



City of Hamilton Report for Consideration

To: Chair and Members
Planning Committee

Date: July 08, 2025

Report No: PED25176

Subject/Title: City of Hamilton's Response to Provincial *Bill 17, Protect Ontario by Building Faster and Smarter Act, 2025* and Associated Ontario Regulations, and *Bill 30, Working for Workers Seven Act, 2025*

Ward(s) Affected: City Wide

Recommendations

- 1) That the submissions and recommendations as provided in Report PED25176 regarding Schedules 1, 2, 3, 5, 6, 7, and 8 of proclaimed *Bill 17, Protect Ontario by Building Faster and Smarter Act, 2025* and Associated Ontario Regulations attached as Appendix "A" and "B" to Report PED25176 **BE APPROVED**;
- 2) That the Director of Planning and Chief Planner **BE DIRECTED** to confirm the submissions made to the province attached as Appendix "A" and "B" to Report PED25176.
- 3) That staff **BE DIRECTED** to report back to Council on any required process, fee, and By-law changes, as well as any financial impacts resulting from *Bill 17, Protect Ontario by Building Faster and Smarter Act, 2025*, and of *Bill 30, Working for Workers Seven Act, 2025* should Bill 30 be proclaimed; and,
- 4) That staff **BE DIRECTED** to prepare the necessary draft amendments to the Urban and Rural Hamilton Official Plans, and any impacted municipal Zoning by-laws, and schedule a Statutory Public Meeting, as well as update any required policies and procedures to give effect to the proposed changes, and undertake an analysis on any financial implications, for Council's consideration at a future Planning Committee resulting from the proclamation of *Bill 17, Protect Ontario by Building Faster and Smarter Act, 2025* Schedule 7 Amendments to the *Planning Act*, and *Bill 30*,

Working for Workers Seven Act, 2025 Schedule 6 Amendments to the *Planning Act*, should Bill 30 be proclaimed.

Key Facts

- On May 12, 2025, the province introduced *Bill 17, Protect Ontario by Building Faster and Smarter Act, 2025*. Bill 17 received royal assent on June 5, 2025. On May 28, 2025, the Province introduced *Bill 30, Working for Workers Seven Act, 2025*.
- Bills 17 and 30 represent the latest legislative amendments proposed addressing matters of land use planning, development, and municipal regulatory powers. The proposed amendments include changes to a variety of legislative acts, and two proposed Ontario Regulations that implement proposed changes to the *Planning Act*.
- The deadline for comments on *Bill 17* was June 11, 2025, and the deadline for the associated regulations was June 26, 2025. Given the timing, staff level comments have been submitted to the province, which are contained in Appendix "A" and "B" attached to Report PED25176. The province has not solicited feedback on *Bill 30*, or the Technical Briefing released with Bill 17. Staff anticipate further consultation will occur on the changes identified within the Technical Briefing, but not contained within Bill 17.
- Staff request authorization to schedule a statutory public meeting of the Planning Committee to consider draft Urban and Rural Hamilton Official Plan amendments and Zoning By-law amendments to address the changes resulting from the proclamation of Bill 17 and Bill 30, should it be proclaimed, and to report back to Council of any recommended policies and procedures to give effect to the proposed changes.

Financial Considerations

At this time there are no immediate financial impacts associated with the recommendations contained in Report PED25176. However, if changes to City policies and procedures are required to align with Bill 17 and Bill 30, the impacts will be assessed in more detail.

Background

Bill 17 passed first reading on May 12, 2025, was debated for second reading on May 15, 2025, passed third reading on June 3, 2025, and received royal assent on June 5, 2025. The omnibus Bill is intended to streamline approvals and accelerate the construction of homes and provincial transit projects. Bill 30 passed first reading on May 28, 2025.

