
  - Urban Design: information and material concerning the urban design of a proposed development, including how a proposed development aligns with municipal urban design guidelines or policies.
    - This study is currently requested by the City.
  - Lighting: information and material related to lighting and lighting levels on the site, including the location and type of lighting fixtures proposed on the exterior of the building and on the site.
    - This study is not currently on the City's list of studies that can be requested.
- In addition, the Minister of Municipal Affairs and Housing can make further changes in the future on what subjects cannot be required, specify what studies can be required, specify certified professionals that municipalities are required to accept studies from.
- At this time, the City's Official Plan does not contain a list of document requirements but rather specifies the list of required information and studies through By-law 2023-297, commonly referred to as the DASP (Development Application Study Policy). However, staff are planning to include this list of studies into the Official Plan through the upcoming

[Provincial Planning Statement Consistency Review](#) report ([D01-01-25-0001](#)) to be presented to Joint Planning and Housing, and Agriculture and Rural Affairs Committee on June 18 and to Council on June 25, 2025. Staff will submit and seek Ministry approval of an Official Plan Amendment for the City's Provincial Planning Statement Consistency Review to resolve this matter.

- At this time, staff have the view that the inability to consider information relating to sun/shadow, wind, and urban design will not provide a fulsome picture on how to revise an application to provide a higher quality of life and overall more positive addition to the existing community than proposed in absence of this information.
  
- **Information and material prepared by prescribed professionals:** a document submitted to the City is deemed to meet the applicable requirements if the document is prepared by a person authorized to practice a prescribed profession. This is related to deeming the application complete, not the decision of the application. The ministry confirmed that municipalities will still be able to review the studies provided.
  - The upcoming regulation described in [ERO 025-0462](#) would also specify which certified professionals from whom municipalities would be required to accept studies. The Province is seeking input on which certified professionals should be included.
  - With the proposed changes, if a study is part of a complete application – whether by provincial or municipal requirements – and is prepared by a prescribed professional, the municipality must accept the study as fulfilling the requirements of a complete application. The Province has indicated that a municipality will maintain the right to review the submission. However, conditions of approval may be required depending on the reasonableness of the assumptions and the quality of the study effort.
  - This change will increase pressure on municipal staff to complete study reviews in short order, putting fulsome due diligence review at risk.
  
- **Variances from setbacks:** New as-of-right reductions of setbacks from property lines on urban residential land; extent of reduction will be outlined in a regulation. The regulation-consultation document is exploring a 10% as-of-right reduction.
  - Staff note that compliance with the building code still applies.
  
- **Schools:** an Official Plan and Zoning By-law Amendment cannot effectively prohibit a school or the placement of permanent portables, including accessory day care, from any urban residential land.
  - Staff do not have concerns.

#### Development Charges

- Development Charge amendments to support desired land uses:
  - Long Term Care homes are exempt from Development Charges; this is already the case in Ottawa as part of the exemption for “non-profit health care facilities” provided for in clause 7(1)(p) of the Development Charge By-law.
  - Payment of Development Charges for residential units is automatically deferred until first occupancy.
  - Development Charges for rental housing and institutional development, which are payable in annual installments, will no longer be charged interest. Outstanding installments can only be charged interest up to the date that Bill 17 receives royal assent.

- Municipalities can amend their Development Charge by-laws to reduce or remove indexing without doing a background study.
- The deferral of development charges to occupancy permit issuance and elimination of interest on deferrals carries a monetary risk to the City for carrying cost and to administer the deferrals.

#### Related Changes on Inclusionary Zoning

- At the time of Bill 23 in November 2022, the Province proposed an amendment to Ontario Regulation 232/18 setting out the requirements for Inclusionary Zoning under the Planning Act. On May 12, 2025, the Province enacted two of the three amendments as originally proposed. The amendments impose two (2) key limitations on inclusionary zoning: (1) a maximum of 5% of units can be set-aside as affordable, whereas previously there was no limitation; and (2) a maximum period of affordability of 25 years, whereas previously there was no limitation. Having known about these possible changes for over two years, staff have incorporated them into the Inclusionary Zoning work to date. Staff do not agree that the limitations are necessary, as any inclusionary zoning framework must be supported by a municipal-specific feasibility analysis, however the clarity is helpful.