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Bill 17

**An Act to amend various Acts with respect to infrastructure,
housing and transit and to revoke a regulation**

The Hon. R. Flack

Minister of Municipal Affairs and Housing

Government Bill

1st Reading May 12, 2025

2nd Reading

3rd Reading

Royal Assent



EXPLANATORY NOTE

SCHEDULE 1 BUILDING CODE ACT, 1992

This Schedule amends the *Building Code Act, 1992*. New subsection 28 (6) of the Act provides for restrictions on the Building Materials Evaluation Commission's powers in certain circumstances. Clause 29 (1) (a) of the Act is repealed and related amendments are made to section 29 of the Act. New subsection 35 (1.1) of the Act 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 construction or demolition of buildings.

SCHEDULE 2 BUILDING TRANSIT FASTER ACT, 2020

The Schedule adds a definition of "provincial transit project" to the *Building Transit Faster Act, 2020* and makes related changes.

SCHEDULE 3 CITY OF TORONTO ACT, 2006

The Schedule amends section 114 of the *City of Toronto Act, 2006* to remove the timing restrictions with respect to when a portable classroom was placed on a school site for the purposes of the definition of "development" in subsection 114 (1) of the Act. The Act is also amended to provide certain rules with respect to information and material prepared by a person authorized to practise a prescribed profession.

SCHEDULE 4 DEVELOPMENT CHARGES ACT, 1997

The Schedule makes multiple amendments to the *Development Charges Act, 1997*. Some of the more significant amendments are described below.

New section 4.4 provides that the development of any part of a building or structure intended for use as a long-term care home is exempt from development charges.

Subsection 19 (1.1) is re-enacted to provide for additional circumstances in which sections 10 to 18 of the Act, which set out the process associated with passing a development charge by-law, do not apply to an amendment to a development charge by-law.

Various amendments are made to section 26.1 to add residential development other than rental housing development as a type of development in respect of which development charges may be paid at a time that is different than what is set out under section 26. For this type of development, development charges shall be paid either on the day a permit is issued under the *Building Code Act, 1992* authorizing occupation of the building or on the day the building is first occupied, whichever comes first. Section 26.1 is also amended to specify that a person required to pay a development charge under that section may pay the charge before the day it is payable even in the absence of an agreement under section 27.

Section 26.2 is amended to provide that the rules related to determining the amount of a development charge based on the date of certain applications under the *Planning Act* or the *City of Toronto Act, 2006* do not apply if the total amount of all charges, including any interest, that are payable based on those rules exceeds the total amount of all charges that would be payable if the amount were determined in accordance with section 26.

Section 41 is amended to provide that if two or more services are deemed to be one service by the regulations, a credit that relates to any one of those services may be used towards a part of a development charge that relates to any of those services.

SCHEDULE 5 METROLINX ACT, 2006

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

SCHEDULE 6 MINISTRY OF INFRASTRUCTURE ACT, 2011

The Schedule amends the *Ministry of Infrastructure Act, 2011* by repealing section 7.1 and paragraph 2.1 of subsection 19 (2). New section 10.1 is added to the Act; it provides that the Minister may, by directive, direct a municipality or its agencies to provide the Minister or Ontario Infrastructure and Lands Corporation with certain information, data and documents.

The Schedule also revokes Ontario Regulation 378/24.

**SCHEDULE 7
PLANNING ACT**

The Schedule amends the *Planning Act*. Here are some of the highlights:

1. Section 16 of the Act is amended and new section 35.1.1 is added to the Act. These provisions provide for restrictions on official plans and zoning by-laws with respect to prohibiting the using a parcel of urban residential land for an elementary school, a secondary school or a use ancillary to such schools.
2. New subsections 17 (21.1) and (21.2) of the Act require the council of a municipality or the planning board to obtain the Minister's approval before making certain amendments to an official plan.
3. New subsections 34 (1.4) to (1.7) of the Act set out rules with respect to minimum distances that buildings on certain lands must be setback from parcel boundaries.
4. Section 41 of the Act is amended to remove the timing restrictions with respect to when a portable classroom was placed on a school site for the purposes of the definition of development in subsection 41 (1) of the Act.
5. Section 47 of the Act is amended to provide that the Minister may, in certain orders made under that section, impose conditions on the use of land or the erection, location or use of buildings or structures.

