



# Ontario Home Builders' Association

BILD  
 Bluewater  
 Brantford  
 Chatham-Kent  
 Cornwall  
 Greater Dufferin  
 Durham Region  
 Grey-Bruce  
 Guelph & District  
 Haldimand-Norfolk  
 Haliburton County  
 Hamilton-Halton  
 Kingston-Frontenac  
 Lanark-Leeds  
 London  
 Niagara  
 North Bay & District  
 Greater Ottawa  
 Oxford County  
 Peterborough &  
 The Kawarthas  
 Quinte  
 Sarnia-Lambton  
 Simcoe County  
 St. Thomas-Elgin  
 Stratford & Area  
 Sudbury & District  
 Thunder Bay  
 Waterloo Region  
 Windsor Essex

## Resolutions Update 2016 – 2017



## RESOLUTION # 1 (External)



Submitted to: Ministry of Municipal Affairs / Attorney General  
Submitted by: OHBA Land Development Committee  
Date: September 19, 2016  
Subject: Ontario Municipal Board

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*Whereas:* The provincial government has commenced a review of the scope and effectiveness of the Ontario Municipal Board (OMB), which is an important part of the province's land-use planning system; and

*Whereas:* the OMB review comes only months after a number of significant changes to the land-use planning and appeals system have taken effect through the *Smart Growth for Our Communities Act*, and the government is proposing additional significant changes to land-use planning through the *Co-ordinated Review*; and

*Whereas:* OHBA strongly supports the role of the OMB as an impartial, evidence-based, administrative tribunal that is responsible for handling appeals of land-use planning disputes. In this administrative authority, the OMB serves to ensure that provincial land-use policies and objectives are achieved and that municipalities employ consistency in the application and implementation of the *Planning Act*, the *Development Charges Act*, the *Provincial Policy Statement* and other related land-use legislation; and

*Whereas:* The decisions made by the OMB are based on planning evidence, provided by expert witnesses under oath, which ensures that long-term public policy objectives, rather than short-term local political calculations, are upheld. Without an independent tribunal that specializes in planning law, such as the OMB, it would be more difficult to achieve Provincial and Municipal policy goals; and

*Whereas:* the OMB supports the public good because its decisions can be important counterbalance to the local political pressures of municipal councils. The local interest is not always the public interest. The OMB provides a forum where the principles of fairness, quality, consistency, administrative justice and transparency, are fundamental and where the application is judged in conformity with public policy; and

*Therefore be it resolved that:* OHBA recognizes that the province wants more planning decisions resolved at the municipal level. Therefore, ensuring the municipal public policy and regulation are in conformity with the provincial policy is paramount. Modernizing municipal zoning to be in conformity with provincial policy would allow the planning process to be significantly more efficient, predictable and result in fewer appeals. The province should take a more proactive role to ensure municipal zoning is updated; and

*Therefore be it further resolved that:* OHBA supports having professional planners work as case management workers to pre-screen appeal applications. A mandatory review through a case management worker would assist to quickly determine if there are appropriate planning grounds to proceed with mediation, hearing or dismissal. Furthermore, as part of any mediation process, the board should have the authority to assign recognized ratepayer associations/groups with a resource with professional planning experience and perhaps more preferably a Registered Professional Planner with mediation training and certification. This would encourage greater public participation as groups would have equitable access to trained professionals whose role and purpose is to understand and resolve conflict. Such resources should be funded by the Board; and

*Therefore be it further resolved that:* the province should implement a pre-hearing requirement of mandatory mediation for applications in order to provide a forum of principled dispute resolution and aid in the facilitation of decision making at a pre-hearing level, thereby reducing the number of full hearings or the scope of hearings before the Board.

