



OHBA ACTIVITY Summary

Keeping Members Informed

April 2018

DATES TO NOTE	NEW GOVERNMENT SUBMISSIONS
<ul style="list-style-type: none"> April 10 – Advocacy Day (Queen’s Park) April 16 – OHBA Presidents’ and Executive Officers’ Seminar (Universal Event Space, Vaughan) 	<ul style="list-style-type: none"> Protecting Water for Future Generations: Growing the Greenbelt in the Outer Ring

HOME BELIEVER

As we approach the Ontario election on June 7th, OHBA has been engaging politicians and the public to support the great Canadian dream of home ownership, which is slipping out of reach for many Ontarians. Through the #homebeliever campaign, support is shown by signing the #homebeliever pledge, which states:



I believe in the great Canadian dream of home ownership.
 I believe that we should be able to find homes we can afford, and in communities where we can live, work and play.
 I believe that the dream of home ownership is slipping out of reach for many Ontarians.
 As a #HomeBeliever I will support more housing choice and supply a cross Ontario to help all of us achieve the great Canadian dream of home ownership.

OHBA will be taking the #homebeliever campaign to Advocacy Day at Queen’s Park as an opportunity to further engage MPPs and party leaders in industry advocacy during this particular stage of the election cycle. During Advocacy Day, MPPs and party leaders will have the in-person opportunity to sign the pledge and ask questions.

Members are encouraged to participate in the #homebeliever campaign by engaging on social media, completing the quiz, signing the pledge, and asking their MPPs to reaffirm their belief in the great Canadian dream and also sign the pledge. More info: homebeliever.ca

BILL 139 (OMB REFORM)

The *Building Better Communities and Conserving Watersheds Act, 2017* (Bill 139) passed on December 12 with all party support, except for Trillium Party MPP Jack MacLaren as the lone opposing vote. The legislation overhauls the planning appeals system by creating the Local Planning Appeal Tribunal (LPAT) to replace the OMB. On March 5th the government posted a [finalized transition regulation](#) (O.Reg 67/18) that set out rules for planning matters in process at the time of proclamation (i.e. “transition”) and reflects what the government proposed in December.

Specific to transition policy, David Bronskill of Goodmans LLP supported OHBA and BILD with a [joint submission to the province on January 19, 2018](#). On February 27, the province released information regarding proclamation. The changes the Act makes to the land use planning and appeal system will come into effect on April 3, 2018, as specified by proclamation.

New regulations under the Local Planning Appeal Tribunal Act, 2017 are also proposed and it is anticipated that they will be finalized in the near future. In the interim, please visit the [Ontario Regulatory Registry posting](#) for information on the Local Planning Appeal Tribunal Act, 2017 regulations. Under the *Planning Act*, changes will be made to existing regulations to facilitate implementation of Bill 139, changes to the land use planning and appeal system by:

- requiring explanations of how planning proposals are consistent/conform with provincial and local policies and clarify requirements for municipal notices;
- making technical changes, such as changing references from OMB to LPAT, and amending cross-references; and
- establishing new transition provisions to set out rules for planning matters in process at the time of proclamation.

Members can view copies of the amending *Planning Act* regulations on Ontario’s e-Laws:

- [Ontario Regulation 67/18 “Transitional Matters – General”](#) – amending Ontario Regulation 174/16 “Transitional Matters Relating to the *Smart Growth for Our Communities Act, 2015*”
- [Ontario Regulation 68/18](#) – amending Ontario Regulation 543/06 “Official Plans and Plan Amendments”
- [Ontario Regulation 69/18](#) – amending Ontario Regulation 549/06 “Prescribed Time Period – Subsections 17 (44.4), 34 (24.4) and 51 (52.4) of the Act”
- [Ontario Regulation 70/18](#) – amending Ontario Regulation 551/06 “Local Appeal Bodies”
- [Ontario Regulation 71/18](#) – amending Ontario Regulation 200/96 “Minor Variance Applications”