The province was seeking comments by June 11, 2025, on proposed amendments to the various acts as part of Bill 17 and by June 26, 2025, on the associated new Ontario

Regulations. This feedback was provided through submissions under several postings to the Environmental Registry of Ontario (postings 025-0450, 025-0461, 025-0462, 025-0463, and 025-0504).

Analysis

Staff support the general intent of the province to streamline processes to assist in increasing the supply of housing and meeting the province's goal of building 1.5 million homes. The City has demonstrated its commitment to meeting these targets through the Housing Pledge (PED23056) signed in March 2023, implementing policy and regulatory changes to provide more flexibility for infill and intensification options, and implementation of a new streamlined process to accelerate development approvals.

Further, additional actions aimed at streamlining processes and increasing the efficiency of the development approvals process are planned or forthcoming. In 2025 / 2026, the Growth Management Division is undertaking a review of two key components of the development approvals process: the Plan of Subdivision Process and Subdivision Agreements; and the Comprehensive Development Guidelines and Financial Policies Manual.

In addition to ensuring that the City's processes, agreements, and guidelines are up to date and reflective of best practices, a key objective in undertaking this review is to reduce approval times for the development community and enhance the customer experience in navigating the development approvals process. The review of the subdivision process will examine multiple aspects of the approvals process including subdivision draft plan approval, engineering review, release for grading / servicing, registration, and construction / inspections. The review of the Comprehensive Development Guidelines will include updates to existing engineering guidelines and the creation of new guidelines to address emerging requirements such as servicing in intensification areas, financial policies, new standardized agreements, and review and approval of engineering plans for all types of development applications. It is anticipated that updates identified through this review will play a key role in assisting the City with meeting its objectives to streamline development approvals and spur new and expedited growth and development.

Bill 17 includes amendments to eight pieces of legislation including the *City of Toronto Act, 2006*, *Building Transit Faster Act, 2020*, *Building Code Act, 1992*, *Development Charges Act, 1997*, *Transit-Oriented Communities Act, 2020*, *Ministry of Infrastructure Act, 2011*, *Metrolinx Act, 2006* and the *Planning Act*. Bill 30 includes amendments to various acts, including the *Planning Act* and the *Municipal Act*.

The following is a summary of the changes to the various acts introduced in Bill 17 and the associated regulatory changes, which are described in detail in Appendix "A" and "B" attached to Report PED25176. This section also provides a summary of the future changes identified by the province in the associated Technical Briefing, that are not contained within Bill 17, but have been identified for preliminary comment by the province. The proposed changes to the *Planning Act* and *Municipal Act* under Bill 30 are

also discussed below. City staff did not provide comments on any changes relating to the *City of Toronto Act*.

Note that the changes to the *Development Charges Act* implemented through Schedule 4 of Bill 17 were discussed in Report FCS25033 which went before the Audit, Finance and Administration Committee on May 22, 2025.

Bill 17, Protect Ontario by Building Faster and Smarter Act, 2025

Building Code Act, 1992

1. Restrictions on Building Materials Evaluation Commission

Amendments to the *Building Code Act, 1992*, provide for restrictions on the Building Materials Evaluation Commission's powers in certain circumstances. This change states that if the Canadian Construction Materials Centre of the National Research Council of Canada has examined or has expressed its intention to examine an innovative material, system or building design, the Building Materials Evaluation Commission shall not exercise its powers under subsection 28 (4) in respect of that material, system or building design. This would remove the need to secondary provincial approval of innovative construction materials where federal approval has been obtained.

Staff Comment Summary: City staff are supportive of this change as it will assist with streamlining this process and removes additional regulatory steps for innovative materials, systems or building designs that have already been reviewed and approved at the federal level.