**SCHEDULE 8
TRANSIT-ORIENTED COMMUNITIES ACT, 2020**

The Schedule amends the *Transit-Oriented Communities Act, 2020*. Here are some of the highlights:

1. Section 1 of the Act is amended by expanding the list projects included in the definition of "priority transit project".
2. Section 4 of the Act is amended to provide that the approval of the Lieutenant Governor in Council is not needed in certain circumstances. The Ontario Infrastructure and Lands Corporation is also added to the list of entities to which the Minister may delegate subsection 4 (1) powers.
3. New section 4.1 of the Act relates to agreements that are considered necessary to support a transit-oriented community project.

**An Act to amend various Acts with respect to infrastructure,
housing and transit and to revoke a regulation**

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The Government of Ontario is:

Protecting Ontario and responding to economic uncertainty with measures designed to speed up the construction of infrastructure and homes with the goal of supporting economic and community growth and keeping workers on the job.

Accelerating provincial transit and other critical provincial infrastructure projects.

Working in close partnership with municipalities to simplify and standardize municipal development approval processes and charges to help increase housing supply in Ontario.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Contents of this Act

1 This Act consists of this section, sections 2 and 3 and the Schedules to this Act.

Commencement

2 (1) Except as otherwise provided in this section, this Act comes into force on the day it receives Royal Assent.

(2) The Schedules to this Act come into force as provided in each Schedule.

(3) If a Schedule to this Act provides that any of its provisions are to come into force on a day to be named by order of the Lieutenant Governor in Council, an order may apply to one or more of those provisions, and orders may be issued at different times with respect to any of those provisions.

Short title

3 The short title of this Act is the *Protect Ontario by Building Faster and Smarter Act, 2025*.

SCHEDULE 1
BUILDING CODE ACT, 1992

1 Section 28 of the *Building Code Act, 1992* is amended by adding the following subsection:

Restriction

(6) 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 (4) in respect of that material, system or building design.

2 (1) Clause 29 (1) (a) of the Act is repealed.

(2) Subsections 29 (5) to (7) of the Act are amended by striking out “(a) or” wherever it appears.

(3) Subsection 29 (8) of the Act is repealed.

3 Paragraph 23 of subsection 34 (1) of the Act is repealed.

4 Section 35 of the Act is amended by adding the following subsection:

Same

(1.1) For greater certainty, sections 9, 10 and 11 of the *Municipal Act, 2001* and sections 7 and 8 of the *City of Toronto Act, 2006* do not authorize a municipality to pass by-laws respecting the construction or demolition of buildings.

Commencement

5 (1) Except as otherwise provided in this section, this Schedule comes into force on the later of July 1, 2025 and the day the *Protect Ontario by Building Faster and Smarter Act, 2025* receives Royal Assent.

(2) Section 4 comes into force on the day the *Protect Ontario by Building Faster and Smarter Act, 2025* receives Royal Assent.

SCHEDULE 2
BUILDING TRANSIT FASTER ACT, 2020

1 (1) Clause (e) of the definition of “priority transit project” in section 2 of the *Building Transit Faster Act, 2020* is amended by striking out “provincial”.

(2) Section 2 of the Act is amended by adding the following definition:

“provincial transit project” means a transit project that Metrolinx has authority to carry out and includes a project that, immediately before the day subsection 1 (2) of Schedule 2 to the *Protect Ontario by Building Faster and Smarter Act, 2025* came into force, was a priority transit project; (“projet de transport en commun provincial”)

2 Clause (0.a) of subsection 84 (1) of the Act is amended by striking out “provincial”.

3 The Act is amended by striking out “priority transit project” wherever it appears and substituting in each case “provincial transit project”, except in,

- (a) the definitions of “priority transit project” and “provincial transit project” in section 2; and**
- (b) clause 84 (1) (0.a).**

Commencement

4 This Schedule comes into force on the day the *Protect Ontario by Building Faster and Smarter Act, 2025* receives Royal Assent.