**CARRIED**

## ACTION #1



- ) OHBA submitted preliminary recommendations to the Province regarding the OMB Review on August 31, 2016;
- ) On September 23rd both the Ministry of Municipal Affairs and the Attorney General's mandate letters from the Premier stated that they were to work, "on a review of the scope and effectiveness of the Ontario Municipal Board (OMB)," and that they were, "to recommend reforms to improve the OMB's role within the broader land use planning system and introduce legislation by spring 2017";
- ) A consultation paper, was released in October that set out possible changes being considered to the OMB's role;
- ) The province held a dozen town hall consultations across Ontario that were well attended by OHBA staff, local HBA staff/EOS and local HBA members;
- ) The GOHBA hosted Attorney General Yasir Naqvi at an association breakfast meeting on November 4<sup>th</sup>;
- ) OHBA and BILD met directly with senior Ministry staff on both November 24 and December 15<sup>th</sup>;
- ) On December 19, OHBA provided the Ministry of Municipal Affairs and the Attorney General with a submission outlining OHBA's recommendations and response to the consultation document. 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;
- ) OHBA Policy Director, Mike Collins-Williams appeared on a panel discussion on The Agenda with Steve Paikin on February 1 to discuss "Do we need the OMB?";
- ) On March 20<sup>th</sup>, OHBA hosted its annual Queen's Park Advocacy Day with builder and renovator members from across the province. The Attorney General, Yasir Naqvi addressed the OHBA Board regarding the OMB and discussed a range of issues including adequately resourcing the OMB, mediation services and the political dynamics of local councils. The OHBA Executive Committee also met directly with the Minister of Municipal Affairs, Hon. Bill Mauro to discuss the review of the OMB as well as the Coordinated Review of the Greenbelt and Growth Plan.
- ) OHBA met directly with Premier Wynne and Ministers Ballard, Mauro and Del Duca on April 12, 2017.
- ) On May 16<sup>th</sup>, the province announced an overhaul to the province's land use planning appeals system. OHBA responded with a press release where OHBA CEO Joe Vaccaro issued the following statement:

"If this new Tribunal puts local politics ahead of Smart Growth planning, it will only serve to empower NIMBY councils to make planning decisions to get re-elected. The role of the OMB has always been to take the politics out of local planning and ensure that decisions are made based on evidence, 'good planning,' and conformity to provincial policy."
- ) On May 31<sup>st</sup>, Bill 139, *Building Better Communities and Conserving Watersheds Act, 2017* was introduced to create the Local Planning Appeal Tribunal to replace the Ontario Municipal Board. The new tribunal is mandated to give greater weight to the decisions of local communities. OHBA responded with a press release, where OHBA CEO Joe Vaccaro issued the following statement:

"Local political decisions will continue to block townhomes and other affordable, missing middle housing options from being built in existing communities. For more than 10 years, the provincial government has been demanding the increase of density and intensification in existing communities across Ontario. The Province will not have the ability to optimize housing opportunities. Considering the current high price of new housing, this decision will only create more politics around how and what housing options home builders can bring to market."
- ) Schedule 3 of the Bill proposes amendments to the *Planning Act*. Schedule 3 of the Bill was posted for a 75 day public review to the Environmental Registry (013-0590) with comments due by August 14<sup>th</sup>, 2017. OHBA is preparing a submission in response to the Environmental Registry posting;
- ) The OHBA Land Development Committee and BILD Land Council held a joint technical briefing and consultation with the Ministry of Municipal Affairs as well as the Ministry of the Attorney General on July 5<sup>th</sup>;
- ) OHBA participated in a roundtable discussion on the OMB directly with AG Yasir Naqvi on July 13<sup>th</sup>.

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# ACTION



## RESOLUTION # 2 (External)

Submitted to: Ministry of Municipal Affairs  
AMO

Submitted by: OHBA Land Development Committee

Date: September 19, 2016

Subject: Growth Plan Intensification and Density Targets

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*Whereas:* In 2015, the Minister of Municipal Affairs and Housing announced the launch of a **Co-ordinated Review**; and

*Whereas:* In May 2016, the Provincial government announced **proposed amendments** to the four Plans that were part of the Co-ordinated Review that are meant to work together to manage growth, build complete-communities, curb sprawl and protect the natural environment; and