- [Ontario Regulation 72/18](#) – a mending Ontario Regulation 197/96 “Consent Applications”
- [Ontario Regulation 73/18](#) – a mending Ontario Regulation 545/06 “Zoning By-Laws, Holding By-Laws and Interim Control By-Laws”
- [Ontario Regulation 74/18](#) – a mending Ontario Regulation 544/06 “Plans of Subdivision”
- [Ontario Regulation 75/18](#) – a mending Ontario Regulation 173/16 “Community Planning Permits”

On February 23, OHBA hosted a member info session with David Bronskill, Goodmans LLP: Perspectives on Bill 139, the Local Planning Appeal Tribunal, what it means for the membership and how to navigate the land use planning process in a “post OMB” environment. The session was well attended, including members who tuned in through Facebook Live. The video recording can be found and viewed in full [on OHBA’s Facebook page](#).

GROWING THE GREENBELT

On December 7, the province announced a consultation on a study area for potential Greenbelt expansion to protect water resources in the outer ring of the Greater Golden Horseshoe. The consultation comprises of seven study areas deemed by the province to be most in need of protection and is a step towards fulfilling a Liberal election campaign promise made in 2014 to grow the outer edges of the Greenbelt. OHBA hosted an industry consultation with the Ministry of Municipal Affairs on February 27. OHBA encourages members to read the consultation document about the study areas and the Environmental Registry posting (EBR013-1661) about the potential Greenbelt expansion.

On March 7, OHBA made a [Submission to the Ministry of Municipal Affairs](#), with industry comments and recommendations on the seven study areas for potential Greenbelt expansion. OHBA also thanks members and local associations for their involvement and local advocacy with municipalities and conservation authorities throughout the consultation process. OHBA notes that [BILD has made a submission](#), the Simcoe County HBA and the Brantford HBA have also each submitted comments and recommendations to the Ministry of Municipal Affairs regarding potential greenbelt expansion into their local jurisdictions.

CONSERVATION AUTHORITIES

Bill 139 passed in December with Schedule 4 making significant amendments to the *Conservation Authorities Act*. The province posted, [Conserving our Future: A Modernized Conservation Authorities Act](#) which outlined the legislative, regulatory, policy and proposed program changes. OHBA responded with a [2017 submission on the Conservation Authorities Act](#) on July 31 that was generally supportive of increased clarity, accountability and transparency in the legislation.

OHBA and BILD are members of the multi-stakeholder Service Delivery Review Committee which has met several times over the past few months and has an advisory role to the government as regulations and policy under the newly amended legislation are developed. Three sub-committees are currently being formed each with industry representation to review and discuss potential new policies and regulations:

- Hazard Management Program Sub-Committee: Russel White (Fieldgate Homes) & Allen Benson (Dillon Consulting)
- Hazard Regulation Sub-Committee: Jennifer Lawrence (Jennifer Lawrence & Associates) & TBC
- Municipal Plan Review Sub-Committee: TBC

AGRICULTURAL IMPACT ASSESSMENT

The 2017 provincial plans (Growth Plan for the Greater Golden Horseshoe, Greenbelt Plan, Oak Ridges Moraine Conservation Plan and the Niagara Escarpment Plan) have policy requirements for agricultural impact assessments for some types of development including settlement area boundary expansions, infrastructure and mineral aggregate operations within prime agricultural areas.

An Agricultural Impact Assessment:

- Identifies and assesses potential impacts from development on agriculture (including impacts to farmland, farm operations and the surrounding area; and within the Greater Golden Horseshoe impacts on the Agricultural System)
- Recommends measures or strategies to avoid impacts (e.g. consider alternative locations where possible)
- Recommends measures to minimize or mitigate impacts (e.g. through design, use of buffers, etc.)
- Addresses site rehabilitation for agriculture, where applicable

The Ministry of Agriculture, Food and Rural Affairs (OMAFRA) draft [Guidance Document for Agricultural Impact Assessments](#) is available on the [Environmental Registry](#) for public consultation until July 13. OHBA welcomes feedback from members on the draft guidance document and will prepare a submission to OMAFRA based on the input received towards the development of a final document from OMAFRA, which is expected to be released later this year. Please submit comments to OHBA Director of Policy, [Mike Collins-Williams](#).