**SCHEDULE 3
CITY OF TORONTO ACT, 2006**

1 (1) Subsection 114 (1.1) of the *City of Toronto Act, 2006* is amended by striking out “if the school site was in existence on January 1, 2007” at the end.

(2) Subsection 114 (4.3) of the Act is amended by striking out “The City” at the beginning and substituting “Subject to the regulations, the City”.

(3) Section 114 of the Act is amended by adding the following subsection:

Information and material prepared by prescribed professionals

(4.4.1) The provision of information or material to the City in respect of a requirement under subsection (4.2) or (4.3) is deemed to meet the applicable requirement if the information or material is prepared by a person authorized to practise a prescribed profession.

(4) Subsection 114 (23) of the Act is amended by adding the following clauses:

(0.a) governing the information or material that may be required under subsection (4.3), including specifying information or material that may or may not be required, and providing that such requirements prevail over any requirements in any official plan;

(0.a.1) prescribing professions for the purposes of subsection (4.4.1);

Commencement

2 This Schedule comes into force on the day the *Protect Ontario by Building Faster and Smarter Act, 2025* receives Royal Assent.

**SCHEDULE 4
DEVELOPMENT CHARGES ACT, 1997**

1 The *Development Charges Act, 1997* is amended by adding the following section:

Exemption for long-term care home development

4.4 (1) The development of any part of a building or structure intended for use as a long-term care home, as defined in subsection 2 (1) of the *Fixing Long-Term Care Home Act, 2021*, is exempt from development charges.

Transition

(2) Subsection (1) does not apply with respect to a development charge that is payable before the day section 1 of Schedule 4 to the *Protect Ontario by Building Faster and Smarter Act, 2025* comes into force.

Same

(3) For greater certainty, subsection (1) applies to future instalments that would have been payable in accordance with section 26.1 after the day section 1 of Schedule 4 to the *Protect Ontario by Building Faster and Smarter Act, 2025* comes into force.

2 (1) Subsection 5 (3) of the Act is amended by adding “Subject to the regulations” at the beginning of the portion before paragraph 1.

(2) Paragraph 1 of subsection 5 (3) of the Act is amended by striking out “except in relation to such services as are prescribed for the purposes of this paragraph” at the end.

3 Subsection 19 (1.1) of the Act is repealed and the following substituted:

Exceptions

(1.1) Subsection (1) does not apply to an amendment to a development charge by-law if the only effect of the amendment is to,

- (a) repeal a provision specifying the date on which the by-law expires or to amend such a provision to provide for the by-law to expire on a later date;
- (b) repeal a provision providing for the indexing of a development charge or to amend such a provision to provide for a development charge not to be indexed; or
- (c) decrease the amount of a development charge that is payable for one or more types of development in the circumstances specified in the amendment.

4 (1) Subsection 26.1 (2) of the Act is amended by adding the following paragraph:

- 3. Residential development not described in paragraph 1.

(2) Subsection 26.1 (3) of the Act is amended by striking out “A development charge referred to in subsection (1)” at the beginning and substituting “A development charge in respect of any part of a development that consists of a type of development described in paragraph 1 or 2 of subsection (2)”.

(3) Section 26.1 of the Act is amended by adding the following subsections:

Payable on occupancy

(3.1) Subject to subsection (3.2), a development charge in respect of any part of a development that consists of a type of development described in paragraph 3 of subsection (2) shall be paid in full on the earlier of,

- (a) the day a permit is issued under the *Building Code Act, 1992* authorizing occupation of the building; and
- (b) the day the building is first occupied.

Same, financial security

(3.2) If the prescribed circumstances exist, the municipality that imposes a development charge in respect of a type of development described in paragraph 3 of subsection (2) may require the person required to pay the charge to provide an instrument to be used to secure the payment of the charge under subsection (3.1), subject to any prescribed limitations.

(4) Subsection 26.1 (4) of the Act is amended by striking out “an instalment is payable” at the end and substituting “the amount is payable in accordance with this section”.

