

**Ministry of Municipal
Affairs and Housing**

Office of the Deputy Minister

777 Bay Street, 17th Floor
Toronto ON M7A 2J3
Tel.: 416 585-7100

**Ministère des Affaires
Municipales et du Logement**

Bureau du sous-ministre

777, rue Bay, 17^e étage
Toronto (Ontario) M7A 2J3
Tél. : 416 585-7100



242-2025-4

June 19, 2025

Dear Sir/Madam,

I am writing to provide clarity regarding the authority of municipalities in setting building standards, particularly in light of the recently passed legislative changes under the *Protect Ontario by Building Faster and Smarter Act, 2025* (Bill 17).

As part of the government's commitment to accelerating housing development and ensuring consistency across Ontario, the amendment to the *Building Code Act, 1992*, in Schedule 1 of Bill 17 now provides greater clarification that municipalities do not have, and have never had, the authority to pass by-laws that establish construction or demolition standards. Municipalities cannot use provisions in the *Municipal Act*, *City of Toronto Act*, and *Planning Act*, including site plan control, to create and require construction or demolition standards for buildings. This includes, but is not limited to, local green building standards or green development standards as they pertain to the construction of a building, including any energy efficiency requirements for buildings.

The intent of this clarification is to:

- Ensure predictability and consistency for builders and developers across the province.
- Avoid duplication and any differences between municipal by-laws and provincial regulations.
- Support the timely delivery of housing and other buildings.
- Avoid the need for developers and designers to redesign their products for use in different municipal jurisdictions.

Municipalities play an important role in community planning and development, however, it is essential that all jurisdictions operate within the framework established by provincial legislation to ensure a streamlined and effective approach to building across Ontario.

As this clarification is reflected in municipal processes, the ministry has been directed to monitor outcomes to ensure actions are not taken to bypass this, which would erode efforts to ensure standardization of mandatory requirements across the province. If necessary, and considering economic conditions, the government is prepared to take additional legislative action to ensure municipalities are adhering to the provincial framework and reducing red tape in this space.

Should you have any questions or require further clarification, please contact David McLean, Assistant Deputy Minister, Housing Policy and Planning Division, MMAH.

Sincerely,

A handwritten signature in black ink, appearing to read 'Martha', followed by a horizontal line with a small loop at the end.

Martha Greenberg
Deputy Minister, Ministry of Municipal Affairs and Housing

Cc: David McLean, Assistant Deputy Minister, Housing Policy and Planning Division,
MMAH