2. Restrictions on Municipalities to Pass By-laws Respecting the Construction or Demolition of Buildings

A new subsection of the *Building Code Act, 1992*, clarifies that certain sections of the *Municipal Act, 2001*, and the *City of Toronto Act, 2006*, do not authorize a municipality to pass by-laws respecting the standard of construction or demolition of buildings. Staff note that this change does not appear to prevent the use of demolition control pursuant to Section 33 of the *Planning Act*. This would, however, have the effect of restricting a municipality's ability to pass any by-laws under the *Municipal Act* that requires builders/developers to exceed the minimum requirements established under the *Ontario Building Code*, which is currently addressed through Section 97 of the *Municipal Act*.

Staff Comment Summary: City staff do not support this change. The City should be empowered to enact standards and by-laws related to construction and demolition if these measures do not conflict with the Ontario Building Code, in particular, if these standards address a gap in provincial standards such as sustainable building design and implement the policies of the City's Official Plans.

Building Transit Faster Act, 2022

3. Building Transit Faster Act Applies to all Provincial Transit Projects

The definition of “provincial transit project” is added to the *Building Transit Faster Act, 2020*, and makes related changes. “Provincial transit project” means a transit project that Metrolinx has authority to carry out. This has the effect of defining all provincial transit projects as priority transit projects for the purposes of the *Act*.

Staff Comment Summary: City Staff are supportive of this change and note that Hamilton's LRT was already identified as a “priority transit project” for the purposes of the *Building Transit Faster Act* under an Ontario Regulation.

Metrolinx Act, 2006

4. Information From Municipalities to Support Provincial Transit Projects

The *Metrolinx Act, 2006*, is amended to provide that the Minister may direct a municipality or its municipal agencies to provide the Minister or the corporation (Metrolinx) with information and data that may be required to support the development of a provincial transit project or transit-oriented community project.

Staff Comment Summary: City Staff are supportive of this change and the establishment of an information and data sharing framework between the province and municipalities to support the development of a provincial transit project or transit-oriented community project.

Ministry of Infrastructure Act, 2011

5. Information From Municipalities to Support Provincial Transit Projects

Similar to the proposed changes to the *Metrolinx Act*, the *Ministry of Infrastructure Act, 2011*, is amended to provide that the Minister may direct a municipality or its municipal agencies to provide the Minister or a corporation (Metrolinx) with information and data that may be required to support the development of a provincial transit project or transit-oriented community project.

Staff Comment Summary: City Staff are supportive of this change as it will allow for greater collaboration between the province and municipalities on the development and implementation of priority transit projects to expedite their delivery.

Planning Act

6. Schools Permitted on All Parcels of Urban Residential Land

These provisions provide for restrictions on official plans and zoning by-laws with respect to prohibiting the use of a parcel of urban residential land for an elementary school, a secondary school, or a use ancillary to such schools. This would have the effect of permitting elementary or secondary schools of a school board “as-of-right” on a “parcel of urban residential land” in the City, as defined under the *Planning Act*.

Staff Comment Summary: City staff have concerns that permitting schools and ancillary uses on any urban residential lands, being any zone where a residential use

is permitted could undermine the City's current integrated school planning process, and result in schools being in sub-optimal locations and the loss of the associated benefits.

7. Minister Approve Changes to Official Plan with Respect to Complete Application Requirements

The *Planning Act* is amended to require that the council of a municipality shall obtain written approval from the Minister before adopting an amendment to an official plan that adds, amends, or revokes the requirements of "other information or material" as part of a complete application under the *Planning Act* for an Official Plan Amendment application, Zoning By-law Amendment application, Site Plan Control application, Draft Plan of Subdivision application, or Consent application.

Staff Comment Summary: City staff do not support this change. Municipalities should be given the discretion to determine what studies are required based on locally specific conditions. A one-size-fits-all approach does not appropriately account for local conditions and may lead to inefficient, and potentially unsafe development.

8. Regulation Making Authority on What Can and Cannot be Considered for a Complete Application

The *Planning Act* is amended to allow the Minister to make regulations on what can and cannot be considered as required information or material for a complete application under the *Planning Act*. This change is further implemented through a proposed Ontario Regulation, which is discussed further below.