(5) Subsection 26.1 (7) of the Act is repealed and the following substituted:

Interest

(7) A municipality may charge interest on the instalments payable under subsection (3) in accordance with this subsection, as it read before the day subsection 4 (5) of Schedule 4 to the *Protect Ontario by Building Faster and Smarter Act, 2025* came into force, but only to the extent that the interest being charged had accrued before that day.

(6) Subsection 26.1 (8) of the Act is amended by striking out “instalments required by subsection (3)” and substituting “instalments required by subsection (3), development charges payable under subsection (3.1)”.

(7) Subsection 26.1 (9) of the Act is repealed.

(8) Section 26.1 of the Act is amended by adding the following subsection:

Early payment in absence of agreement under s. 27

(12) For greater certainty, a person required to pay a development charge under this section may pay the charge before the day it is payable even in the absence of an agreement under section 27.

5 Section 26.2 of the Act is amended by adding the following subsections:

Exception, decrease in amount of charges payable

(5.2) Clauses (1) (a) and (b) do not apply to a development charge if the total amount of all charges, including any interest charged under subsection (3), that are payable in accordance with either of those clauses exceeds the total amount of all charges that would be payable if clause (1) (c) applied.

Other charges included if paid at the same time

(5.3) For the purposes of subsection (5.2), the total amount of all charges includes any other development charges in respect of the same development that are payable at the same time as the charge referred to in subsection (5.2) is payable.

Same, transition

(5.4) Subsection (5.2) does not apply in respect of a development charge that is payable or, if section 26.1 did not apply, would be payable, in accordance with section 26 before the day section 5 of Schedule 4 to the *Protect Ontario by Building Faster and Smarter Act, 2025* comes into force.

6 Section 28 of the Act is repealed and the following substituted:

Withholding of permit until charge paid

28 Despite any other Act, a municipality is not required to issue a permit under the *Building Code Act, 1992* for a development to which development charges apply unless,

- (a) in the case of a permit issued under subsection 8 (1) of that Act, all development charges have been paid except for any charges payable in accordance with section 26.1 of this Act or any charges that an agreement made under section 27 of this Act provides are payable after the permit is issued; or
- (b) in the case of any other permit issued under that Act, all development charges that are payable before the issuance of the permit have been paid.

7 (1) Subsection 41 (1) of the Act is amended by adding “Subject to subsection (1.1)” at the beginning.

(2) Section 41 of the Act is amended by adding the following subsection:

Services deemed to be one service

(1.1) If two or more services are deemed to be one service by the regulations, a credit that relates to any one of those services may be used with respect to that part of a development charge that relates to any of those services.

8 Section 59 of the Act is amended by adding the following subsection:

What constitutes a local service

(2.1) What constitutes a local service for the purposes of clauses (2) (a) and (b) may be determined by the regulations.

9 (1) Clause 60 (1) (l) of the Act is repealed and the following substituted:

- (l) providing for exceptions to the application of subsection 5 (3), and making such exceptions subject to conditions;

(2) Subsection 60 (1) of the Act is amended by adding the following clause:

(s.1.1) prescribing circumstances and limitations for the purposes of subsection 26.1 (3.2);

(3) Clause 60 (1) (s.3) of the Act is repealed.

(4) Subsection 60 (1) of the Act is amended by adding the following clauses:

(s.5) deeming two or more services to be one service for the purposes of subsection 41 (1.1);

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(t.0.2) determining what constitutes a local service for the purposes of clauses 59 (2) (a) and (b);

Commencement

10 (1) Except as otherwise provided in this section, this Schedule comes into force on the day the *Protect Ontario by Building Faster and Smarter Act, 2025* receives Royal Assent.

(2) Sections 4 and 6 and subsection 9 (2) come into force on a day to be named by order of the Lieutenant Governor in Council.

**SCHEDULE 5
METROLINX ACT, 2006**

1 (1) The definition of “agencies” in subsection 1 (1) of the *Metrolinx Act, 2006* is repealed.