*Whereas:* Two key proposed amendments include updating the designated greenfield density targets from 50 persons and jobs per hectare to 80 persons and jobs per hectare as well as updating the intensification target from 40 per cent to 60 per cent. These two new targets represent a significant paradigm shift in planning policy and will significantly alter the way in which existing and new communities are planned for, built and evolve; and

*Whereas:* These two new targets will require significant investment to update and expand both provincial and municipal infrastructure and services including: parkland, new roads, widenings of existing roads, transit, community services and schools both within and beyond the built boundary; and

*Whereas:* The province is not proposing amendments to adjust the build boundary (established in 2008 based on the built-up area as of June 16, 2006). Therefore with a proposed policy framework in which the 80 persons and jobs per hectare is averaged across the entire Designated Greenfield Area, the effect is that the remaining Designated Greenfield Area that is not built or has received planning approvals or existing applications within the planning review process must now be planned for at an even higher density than the proposed 80 as an over-compensation to generate the overall average of 80 across the entire Designated Greenfield Area as required by the proposed plan; and

*Whereas:* The proposed density and intensification targets are a “one size fits all” policy approach despite individual communities and municipalities having: differing neighbourhood characteristics, different amounts of Designated Greenfield Areas already consumed by built/approved development, differing access to public services, differing proximity (or complete lack of) higher-order public transit and community identities/characteristics.

*Therefore be it resolved that:* the Provincial Government has the responsibility to confirm information with municipalities with respect to committed Designated Greenfield Areas. In order to make informed and evidence-based public policy decisions, the Provincial Government must provide real-time mapping of confirmed committed Designated Greenfield Areas to adequately understand what densities will be required on the remaining Designated Greenfield Areas within each municipality to achieve the average 80 persons and jobs per hectare density target; and

*Therefore be it further resolved that:* the Provincial Government should generate a list of outstanding approvals and Official Plans currently pending decisions at the OMB to determine an appropriate transition policy; and

*Therefore be it further resolved that:* the province not apply a “one size fits all” approach and that intensification targets be implemented specific to each region to meet the local characteristics and market realities; and

*Therefore be it further resolved that:* that should the Provincial Government implements the 60 per cent intensification target, that municipalities be required to immediately commence municipal comprehensive reviews of their Official Plans and their entire zoning by-law concurrently to provide for the policy framework necessary and to significantly up-zone as-of-right densities to provide for the 60 per cent target to be achieved.

**CARRIED**

## ACTION #2



- ) Throughout 2016 many of OHBA's local associations held numerous outreach meetings with local planning departments and elected officials to determine the local community impacts on the proposed provincial amendments to the *Growth Plan*;
- ) OHBA continued to meet regularly with provincial officials regarding the proposed amendments to the four plans in the Coordinated Review throughout late 2016 and into 2017;
- ) OHBA submitted recommendations on the proposed amendments to the Growth Plan on October 31, 2016. Priority Recommendations included:
  - o OHBA does not support the approach taken to create the proposed density target, the provincial application of the target, and the proposed implementation of the density target. OHBA recommends that policy 2.2.7.2 of the Growth Plan be amended so that the density target remains at 50 PJH for the immediate planning horizon and that any proposal to increase the density target shall not apply to DGA areas which have already been developed, or to undeveloped land that has been "committed" through a Council approved Secondary Plan or draft plan approvals;
  - o OHBA recommends that the current 40 per cent intensification target be maintained and that any intensification increase only be made possible through consultation with lower-tier municipalities that have existing and planned/funded higher-order transit infrastructure.
- ) OHBA met directly with Municipal Affairs Minister Bill Mauro following our submission to discuss the proposed amendments to the Growth Plan and Greenbelt;
- ) OHBA staff and volunteers embarked on an MPP advocacy campaign meeting with a couple dozen GGH government caucus and cabinet members specifically on the proposed Growth Plan targets to discuss specific potential impacts on their local constituencies and address OHBA recommendations to improve the proposed plans;
- ) OHBA worked closely with BILD and planning consultants MGP to provide government decision makers, the public and other impacted stakeholders with detailed, evidence based data and mapping regarding the potential impacts of the proposed amendments to the Growth Plan;
- ) On March 3<sup>rd</sup>, OHBA and OREA called on the government to strike a housing panel to address affordability with our top recommendation being to "Fix the One Size Fits All Growth Plan";
- ) On March 9<sup>th</sup>, 2017, OHBA submitted a letter to the Ex-officio Advisor to the Premier, Hazel McCallion, which generally supported the December 2016 Report on the Government of Ontario's Co-ordinated Land Use Planning Review. This report was a result of discussions that took place at the GTHA Mayor and Chairs Summit;
- ) On March 20<sup>th</sup>, OHBA hosted its annual Queen's Park Advocacy Day with builder and renovator members from across the province. The OHBA Executive Committee met directly with Minister Mauro on March 20<sup>th</sup>;
- ) OHBA met directly with Premier Wynne and Ministers Ballard, Mauro and Del Duca on April 12, 2017;
- ) On May 18<sup>th</sup>, the province released of the four updated land use plans that will help grow the GGH over the next 25 years.
- ) The provincial government listened to some of the concerns raised by the industry and has provided for local flexibility through interim targets and allowing for municipalities to apply for alternative density and intensification targets;
- ) OHBA and our network of local associations were successful in our advocacy for the province to make adjustments to the density and intensification targets. Those targets will now be implemented through a phased approach and the government no longer has a "one size fits all" approach to planning for growth.

