



Staff Report

Planning & Building Services – Planning Division

Report To: Committee of Adjustment
Meeting Date: December 17, 2025
Report Number: PBS.25.114
Title: 2025 Planning Act Changes to Committee of Adjustment and Minor Variances
Prepared by: Shawn Postma, Manager of Community Planning

A. Recommendations

THAT the Committee of Adjustment receive Staff Report PBS.25.114, entitled “2025 Planning Act Changes to Committee of Adjustment and Minor Variances for information”

B. Overview

The purpose of this report is to provide the Committee of Adjustment with an overview of the Planning Act changes and new Regulations under Bill 17 and Bill 60 that were implemented in 2025.

C. Background

Two provincial government bills (Bill 17 and Bill 60) have been passed directly affecting the Planning Act in ways that change how minor variances are handled (and thus the workload of Committees of Adjustment). A related regulation was also finalized in late 2025 that operationalizes one of those changes.

- 1) Bill 17 — Protect Ontario by Building Faster and Smarter Act, 2025 (S.O. 2025, c. 9)
Enacted June 5, 2025, Regulations Implemented November 21, 2025**

Planning Act Change	New Section: 34(1.4) – 34(1.7) “as-of-right” setback rule: the “minimum setback distance” in zoning is deemed to be a prescribed percentage of the stated setback, except in the Greenbelt, on lands that are not “parcels of urban residential land”, or where lands include prescribed hazard/shoreline/rail proximity areas. This authorizes a regulation to set the percentage and thereby allow small encroachments without a minor variance.
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Status and implementation	Implemented by O. Reg. 257/25 (amending O. Reg. 545/06) on November 21, 2025, which prescribes the percentage at 90%. Practically, that allows up to a 10% reduction of any minimum setback on eligible lands “as-of-right” (e.g., a 5.0 m front yard may be 4.5 m without a variance).
Committee of Adjustment impact	<p>Fewer minor variance applications for setbacks on eligible “urban residential land” outside excluded hazard/shoreline.</p> <p>Urban residential land are those lands located within our settlement area boundaries of: Lora Bay, Thornbury, Clarksburg, Camperdown, Craigleith, Blue Mountain Village Area, Swiss Meadows, Castle Glen and Osler. Lands located in the Rural, Agricultural, Special Agricultural, Hamlet, and similar designations under the Official Plan are not included in the “as-of-right” permissions.</p> <p>COA continues to apply the s.45 “four tests” to all other variances.</p>

2) Bill 60 — Fighting Delays, Building Faster Act, 2025 (S.O. 2025, c. 14) — Enacted (Royal Assent) November 27, 2025

Planning Act Change	Adds new authority under s.34 to allow “as-of-right” deviations from other zoning performance standards (not just setbacks) by prescribed percentages via regulation (new s.34(1.3.1)–(1.3.3) and related transition rules). The province signaled potential application to height, lot coverage, etc., on specified lands similar to Bill 17’s geographic scope
Status and implementation	The enabling statute is in force, but currently (December 2025) no regulation has been finalized that specifies the additional standards and percentages. The government posted a proposal (ERO 025-1097) to expand “as-of-right” to more performance standards; consultation closed November 22, 2025. Until a regulation is filed, only the setback change under Bill 17 is operative.

Committee of Adjustment impact	Once a regulation is filed, expect further reductions in minor variance applications (e.g., small height or lot coverage deviations) on eligible lands. Prepare for intake triage to check “as-of-right” eligibility before routing to CoA.
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Bill 17 and Bill 60 can be viewed in their entirety here:

[Bill 17 — Protect Ontario by Building Faster and Smarter Act, 2025](#)

[Bill 60 — Fighting Delays, Building Faster Act, 2025](#)

Planning and Building Staff have been advised of the Planning Act changes, and are currently developing internal policy and process procedures to evaluate Building Permit applications and Planning Applications early to meet the intent of the Province to expedite applications that have been deemed minor by the Province. Planning Staff are also looking to update our webpages and application forms to help educate residents and developers of the new changes that are currently in effect, and others that are not yet in effect.

The Planning Act changes should not be interpreted as the new minimum setback requirements under the Zoning By-law. Developers, Builders, Architects and Home Owners should continue to design new homes to the standard setback requirements established under the Zoning By-law and to only utilize the “as-of-right” 10% permissions in unique situations based on unique lot or home requirements. The intent of this Bill is to reduce the number of minor variances, and not to establish new minimums that may result in a similar number of minor variance applications.

For all minor variance applications that do not fall under the “as-of-right” permissions, the s.45(1) four tests remain unchanged. Future Staff Reports to the Committee may also explicitly state when a proposal is ineligible for “as of right” (e.g., outside “urban residential land”, near shoreline/hazard areas, or seeking greater than 10% setback relief)

Planning Staff will continue to monitor the status of new regulations under Bill 60 and if there are any new changes to the “as-of-right” categories and permissions.

D. Strategic Priorities

1. Communication and Engagement

We will enhance communications and engagement between Town Staff, Town residents and stakeholders

2. Organizational Excellence

We will continually seek out ways to improve the internal organization of Town Staff and the management of Town assets.

3. Community

We will protect and enhance the community feel and the character of the Town, while ensuring the responsible use of resources and restoration of nature.

4. Quality of Life

We will foster a high quality of life for full-time and part-time residents of all ages and stages, while welcoming visitors.

E. Environmental Impacts

Nil

F. Financial Impacts

Nil

G. In Consultation With

Tim Murawsky, CBO and Director of Planning and Building Services (Acting)

H. Public Engagement

Comments regarding this report should be submitted to Shawn Postma, planning@thebluemountains.ca

I. Attached

Nil

Respectfully submitted,

Shawn Postma
Manager of Community Planning

For more information, please contact:
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Report Approval Details

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Attachments:	
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This report and all of its attachments were approved and signed as outlined below:

Tim Murawsky - Dec 10, 2025 - 3:18 PM