(2) Subsection 1 (1) of the Act is amended by adding the following definitions:

“municipal agencies”, in relation to a municipality, means,

- (a) every local board as defined in subsection 1 (1) of the *Municipal Act, 2001*,
- (b) every local board as defined in subsection 3 (1) of the *City of Toronto Act, 2006*, including, for greater certainty, the Toronto Transit Commission,
- (c) every corporation established by a municipality under section 203 of the *Municipal Act, 2001*, and every secondary corporation as defined in subsection 203 (3.1) of that Act, and
- (d) every corporation established by the City of Toronto under section 148 of the *City of Toronto Act, 2006*, and every secondary corporation as defined in subsection 148 (4) of that Act; (“organismes municipaux”)

“provincial transit project” has the same meaning as in section 2 of the *Building Transit Faster Act, 2020*; (“projet de transport en commun provincial”)

“transit-oriented community project” has the same meaning as in section 1 of the *Transit-Oriented Communities Act, 2020*; (“projet communautaire axé sur le transport en commun”)

2 The Act is amended by adding the following section:

Production of information, documents, etc.

31.0.1 The Minister may issue directives in writing directing a municipality or its municipal agencies to provide the Minister or the Corporation with information and data, as well as copies of any contracts, records, reports, surveys, plans and any other document that, in the Minister’s opinion, may be required to support the development of a provincial transit project or transit-oriented community project, and the municipality or its municipal agencies shall comply with the directive within the time specified by the Minister.

3 Section 46 of the Act is amended by adding the following subsection:

Sole responsibility project

Definition

(0.1) In this section and sections 47 to 50,

“agencies”, in relation to the City of Toronto, means,

- (a) every local board as defined in subsection 3 (1) of the *City of Toronto Act, 2006*, including, for greater certainty, the Toronto Transit Commission, and
- (b) every corporation established by the City of Toronto under section 148 of the *City of Toronto Act, 2006*, and every secondary corporation as defined in subsection 148 (4) of that Act.

Commencement

4 This Schedule comes into force on the day the *Protect Ontario by Building Faster and Smarter Act, 2025* receives Royal Assent.

SCHEDULE 6
MINISTRY OF INFRASTRUCTURE ACT, 2011

1 Section 7.1 of the *Ministry of Infrastructure Act, 2011* is repealed.

2 The Act is amended by adding the following section:

Production of information, documents, etc.

10.1 (1) The Minister may issue directives, in writing, directing a municipality or its municipal agencies to provide the Minister or Ontario Infrastructure and Lands Corporation with information and data, as well as copies of any contracts, records, reports, surveys, plans and any other document that, in the Minister's opinion, may be required to support the development or implementation of a project funded, in whole or in part, by the Government and the municipality or its municipal agencies shall comply with the directive.

Definition

(2) In this section,

“municipal agencies”, in relation to a municipality, means,

- (a) every local board as defined in subsection 1 (1) of the *Municipal Act, 2001*,
- (b) every local board as defined in subsection 3 (1) of the *City of Toronto Act, 2006*, including, for greater certainty, the Toronto Transit Commission,
- (c) every corporation established by a municipality under section 203 of the *Municipal Act, 2001* and every secondary corporation as defined in subsection 203 (3.1) of that Act, and
- (d) every corporation established by the City of Toronto under section 148 of the *City of Toronto Act, 2006* and every secondary corporation as defined in subsection 148 (4) of that Act.

3 Paragraph 2.1 of subsection 19 (2) of the Act is repealed.

Revocation

4 Ontario Regulation 378/24 is revoked.

Commencement

5 This Schedule comes into force on the day the *Protect Ontario by Building Faster and Smarter Act, 2025* receives Royal Assent.

SCHEDULE 7 PLANNING ACT

1 (1) Section 16 of the *Planning Act* is amended by adding the following subsection:

Restrictions for elementary and secondary schools

(3.2.1) No official plan may contain any policy that has the effect of prohibiting the use of a parcel of urban residential land for an elementary school or secondary school of a school board or any ancillary uses to such schools, including the use of a child care centre located in the school.

(2) Subsection 16 (3.3) of the Act is amended by striking out “(3.1), or (3.2)” and substituting “(3.1), (3.2) or (3.2.1)”.