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# ACTION



### RESOLUTION # 3 (External)

Submitted to: Ministry of Housing  
Submitted by: OHBA Land Development Committee  
Date: September 19, 2016  
Subject: Inclusionary Zoning

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*Whereas:* Inclusionary Zoning refers to municipal policies that require the provision of subsidized housing as part of new residential developments. Private sector obligations towards subsidized affordable housing required by such policies can take the form of land, housing units and/or cash-in-lieu depending on the design of the municipal policy; and

*Whereas:* The Development Industry understands the need to address declining housing affordability across the province. The health, prosperity and quality of life in our cities, and the continued strength of the real estate market depend on access to quality housing for households at all income levels; and

*Whereas:* Some American jurisdictions, such as NYC, have Inclusionary Zoning policies – however they were not created in isolation of other supportive measures and have been packaged with significant upzoning as well as a variety of tax credits to ensure economic viability; and

*Whereas:* In May the provincial government tabled legislation, *Promoting Affordable Housing Act, 2016* (Bill 204), that will allow municipalities to require the inclusion of affordable housing units within new residential projects. The province subsequently posted a **proposed regulation** under the *Planning Act* that would set the framework for Inclusionary Zoning as well as a **consultation discussion guide**.

*Therefore be it resolved that:* if the Province proceeds with enabling the tool of Inclusionary Zoning, it must be considered in the context of the entire legislative framework and it should be delivered with fiscal supports in a clear planning framework; and

*Therefore be it further resolved that:* OHBA supports a partnership model for Inclusionary Zoning in which the private sector takes responsibility for the design, construction, project financing of the community, administration, and delivery of affordable housing units, while the public sector takes responsibility for the costs of delivering the units via measures, incentives, offsets and supports as well as the long-term management, operations and administration of the units; and

*Therefore be it further resolved that:* The regulation should establish a maximum for number of units-set-aside for the government required affordable housing as: up to 10 percent for high-rise based on the incremental density over 'as-of-right' zoning permissions, and up to five per cent for low-rise based on the incremental density over 'as-of-right' zoning permissions; and

*Therefore be it further resolved that:* The regulation should provide flexibility for municipalities to tailor the length of affordability periods to meet local needs to a maximum of 20 years. However, the regulation should require that measures, incentives and supports be directly correlated to the affordability time period to ensure that the cost of delivering government required affordability is appropriately shared between partners; and

*Therefore be it further resolved that:* Any forthcoming regulation should establish a minimum threshold of 100 units for multi-family developments and a density threshold of 25 units per acre for low-rise / grade related residential developments; and

*Therefore be it further resolved that:* The regulation should establish an effective transition date for complete applications filed after January 1, 2018. For municipal inclusionary Zoning By-Laws established after this date, a transition period would apply for complete application, whereby these applications would be grandfathered, as of the effective date of the municipal by-law.