Staff Comment Summary: City Staff are not supportive of this change as it could result in City staff losing the ability to identify the information or materials for development applications they determine are needed to review, evaluate, and make sound planning recommendations. This could also result in City staff being unable to effectively evaluate development applications against the policies of the City's Official Plans.

9. Complete Application Materials and Person Authorized to Practice a Prescribed Profession

The *Planning Act* is amended to state that if required information or material is prepared by a person authorized to practice a prescribed profession (as identified under an Ontario Regulation) then the information or material is deemed to meet the applicable requirement for the purposes of deeming Official Plan Amendment applications, Zoning By-law Amendment applications, Site Plan Control applications, Draft Plan of Subdivisions applications, or Consent applications complete under the *Planning Act*.

Staff Comment Summary: Staff generally support this change. The *Planning Act* requires the City to deem an application complete within 30 days of receipt, which means that City staff typically do not have time to evaluate the details of submitted materials prior to deeming development applications complete. City staff note that the City has not implemented a "pre-submission" screening process where staff complete

a preliminary review of submission materials and provide feedback on the content prior to deeming the application complete. Accordingly, there is no impact on the City's current process for deeming an application complete.

10. As-of-right Variations to Zoning By-law

The *Planning Act* is amended to state that the minimum setback distance is deemed to be the prescribed percentage of the setback distance. This is implemented through a proposed regulation that allows an as-of-right variation of up to 10% for zoning setback requirements which is discussed in detail below.

Staff Comment Summary: City Staff are not supportive of this change as proposed. Please refer to detailed comments on the associated proposed Ontario Regulation change, below.

11. Removal of Site Plan Control for the Placement of Portable Classrooms

The *Planning Act* is amended to remove the timing restrictions with respect to when a school was built for the placement of a portable classroom on a school site for the purposes of the definition of development in subsection 41 (1) of the Act. This change exempts all portable classrooms from Site Plan Control regardless of timing of the construction of the school.

Staff Comment Summary: City Staff are generally supportive of this change. The impacts of such a change are considered minor. The *Planning Act* currently exempts the placement of portable classrooms on a school site if the school was in existence prior to January 1, 2007. This proposed change would exempt the placement of all portable classrooms regardless of the age of the school site.

12. Conditional Minister's Zoning Orders

The *Planning Act* is amended to allow the Minister, in certain orders made under that section (Minister's Zoning Order), to impose conditions on the use of land or the erection, location or use of buildings or structures.

Staff Comment Summary: Staff are supportive of the province having the ability to condition Minister's Zoning Orders to ensure commitments related to matters like housing affordability and development timeframes are met. While staff are supportive of the province having the ability to condition Minister's Zoning Orders to ensure commitments related to matters like affordability and development timeframes are met. There has been an increased use of Minister's Zoning Orders in Ontario in place of development being considered under existing provincial policies, Official Plans and Zoning By-laws.

Transit-Oriented Communities Act, 2020

13. All Provincial Transit Projects are Priority Transit Projects

Similar to the changes proposed to the *Building Transit Faster Act, 2022*, the *Transit-Oriented Communities Act* is also amended by expanding the list of projects included

in the definition of “priority transit project”. This would include all provincial transit projects.

Staff Comment Summary: City Staff are generally supportive of this change. Staff note that Hamilton's LRT was already identified as a “priority transit project” for the purposes of the *Building Transit Faster Act, 2022*, under an Ontario Regulation.

14. Order in Council to Be Removed in Certain Provisions

The requirement for an Order in Council is proposed to be removed in certain provisions of the *Transit-Oriented Communities Act, 2020*, to further accelerate the creation of transit-oriented communities.

Staff Comment Summary: City staff are supportive of this change.

15. Minister May Enter Into Agreements

A new section of the *Transit-Oriented Communities Act* is added that relates to agreements that are considered necessary to support a transit-oriented community project.