2 (1) Section 17 of the Act is amended by adding the following subsections:

Written approval of amendment to official plan

(21.1) The council of a municipality or a planning board, as the case may be, shall obtain written approval from the Minister before adopting an amendment to an official plan that adds, amends or revokes any of the provisions described in subsection 22 (5), 34 (10.2), 41 (3.4), 51 (18) or 53 (3) of this Act or subsection 114 (4.3) of the *City of Toronto Act, 2006*.

Same

(21.2) An amendment described in subsection (21.1) that is adopted on or after May 12, 2025 without first obtaining the approval of the Minister in accordance with subsection (21.1) is deemed not to have been adopted.

(2) Subsections 17 (21.1) and (21.2) of the Act, as enacted by subsection (1), are repealed.

3 (1) Subsection 22 (5) of the Act is amended by striking out “A council” at the beginning and substituting “Subject to the regulations, a council”.

(2) Section 22 of the Act is amended by adding the following subsection:

Information and material prepared by prescribed professionals

(6.0.1) The provision of information or material to a council or planning board in respect of a requirement under subsection (4) or (5) is deemed to meet the applicable requirement if the information or material is prepared by a person authorized to practise a prescribed profession.

4 (1) Section 34 of the Act is amended by adding the following subsections:

Provision re setbacks

(1.4) Subject to subsection (1.5), a minimum setback distance is deemed to be the prescribed percentage of the setback distance.

Same, Greenbelt

(1.5) Subsection (1.4) does not apply to a building or structure located,

- (a) in the Greenbelt Area within the meaning of the *Greenbelt Act, 2005*;
- (b) on a parcel of land that is not a parcel of urban residential land; or
- (c) on a parcel of land that includes any land in an area prescribed for the purposes of subsection 41 (1.2) of this Act.

Same, transition

(1.6) Despite any subsequent changes to a minimum setback distance as a result of any changes to a percentage prescribed for the purposes of subsection (1.4), the minimum setback distance in respect of a building or structure is deemed to be the minimum setback distance on the day,

- (a) a permit is issued under subsection 8 (1) of the *Building Code Act, 1992*, in respect of the building or structure, where the permit was not revoked under subsection 8 (10) of that Act; or
- (b) the lawful use of the building or structure was established, in the case of a building or structure in respect of which no building permit was required.

Definition

(1.7) In this section,

“setback distance” means the distance that a building or structure must be setback from a boundary of the parcel on which the building or structure is located in accordance with a by-law passed under this section.

(2) Subsection 34 (10.2) of the Act is amended by striking out “A council” at the beginning and substituting “Subject to the regulations, a council”.

(3) Section 34 of the Act is amended by adding the following subsection:

Information and material prepared by prescribed professionals

(10.3.1) The provision of information or material to a council in respect of a requirement under subsection (10.1) or (10.2) is deemed to meet the applicable requirement if the information or material is prepared by a person authorized to practise a prescribed profession.

5 Subsection 35.1 (1.3) of the Act is amended by striking out “subsection 34.1 (9) or”.

6 The Act is amended by adding the following section:

Restrictions for elementary and secondary schools

35.1.1 (1) The authority to pass a by-law under section 34 does not include the authority to pass a by-law that prohibits the use of a parcel of urban residential land for an elementary school or secondary school of a school board or any ancillary uses to such schools, including the use of a child care centre located in the school.

Provision of no effect

(2) A provision of a by-law passed under section 34 or an order made under clause 47 (1) (a) is of no effect to the extent that it contravenes a restriction described in subsection (1) of this section.

7 (1) Subsection 41 (1.1) of the Act is amended by striking out “if the school site was in existence on January 1, 2007” at the end.

(2) Subsection 41 (3.4) of the Act is amended by striking out “A municipality” at the beginning and substituting “Subject to the regulations, a municipality”.

(3) Section 41 of the Act is amended by adding the following subsection:

Information and material prepared by prescribed professionals

(3.5.1) The provision of information or material to a municipality in respect of a requirement under subsection (3.3) or (3.4) is deemed to meet the applicable requirement if the information or material is prepared by a person authorized to practise a prescribed profession.