**CARRIED**

## ACTION #3



- ) In advance of the legislation being introduced, OHBA and BILD created a Statement of Intent on Affordable Housing & Inclusionary Zoning. The Statement of Intent outlines our principles for creating legislation to permit Inclusionary Zoning.;
- ) The Urban Land Institute released a study on July 20, 2016 *The Economics of Inclusionary Development* which found that almost all cities in the United States offer various type of development incentives to offset the economic impacts the inclusionary policy has and that the inclusionary policies depend on market-rate development to be successful.;
- ) OHBA submitted recommendations in August 2016 to the Ministry of Housing regarding the regulatory consultation.;
- ) OHBA, BILD and the Niagara Home Builders' Association all made deputations to the Standing Committee on Social Policy on November 28, 2016 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.;
- ) The provincial government passed legislation, *Promoting Affordable Housing Act, 2016* (Bill 7) on December 6th, that will allow municipalities to force the inclusion of government-required affordable housing units in new residential projects.;
- ) 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.;
- ) 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.;
- ) On March 20<sup>th</sup>, OHBA hosted its annual Queen's Park Advocacy Day with builder and renovator members from across the province. In meeting with MPPs, Cabinet Ministers and policy makers, OHBA members educated and advised them on how provincial policy decisions impact the supply, choice, and affordability of housing across Ontario.;
- ) Throughout the late winter and early spring, OHBA and BILD met a number of times with senior Ministry of Housing bureaucrats and policy advisors in the Minister's office to have detailed technical discussion on potential items in an Inclusionary Zoning regulation.;
- ) OHBA met directly with Premier Wynne and Ministers Ballard, Mauro and Del Duca on April 12, 2017.;
- ) The provincial government has not yet posted an Inclusionary Zoning regulation for public consultation.

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# ACTION

## RESOLUTION # 4 (External)



Submitted to: Ministry of Labour  
Chief Prevention Officer

Submitted by: OHBA Health and Safety Committee

Date: September 19, 2016

Subject: Mandatory Safety Awareness Training

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Whereas: The Ministry of Labour is proposing 6.5 hour mandatory construction hazard awareness training for all construction workers in Ontario.

Whereas: OHBA has submitted a response to the consultation which is supportive of increased health and safety awareness in order for continuing improvements to workplace safety.

Whereas: The OHBA submission proposes the Ministry adopt increased online training so that workers in remote areas of the province and younger workers looking for a summer job in construction can be compliant with the regulation when they first show up for work.

Whereas: OHBA proposes the Ministry assume responsibility for establishing a database of all workers that have completed the training in addition to issuing cards that employers, MOL enforcement and home owners can view so they know the worker has completed the awareness training.

Whereas: if the Ministry moves forward with this policy as written it would require a significant dedication of resources for all workers and employers to comply with the law.

Whereas: Some estimates have over 800,000 workers requiring to do this training.

Whereas: OHBA is well positioned to address Ministry of Labour identified training gaps that exist province-wide through our network of 30 local associations.

*Therefore Be It Resolved That:* OHBA develops a training program targeted towards residential construction and consistent with the Ministry's program standard so that local home building associations can facilitate training opportunities in their area as a member service.

**CARRIED**



## ACTION #4



- ) OHBA provided a submission to the Ministry in fall 2016 stating our position related to the proposed new mandatory training.
- ) OHBA submitted that if the Mandatory Safety Awareness Training moves forward:
  - ) There needs to be a partnership model in place whereby OHBA can act as an umbrella service provider on behalf of our local association network;
  - ) Online training needs to be considered. Especially for workers in rural and northern communities;
  - ) Experienced workers should not need to undertake redundant training;
  - ) Card-based simple verification so employers and MOL enforcement know that workers have received their training;
  - ) A reasonable transition period should be required longer than 2 years.
- ) Based on meetings with the Ministry of Labour, OHBA understands that there was substantial opposition to this initiative by almost all construction stakeholders. Therefore this proposal will not be moving forward as drafted and that it has gone back to the Ministry to be reconsidered;
- ) There has not been a public notice of the official status of the Mandatory Safety Awareness Training initiative.

