



OHBA ACTIVITY Summary

Keeping Members Informed

DATES TO NOTE

- February 23: EQ Housing Innovation Forum & Awards
- April 24: Presidents' and Executive Officers' Seminar and Industry Leaders Dinner

February 2017

ONTARIO MUNICIPAL BOARD

The Province is reviewing the scope and effectiveness of OMB and plans to introduce legislation by Spring 2017. A consultation paper, was released in October that sets out possible changes being considered to the OMB's role. Prior to the release of the consultation paper, OHBA submitted preliminary recommendations regarding the OMB Review on August 31st. OHBA and BILD have subsequently met directly with senior Ministry staff on both November 24th and December 15th. OHBA thanks BILD, the Greater Ottawa HBA, Simcoe County HBA and the Sudbury & District HBA for each putting in their own OMB submissions to the province. On December 19th, OHBA provided the Ministry of Municipal Affairs and the Attorney General with a [submission outlining OHBA's recommendations](#) and response to the consultation document.

INCLUSIONARY ZONING

The province passed the *Promoting Affordable Housing Act, 2016* (Bill 7) on December 6th, that will allow municipalities to require the inclusion of affordable housing units in new residential projects. A regulation under the *Planning Act* will set the framework for Inclusionary Zoning. In advance of the legislation being introduced, OHBA and BILD created a Statement of Intent on Affordable Housing & Inclusionary Zoning that outlines our principles for Inclusionary Zoning. OHBA, BILD and the Niagara Home Builders' Association all made deputations to the Standing Committee on Social Policy regarding inclusionary zoning and industry support for a partnership model to ensure a sharing of costs and ultimately an approach to ensure the successful delivery of affordable housing units. Key amendments made to the legislation prior to Royal Assent include allowing Section 37 to be used subject to the provisions in the regulation and adopting an OHBA recommendation to allow "off-site" affordable units.

OHBA also [submitted recommendations](#) to the Ministry of Housing in August regarding the regulatory consultation and both OHBA and BILD met directly with the Minister of Housing, Hon. Chris Ballard on December 12th to discuss the regulation that will be further consulted on in 2017.

OCOT BILL 70 LEGISLATIVE AMENDMENTS CONSULTATION

With the passage of recent legislative amendments to the *Ontario College of Trades and Apprenticeship Act, 2009*, the Ontario College of Trades (OCOT) is seeking feedback on the following topics: A) Journeyperson to Apprentice Ratios; B) Compliance and Enforcement Policy; C) Trade Classification Review Referrals; D) Program Evaluation Process.

OHBA working with the Ontario Skilled Trades' Alliance participated in the in-person consultation process and is completing a written response to the consultation questions. OCOT has also established an online consultation process that will be posted until the end of February. While the questions are not dealing directly with a trade specific journeyperson-to-apprentice ratio review or compulsory certification review, the questions will assist how future ratio and certification reviews will occur.

OHBA encourages individual member comments on the online consultation questions in addition to OHBA's formal submission. Click here for details on the consultation <http://www.collegeoftrades.ca/bill-70-legislative-amendments-consultation>

Click here to participate in the survey <https://www.research.net/r/OCOTconsultation2017-01>

WASTE REDUCTION STRATEGY AND LEGISLATION

The province passed Bill 151 the *Waste Free Ontario Act* in 2016 and is currently consulting on the Final Draft of a *Strategy for a Waste-Free Ontario – Building the Circular Economy*. Last year OHBA provided the Ministry of the Environment and Climate Change with a [submission](#) outlining our recommendations regarding both the Strategy and the legislation. OHBA previously participated in consultations on waste diversion legislation and made a submission respond to the [Role of Waste Diversion in the Green Economy in 2010](#) and a submission in 2013 on the [Waste Reduction Strategy & Waste Reduction Act](#) with recommendations related to extended producer responsibility.

OHBA has been very clear that built structures should not be captured under an extended producer responsibility framework. Our industry should continue to be managed under the generator requirements defined under the three R's regulations (102/94 and 103/94). The draft strategy notes that these regulations (which are 20-years-old) will be modernized and consulted on later in 2017/18. [OHBA submitted comments responding to the government's draft strategy on January 30, 2017.](#)

EXCESS SOIL MANAGEMENT POLICY FRAMEWORK

In January 2016, the MOECC proposed an "Excess Soil Management Policy Framework" ([Registry # 012-6065](#)). OHBA [submitted industry comments](#) to the Ministry in March 2016. OHBA supports the objective to protect human health and the environment from the inappropriate relocation of excess soils. However, OHBA was concerned that the overall package would bring in a range of new regulations onto source sites without addressing the transfer of liability as excess soils move through the chain of custody. OHBA outlined concerns that increased costs and complexity of soil management would be a barrier to remediation, reuse and intensification. OHBA attended consultations, hosted a member's MOECC workshop in June and has been appointed to the Ministry Excess Soils Engagement Group.

Based on input received [decision was made by the MOECC](#) in December 2016 by the MOECC to proceed and finalize [Ontario's Excess Soil Management Policy Framework](#). The final framework recognizes excess soil as a resource and promotes a system which strives for environmental protection, local beneficial reuse, consistency, fairness, enforceability, and flexibility. The Decision Notice states comments were received suggesting the need to be clear about responsibility and liability (this was a key concern of OHBA). The Decision Notice also states: "Several comments supported the concept of a market-based approach to delivery, including tracking and registration of soil movement and establishment of reuse strategies. The proposed framework has been revised

to strengthen reference and commitments to move forward with market-based approaches to delivery. This includes market mechanisms to improve consistency of work by qualified persons, which was raised as a concern.”

LOW IMPACT DEVELOPMENT – SWM GUIDANCE MANUAL

The MOECC is continuing the development of a Low-Impact Development (LID) Stormwater Management Guidance Manual. As part of this undertaking, a stakeholders group has been established with the industry being represented by OHBA/BILD member Steve Schaefer of SCS Consulting Group. The stakeholders group is currently reviewing the second draft of two documents: Runoff Control Targets for Ontario, which establishes the target rainfall event for on-site control, and a chapter on model selection framework for an approach to analyze the effects of LID measure implementation on the local surface water and groundwater systems. [A joint OHBA/BILD submission was made on January 24, 2017.](#)

DRAFT SAFE HARBOUR POLICY

The Ministry of Natural Resources and Forestry is consulting on a Draft Safe Harbour Policy that was posted on the [Environmental Registry \(# 012-8234\)](#), under the Endangered Species Act. OHBA has generally been supportive of Safe Harbour and is pleased to see the government moving forward on draft policies. Safe Harbour may be relevant to land owners who are interested in creating, or in limited circumstances enhancing, species at risk habitat on their property, but have concerns about how this could restrict future land use, under the *Endangered Species Act*. Safe Harbour instruments are intended to alleviate some of these concerns, provided conditions are met. [OHBA submitted recommendations to the government on January 18, 2017.](#)



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