8 Section 47 of the Act is amended by adding the following subsections:

Conditions

(1.0.1) The Minister may, in an order made under clause (1) (a), impose such conditions on the use of land or the erection, location or use of buildings or structures as in the opinion of the Minister are reasonable.

Same

(1.0.2) When a condition is imposed under subsection (1.0.1),

- (a) the Minister may require an owner of land to which the order applies to enter into an agreement relating to the condition with the Minister or with the municipality in which the land is situate;
- (b) the agreement may be registered against the land to which it applies; and
- (c) the Minister or the municipality, as the case may be, may enforce the agreement against the owner and, subject to the *Registry Act* and the *Land Titles Act*, any and all subsequent owners of the land.

Same, effect

(1.0.3) If a condition has been imposed under subsection (1.0.1) with respect to the use of land or the erection, location or use of buildings or structures, the order is suspended and no person shall use the land or erect, locate or use the buildings or structures under the authority of the order until the Minister is satisfied that the condition has been or will be fulfilled.

Notice to clerk

(1.0.4) If the Minister is satisfied that the conditions imposed under subsection (1.0.1) have been or will be fulfilled, the Minister shall provide notice to the clerk of the local municipality in which the land is situate.

Publication

(1.0.5) Within 15 days after receiving notice pursuant to subsection (1.0.4), the clerk shall make the notice available to the public.

9 (1) Subsection 51 (18) of the Act is amended by striking out “An approval authority” at the beginning and substituting “Subject to the regulations, an approval authority”.

(2) Section 51 of the Act is amended by adding the following subsection:

Information and material prepared by prescribed professionals

(19.0.1) The provision of information or material to an approval authority in respect of a requirement under subsection (17) or (18) is deemed to meet the applicable requirement if the information or material is prepared by a person authorized to practise a prescribed profession.

10 (1) Subsection 53 (3) of the Act is amended by striking out “A council or the Minister” at the beginning and substituting “Subject to the regulations, a council or the Minister”.

(2) Section 53 of the Act is amended by adding the following subsection:

Information and material prepared by prescribed professionals

(4.0.1) The provision of information or material to a council or the Minister in respect of a requirement under subsection (2) or (3) is deemed to meet the applicable requirement if the information or material is prepared by a person authorized to practise a prescribed profession.

11 Subsection 70.1 (1) of the Act is amended by adding the following paragraph:

- 20.1 governing the information or material that may be required under subsection 22 (5), 34 (10.2), 41 (3.4), 51 (18) or 53 (3), including specifying information or material that may or may not be required, and providing that such requirements or prohibitions prevail over any requirements in an official plan;

Commencement

12 (1) Except as otherwise provided in this section, this Schedule comes into force on the day the *Protect Ontario by Building Faster and Smarter Act, 2025* receives Royal Assent.

(2) Subsection 2 (2) comes into force on a day to be named by order of the Lieutenant Governor in Council.

**SCHEDULE 8
TRANSIT-ORIENTED COMMUNITIES ACT, 2020**

1 (1) The definition of “Minister” in section 1 of the *Transit-Oriented Communities Act, 2020* is amended by striking out “Transportation” and substituting “Infrastructure”.

(2) Section 1 of the Act is amended by adding the following definition:

“Ministry” means the ministry of the Minister; (“ministère”)

(3) The definition of “priority transit project” in section 1 of the Act is amended by striking out “or” at the end of clause (d) and by repealing clause (e) and substituting the following:

(e) a provincial transit project as defined in section 2 of the *Building Transit Faster Act, 2020*, or

(f) any other provincial transit project prescribed by the regulations;

(4) The definition of “transit-oriented community project” in section 1 of the Act is amended by striking out “and includes a development project located on transit corridor land within the meaning of the *Building Transit Faster Act, 2020*” at the end.

(5) Section 1 of the Act is amended by adding the following subsection:

Transition

(2) A project that, on the day before the day subsection 1 (4) of Schedule 8 to *Protect Ontario by Building Faster and Smarter Act, 2025* comes into force, was a “transit-oriented community project” as the definition of that term read immediately before that day is deemed to be a “transit-oriented community project” on and after that date.