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# ACTION

## RESOLUTION # 5 (External)



Submitted to: Ministry of Finance, Ministry of Labour, Canada Revenue Agency  
Submitted by: OHBA Renovators' Council  
Date: September 19, 2016  
Subject: Underground Economy in the Residential Construction Sector

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*Whereas:* The residential renovation sector accounts for approximately \$70 billion in investment activity across Canada and \$27.1 billion to the Ontario economy on an annual basis; and

*Whereas:* According to Statistics Canada, the residential construction sector comprises almost 30 per cent of Ontario's underground economy, or approximately \$4.5 billion in annual underground economic activity; and

*Whereas:* The Home Renovation Tax Credit (HRTC) generated an additional \$4.3 billion in renovation investment into the economy with an average tax savings was over \$700 per claimant; and

*Whereas:* The cash economy places risks on consumers, causes significant revenue leakages for the provincial and federal governments and places legitimate contractors at a competitive disadvantage; and

*Whereas:* In 2016, the former Parliamentary Assistant Laura Albanese consulted with key stakeholders, including the Ontario Home Builders' Association, to better understand the scope of the underground economy within the sector. In February 2016, an interim report, *Addressing Ontario's Underground Economy in the Residential Construction Sector: Interim Report for the Minister of Finance On Behalf of Parliamentary Assistant Laura Albanese, MPP* was released that summarized what was heard during the consultations and provided interim recommendations.

*Therefore be it resolved that:* To ensure a level playing field, the federal government and provincial governments should implement a home renovation tax rebate to the consumer in order to ensure the tax is revenue neutral as well as provide an incentive for consumers to demand receipts from legitimate renovators and submit them to the CRA; and

*Therefore be it further resolved that:* All firms and individuals in the construction industry should be required to register for a Business Number to ensure that businesses pay their fair share of taxes, CPP and WSIB premium, even if they fall below the below the \$30,000 threshold for mandatory HST registration; and

*Therefore be it further resolved that:* The Ontario government embark on a public awareness campaign targeted towards consumers that explains the risks and potential liabilities associated with participating in the underground economy; and

*Therefore be it further resolved that:* Consumers should be required to inform their home insurance provider during major renovations, to insure they understand their home "work place requirements" and to protect their renovations from future issues; and

*Therefore be it further resolved that:* Individuals need to be granted an exemption under the *New Home Warranty Plan Act* and *Ontario Building Code Act* to build their own home, and if they sell before the two-year occupancy date, they must provide a private warranty to the new home owners; and

*Therefore be it further resolved that:* Government departments and levels of Government, such as the Canada Revenue Agency, local building departments, the Workplace Safety and Insurance Board, the Ministry of Finance and the Ministry of Labour enhance information sharing to tackle underground economic activity in the residential sector.

**CARRIED**

## ACTION #5



- ) OHBA continues to meet with provincial officials regarding the perils of the underground economy in the residential construction sector;
- ) The Underground Economy was a core item that OHBA raised with MPPs during our Fall and Spring advocacy days at Queens Park;
- ) OHBA commissioned the Altus Group to update a 2009 study on the residential renovation sector and the industry proposal for a Home Renovation Tax Credit. OHBA and Altus have prepared a 2017 report: “Combatting Ontario’s Underground Economy in the Residential Renovation Sector and Reducing GHG Emissions Through Innovative Policies” to be released to all three provincial political parties for consideration as public policy prior to the 2018 provincial election;
- ) The report recommends that the introduction of a Home Renovation Tax Credit (HRTC) related to energy efficient upgrades. An HRTC would reduce the amount of tax leakage due to the underground economy by incenting homeowners to properly document and report their contractor renovation project and it would help the provincial government meet public policy objectives pertaining to climate change mitigation through the reduction of GHG emissions for residential properties
- ) OHBA working in conjunction with our local HBAs held illegal build initiatives in partnership with Tarion:
  - o Oakville March 8, 2017
  - o Stratford March 15, 2017
  - o Durham March 27, 2017
  - o Sudbury May 16, 2017
  - o Additional dates TBC in the fall