OBC UPDATE – EV CHARGING

The Ministry of Municipal Affairs (MMA) issued the Appendix notes and Alternative Solutions for Electric Vehicle Charging Requirements via [CodeNews - Issue 260](#) on March 8, 2018. In summary:

- Notification that the Supplementary Standard SA-1 has been updated to enable the development of Alternative Solutions to the electric vehicle requirements.
- New appendix notes: Formalizing the clarification provided in the Q’s & A’s documents and providing suggestions on what might be considered in the development and assessment of Alternative Solutions.
- Some amended Q’s & A’s from those issued in [CodeNews - Issue 255](#): Most of the Q’s & A’s are the same with the following changes in the “Houses” document:
 - a) Q3: A small change: removing “cost” as one of the reasons for creating the transition provisions.
 - b) Q13: The wording has changed a little, to clarify that if the project meets the conditions of the transition provisions, none of the EV charging requirements apply.

- c) Q15 & Q16: Provide some guidance on alternative solutions (these responses are mirrored in the Appendix Notes).
- d) Q17: Explains what changes have been made to Supplementary Standard SA-1 in order to enable Alternative Solutions.

Note: Similar changes were made to the Non-residential Buildings Q's&A's document, adding Question's 12, 13 and 14.

Please find supplementary information from MMA below:

- [Electric Vehicle Appendix Notes](#)
- [Ruling of the Minister of Municipal Affairs - No. MR-17-S-28](#)
- [Q & A - EV Requirements in Houses](#)
- [Q & A - EV Requirements in Non - residential buildings](#)
- OHBA - Alternative Solutions Electrical Load Calculation Example below

Alternative Solution – Electric Loading Calculation Example: Single house 2500ft² (232m²)

- ✓ 2500ft² main floor(s) (232m²), plus 1250ft² ~~basement~~ (116m²)
- ✓ Total living: 2500 + 75% (1250) = 3440ft²/10.7m² = 321m²
- ✓ Air Conditioning / Heat (20A @ 240V) @ 100% = 4800W
- ✓ EV charger - level 2 (50A plug @ 240V) 32A @ 100% = 7700W

321m ² Unit calculated load	Watts	Amps (with A/C)	Amps (No A/C)
Basic 90m ² (5000W)	5000	21	21
Next 90m ² X 3 (1000W X 3)	3000	12.5	12.5
Electrical Range (12Kw)	6000	25	25
Dryer – 5000W @ 25%	1250	6	6
A/C (20A) @ 100%	4800	20	
EV charger (32A) @ 100%	7700	32	32
Total	27,750	116.5	96.5

- ✓ A 125A service panel would qualify with capacity for A/C and EVC.
- ✓ A 100A service panel would qualify with capacity for EVC, but **NO** A/C.

Please direct questions to OHBA Senior Technical Advisor, Shawn Good at sgood@ohba.ca.

CONDO ACT CHANGES

The province has made changes to regulations impacting how condo corporations enter into agreements for the provision of building electric vehicle charging units. These changes build on a number of amendments to the condo act that have taken effect since 2017 including record of information certificates; training for condominium board directors; licensing for condo managers and quorum and voting. The province has not started consulting on the regulations that would impact developers such as the sale or leaseback of common elements and reserve fund calculations funded by the developer.

The Ministry has published a guide outlining all changes that have been made since the new Condo Act was passed.

2018 HOUSING STUDY TOUR TO AMSTERDAM AND ROTTERDAM



OHBA is very excited for our upcoming 2018 International Housing Study Tour to Amsterdam and Rotterdam on June 10 – June 14, 2018 with our tour partner EnerQuality and sponsors, Cricket Energy and Ozz Electric. We will be traveling to the Netherlands with a small group of members to two incredible cities with the educational tour focusing on Dutch architecture as well as energy & sustainability for both low-rise and multi-family housing.

The International Housing and Study Tour will include two nights in Amsterdam and two nights in Rotterdam with three full days of programming as well as an evening welcome/orientation dinner cruise through the canals of Amsterdam planned on the arrival day. [Registration and the full details in terms of the itinerary and inclusions online!](#)

[View the archive](#) of OHBA Government Relations newsletter, Activity Summary.