Staff Comment Summary: City staff are supportive of this change.

Proposed Regulatory Changes Under the *Planning Act*

As-of-right Variations from Setback Requirements

The proposed regulation would allow variations to be permitted “as-of-right” if a proposal is within 10% of setback requirements applicable to parcels of urban residential lands outside of the Greenbelt Area. For example, if the local zoning by-law requires a 5 metre front yard setback from the property line, this would effectively reduce the setback to 4.5 metres and the property owner would be permitted to build 0.5 metres into that 5 metre setback as-of-right, without a minor variance or zoning by-law amendment.

Staff Comment Summary: City Staff are not supportive of this Ontario Regulation as proposed as it may result in unintended consequences, including those related to public health and safety resulting from insufficient access and/or buffering/separation distances to potential hazards. As an alternative, City staff recommend that decision making authority for minor variations to setback provisions within a certain threshold be delegated to staff as opposed to being “as-of-right”. This would allow staff to complete an expedited review of the potential impacts associated with the relief, while avoiding the time and cost associated with bringing the item to the Committee of Adjustment for a decision. The province could also consider the development of a regulation for Conditional Zoning, which could provide flexibility in zoning regulations where certain municipally specific conditions are addressed.

Complete Application Requirements

The proposed regulation seeks to limit the other information and material that may be required by a municipality as part of an Official Plan Amendment application, Zoning By-law Amendment application, Site Plan Control application, Draft Plan of Subdivision

application, or Consent application. The proposed regulation states that technical materials related to sun/shadow, wind, urban design, and lighting could not be required as part of a complete planning application. The province is also seeking feedback on topics or studies that should be permitted to be required by municipalities as part of a complete planning application.

The province is also seeking feedback on which certified professionals should be included in the list of professionals whose reports/studies would be required to be accepted by a municipality as part of a complete application.

Staff Comment Summary: City Staff do not support the proposed Ontario Regulation related to complete application materials. Matters related to urban design, shadow, wind, and lighting are all critical considerations when reviewing a development application. Neglecting the review and consideration of these items can have serious impacts, including those related to public health and safety. Furthermore, this change prejudices staff's ability to complete a thorough review of development applications against the City's Official Plan policies and provide sound recommendations to Council. This would also limit staff's ability to review and assess development applications against the City's various terms of references and guidelines that implement Official Plan policy.

As an alternative, City staff recommend that the province work with municipalities and other stakeholders to develop provincial guidelines, criteria, or terms of reference for certain technical studies to ensure consistency on the preparation and evaluation of such studies across all municipalities, while also maintaining some regional flexibility.

Staff generally support the proposed Ontario Regulation related to prescribed certified professionals. The City has not implemented a "pre-submission" screening process where staff complete a preliminary review of submission materials and provide feedback on the content prior to deeming the application complete. Accordingly, there is no impact of this regulatory change on the City's current process for deeming an application complete.

Additional Matters for Consultation Identified in the Technical Briefing Not Contained Within Bill 17 or Associated Regulations

The province also released a Technical Briefing with Bill 17 that included several proposed future changes that they identified for future public consultation. The changes identified include:

- review of the corridor management permitting process and standards for development adjacent to Ministry of Transportation corridors;
- a framework for the harmonization of road construction standards across municipalities;
- making provincial policy tests inapplicable for a Minister's decision under the *Planning Act*, including decisions related to the approval of municipal Official Plans;
- a framework for streamlining municipal official plans for simplified, standardized, and inclusive land use designations;

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- requiring that municipal official plans align with the Ministry of Finance's October 2024 population forecasts;
 - exploring the standardization of municipal data tracking in the land use planning, building code and permit application spaces, and leveraging technology (e.g. artificial intelligence, enhanced digitization, and Building Code) to better automate planning and permitting processes and improve transparency;
 - providing more flexible design and construction options for four-storey townhouse units with respect to the Ontario Building Code and Ontario Fire Code;
 - streamlining municipal consents for the development of communal water/sewage systems and permissions for distributed, modular "off-grid" water treatment facilities; and,
 - exploring a public utility model for municipal water and wastewater infrastructure.