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# ACTION

## RESOLUTION # 6 (Internal)



Submitted to: OHBA Board of Directors  
Submitted by: OHBA Sales and Marketing Committee  
Date: September 19, 2016  
Subject: OHBA Awards of Distinction Submission Requirements

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*Whereas:* Anyone in the Province of Ontario who plans to build and/or sell a new home or condo must be registered with Tarion and enroll the home(s) and condo(s) as per the requirements of the *Ontario New Home Warranties Plan Act*; and,

*Whereas:* The deemed statutory warranties created by the Act apply for the most part to all purchases of new homes whether or not the vendor is registered or the home is enrolled. There is no statutory definition of “new home”. Rather, the protections of the Act are available only if the applicable definitions of “home”, “builder”, “vendor” and “owner” apply to the dwelling:

) A “home” is a self-contained one-family dwelling that is not built for occupancy for temporary periods or seasonal purposes. A “home” can be either a freehold home (including a contract home) or a condominium unit, including the common elements. It will include such homes whether it is a principal residence or a second recreational home, as long as it is constructed to year-round occupancy requirements under Part 9 of the Ontario Building Code:

- ) A “builder” is a person who undertakes the performance of all the work and supply of all the materials necessary to construct a completed home whether for the purpose of sale by the person or under a contract with a vendor or owner;
- ) A “vendor” is a person who sells on his/her own behalf a home not previously occupied to an owner;
- ) An “owner” is a person who first acquires a home from its vendor for occupancy;
- ) Tying the definitions together one could very generally describe a “new home” as a self-contained, residential dwelling unit built to permanent occupancy standards by a builder who has agreed to complete all material aspects of the dwelling and that was not previously occupied prior to the initial sale (e.g., not a conversion, not a renovation, not previously occupied by the vendor); and,

*Whereas:* OHBA is working with the Tarion Warranty Corporation, the Ontario Building Officials Association (OBOA), the Ministry of Municipal Affairs and Housing and the Ministry of Government and Consumer Services to advance public policy solutions to reduce illegal building activity; and,

*Whereas:* Tarion, in partnership with the OHBA and the OBOA, launched an Illegal Building Prevention Strategy to protect new home buyers from the dangers of illegal building in six municipalities in Ontario: Barrie, Sarnia, Middlesex Centre, Belleville, Sudbury and Niagara Falls.

*Therefore be it resolved that:* OHBA Awards of Distinction builder and/or developer submitters in any category, with the exception of the renovation categories be registered with the Tarion Warranty Corporation in order to enter a submission.

**MOVED: Chuck McShane**

**SECONDED: Garnet Northey**

## ACTION #6



- ) OHBA continued to discuss this resolution and the awards criteria with local association Executive Officers and the OHBA Sales and Marketing Committee to develop a new/enhanced policy with clear eligibility criteria;
- ) The new OHBA Awards of Distinction website for 2017 contains the following eligibility criteria:

Any member in good standing with the Ontario Home Builders' Association as of June 22, 2017, and who has a project that is open for sale or was completed between June 23, 2016 and June 22, 2017 in Ontario, may enter.

Only the Builder, Developer or Renovator of the submitted project will receive the award. Submitters may receive credit to at the request of the builder, developer or renovator.

Projects that have won a category in the previous year are not eligible to be entered into a similar category this year.

**Builder and/or developer submitters in any category, with the exception of the renovation categories must be registered with the Tarion Warranty Corporation in order to enter a submission.**

OHBA reserves the right to disqualify entries that do not observe the requirements.

The 2017 Awards of Distinction Program Committee reserves all publishing rights to the materials submitted

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# ACTION