2 (1) Subsection 4 (1) of the Act is amended by striking out “related to provincial transit projects prescribed by the regulations for the purposes of the definition of “priority transit project”” at the end.

(2) Section 4 of the Act is amended by adding the following subsections:

Interpretation

(1.1) For greater certainty, an entity mentioned in subsection (1) includes a municipality.

No approval needed

(1.2) Despite subsection (1), the approval of the Lieutenant Governor in Council is not necessary in respect of,

(a) any dealings described in subsection (1) that are between the Minister or an entity to which the Minister has delegated powers under subsection (4) and a municipality or a First Nation; or

(b) any dealings described in subsection (1) between the Minister or an entity to which the Minister has delegated powers under subsection (4) and an entity described in subsection (1) that are subsequent and related to dealings that have been approved under subsection (1).

(3) Subsection 4 (2) of the Act is amended by striking out “the Minister” in the portion before clause (a) and substituting “the Minister or an entity to which the Minister has delegated powers under subsection (4)”.

(4) Subsection 4 (3) of the Act is repealed and the following substituted:

Investment policy

(3) The Minister or an entity to which the Minister has delegated powers under subsection (4), as the case may be, shall ensure that every entity referred to in subsection (1) invests any funds that it receives either directly or indirectly from the Minister or the entity to which the Minister has delegated powers under subsection (4) in accordance with an investment policy that has been approved, in writing, by the Minister of Finance.

(5) Subsection 4 (4) of the Act is repealed and the following substituted:

Delegation

(4) The Minister may, in writing, delegate the Minister’s powers under subsection (1) in whole or in part to any of the following entities, subject to any conditions or restrictions that are set out in the delegation:

1. Metrolinx.

2. Ontario Infrastructure and Lands Corporation.

3. A public body, within the meaning of the *Public Service of Ontario Act, 2006*, that is prescribed for the purpose of this section by the Lieutenant Governor in Council.

3 The Act is amended by adding the following section:

Agreements — transit-oriented community land

4.1 (1) For greater certainty, the Minister or an entity to which the Minister has delegated powers under subsection 4 (4) may, for the purposes of carrying out the activities set out in subsection 4 (1), enter into an agreement with any owner of land that, in the Minister's opinion, or the opinion of the entity to which the Minister has delegated powers, is land that is or may be required to support a transit-oriented community project.

Same

(2) For greater certainty, a municipality in which land subject to an agreement mentioned in subsection (1) is located and other entities may be a party to the agreement.

Agreements confirmed by Minister

(3) For the purposes of carrying out the activities set out in subsection 4 (1), the Minister may confirm that an agreement between an owner of land and a municipality is or may be, in the Minister's opinion, required to support a transit-oriented community project.

Agreements may be registered

(4) An agreement entered into under subsection (1) or confirmed under subsection (3) may, with the consent of all parties to the agreement, be registered against the land to which it applies.

Enforcement of agreements

(5) The Minister or the municipality, as the case may be, is entitled to enforce the provisions of an agreement mentioned in subsection (1) against the owner and, subject to the *Registry Act* and the *Land Titles Act*, any and all subsequent owners of the land.

Transition

(6) An agreement that was registered with respect to transit-oriented community land that is registered pursuant to Ontario Regulation 378/24 (Agreements regarding transit-oriented community projects) made under the *Ministry of Infrastructure Act, 2011* are deemed to be validly registered under this section.

4 Subsection 5 (1) of the Act is amended by adding the following clause:

(b.1) specifying dealings under subsection 4 (1) for which approval of the Lieutenant Governor in Council is not required;

Commencement

5 (1) Except as provided in this section, this Schedule comes into force on the day the *Protect Ontario by Building Faster and Smarter Act, 2025* receives Royal Assent.

(2) Subsections 1 (3) to (5) come into force the day subsection 1 (2) Schedule 2 to the *Protect Ontario by Building Faster and Smarter Act, 2025* comes into force.