When the province releases more information on the proposed future changes, or reaches out to municipalities for preliminary feedback, City staff will review these proposed changes in more detail and provide detailed feedback to the province. City staff will also provide an update to Council should the province seek further consultation on these matters.

Bill 30, Working for Workers Seven Act, 2025

Municipal Act

1. Regulation Making Authority Limiting the Powers of a Municipality Under the Act Related to Training or Skills Development

The *Municipal Act* is proposed to be amended to authorize the Lieutenant Governor in Council to make regulations imposing limits and conditions on the power of a municipality under the *Act* in relation to a development or redevelopment to be used for training and skills development purposes, where there is a funding agreement entered into by the Ministry of Labour, Immigration, Training and Skills Development.

Staff Comment Summary: The proposed change would establish regulation making authority to limit the powers of a municipality in specified circumstances. Staff note that the province has not identified how this regulation making authority would be used. Exemptions from the *Municipal Act* could be used for a wide range of purposes, including exemptions from municipal by-laws, including those related to property tax, development charges, and other local requirements with no clear purpose or rationale. Staff are unable to support the proposed change until such time as the rationale and purpose is clarified.

Planning Act

2. Exemption of Development or Redevelopment Related to Training or Skills Development from the Act

The *Planning Act* is proposed to be amended to exempt development or redevelopment for training and skills development purposes, where there is a funding

agreement entered into by the Ministry of Labour, Immigration, Training and Skills Development. An exception to this exemption is included for the Greenbelt Area.

Staff Comment Summary: Whereas the Province has exempt certain classes of development from the Act previously, these exemptions were targeted at public entities. Staff have concerns with extending expedited planning processes and exemptions from municipal authorities to private entities without the robust accountability and regulatory frameworks that characterize broader public sector bodies, solely by virtue of their qualification to access a source of provincial funding with broad eligibility. The lack of a regulatory framework and accountability for such private entities could lead to undesirable outcomes. Staff also note that such an exemption could lead to an increase in land use conflicts, where training and skills schools could be incompatibly located adjacent to heavy industrial facilities, leading to an increase in adverse impacts and the resulting municipal and ministry complaints.

Alternatives

Council may amend the staff-level comments submitted to the province contained in Appendix "A" and "B" attached to Report PED25176 or supplement the staff-level comments with additional comments.

Council may direct staff to not assess the financial or process changes that may result from the proposed changes included in Bill 17 and Bill 30. Staff advise against this option to ensure the City will be in a position to implement the proposed changes to the various acts modified through Bill 17 and Bill 30.

Relationship to Council Strategic Priorities

Priority 1: Sustainable Economic & Ecological Development

- 1.2: Facilitate the growth of key sectors.

Priority 2: Safe & Thriving Neighbourhoods

- Increase the supply of affordable and supportive housing and reduce chronic homelessness.

Previous Reports Submitted

[Report FCS25033](#) - Bill 17, *Protect Ontario by Building Faster and Smarter Act, 2025* as it relates to the *Development Charges Act, 1997*

Consultation

The proposed changes through Bill 17 were circulated to all City departments for comment. Refer to the summarized comments provided in Appendices A and B attached to Report PED25176.

Appendices and Schedules Attached

Appendix "A": City Staff Comments on Legislative Changes proposed through *Bill 17, Protect Ontario by Building Faster and Smarter Act, 2025*

Appendix "B": City Staff Comments on Proposed Ontario Regulations Associated with *Bill 17, Protect Ontario by Building Faster and Smarter Act, 2025*

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Submitted and recommended by: Anita Fabac, Acting Director of Planning and Chief Planner, Planning and Economic Development Department