



# OHBA ACTIVITY Summary

Keeping Members Informed

## March 2018

DATES TO NOTE	NEW GOVERNMENT SUBMISSIONS
<ul style="list-style-type: none"> <li>March 21 – CHBA National Conference (Victoria, BC)</li> <li>April 16 – OHBA Presidents’ and Executive Officers’ Seminar (Universal Event Space, Vaughan)</li> </ul>	<ul style="list-style-type: none"> <li>February 28 – OHBA Submission - Land Needs Assessment Methodology</li> </ul>

### **BILL 139 (OMB REFORM) PROCLAMATION**

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. All three party leaders voted in favour of the legislation. The legislation will overhaul the planning appeals system by creating the Local Planning Appeal Tribunal to replace the OMB. On December 7, the government posted proposed transition regulations that set out rules for planning matters in process at the time of proclamation (i.e. “transition”) as well as other matters that would be dealt with through regulations, such as timelines and tribunal practices and procedures. The Ministry release specifically states that: “Our intent is to provide a balance between applying the new rules as soon as possible and ensuring fairness for matters already in the current system.” Specific to transition policy, David Bronskill of Goodmans LLPs supported OHBA and BILD with a [joint submission to the province on January 19, 2018](#). On February 27, the province released information regarding proclamation and stated that they anticipate providing stakeholders with an update on the proposed regulation changes and finalized a approach to transition in the near future.

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.

This includes changes to:

- Establish the Local Planning Appeal Tribunal (LPAT) as the province-wide appeal body for land use planning matters;
- Establish the Local Planning Appeal Support Centre to provide legal and planning support services to eligible Ontarians for matters before the Tribunal;
- Limit the Tribunal’s ability to overturn municipal decisions that adhere to municipal official plans, provincial plans and the Provincial Policy Statement;
- Give municipalities more control over local planning, resulting in fewer decisions being appealed; and
- Shelter certain major planning decisions from appeal.

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](#).

### **INCLUSIONARY ZONING**

The *Promoting Affordable Housing Act, 2016* (Bill 7) allows municipalities to require the inclusion of government-mandated affordable housing units in new residential projects. [A proposed regulation under the Planning Act](#) that will set the framework for Inclusionary Zoning was posted December 18 and [OHBA made a submission with industry recommendations on February 1, 2018](#). OHBA and BILD have met directly with the new Housing Minister twice in Fall to discuss inclusionary zoning and our support for a partnership model where offsets are provided by municipalities to contribute to the costs of the affordable units.

Industry advocacy regarding a partnership model has been reflected in the proposed regulation. However, [as expressed in a press release](#), OHBA remains concerned that the proposed partnership is not a 50/50 model, but rather it has been proposed that municipalities would provide for 40% of the costs of the affordable units through offsets. OHBA and BILD both made deputations to Toronto’s Planning and Growth Management Committee on January 25 specific to the provincially proposed framework. OHBA further notes that a number of industry concerns have been addressed by the province in the draft regulation.

OHBA members should be aware that municipalities are pushing back on the provincially proposed framework for a partnership model. On February 1, City of Toronto [Councillor Mike Layton has been leading a group against the proposed regulations](#) including, a recent press conference at Queen’s Park demanding the developers pay all the related cost related to government mandated housing



units. On January 23, there was a protest outside the Minister of Housing's office that received significant media attention where housing advocates claimed that the "Liberal's were in bed with developers" and that the proposed framework will result in few affordable housing units being built while municipalities pay developers to build affordable housing.

### **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. This announcement to expand the outer edges of the Greenbelt is a step towards fulfilling a Liberal election campaign promise made in 2014 and reiterated during the Coordinated Review consultations over the past three years. 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 proposed for protection; and the [Environmental Registry posting \(EBR013-1661\)](#) about the potential Greenbelt expansion in the outer ring of the Greater Golden Horseshoe. The deadline for feedback to the Ministry is March 7, 2018. Please contact OHBA Director of Policy, [Mike Collins-Williams](#) to provide input.

### **UPDATE FOR PROPOSED OBC CHANGES**

The Ministry of Municipal Affairs (MMA) will be releasing updates to the provisions and alternative solutions for Electrical Vehicle Charging in houses in the very near future. OHBA will continue to keep members informed on code updates as we receive news. Please direct questions to OHBA's Senior Technical Advisor, [Shawn Good](#).

### **ONTARIO INTRODUCES LEGISLATION FOR ELEVATORS**

Ontario introduced legislation on February 22, 2018 that would, if passed, give consumers easier access to credit information and improve access to elevators. The new law would make Ontario the first jurisdiction in the world to establish standards for elevator repair times and would give Ontario consumers the strongest rights in Canada over information held by consumer reporting agencies. View the full story [here](#).

### **PROPOSED LAND NEEDS ASSESSMENT METHODOLOGY**

On December 19, the Ministry of Municipal Affairs released the proposed Land Needs Assessment Methodology on the [Environmental Registry \(013-2016\)](#) for consultation until February 28. Over the Summer and Fall, OHBA, BILD, the WRHBA and a small group of members participated in confidential sessions prior to the release of the 130 page discussion paper, [Proposed Methodology for Land Needs Assessment for the Greater Golden Horseshoe](#). OHBA held a members consultation with the Ministry of Municipal Affairs on February 13 and OHBA planning consultants [Malone Given Parsons submitted recommendations on the proposed methodology on behalf of OHBA](#).

To implement the Growth Plan, municipalities are required to use a common methodology for calculating the amount of land that they will need for development to accommodate forecasted population and employment growth to 2041. This calculation is known as a land needs assessment. Using this methodology will ensure that municipalities are using land in accordance with provincial forecasts and targets. It is intended to provide a consistent and transparent approach to assessing land needs and was developed by the province to respond to a recommendation from the Advisory Panel on the Coordinated Review. OHBA, BILD and our impacted local HBAs in the Growth Plan, also advocated for a clear, consistent land needs assessment methodology. To review a summary of what is proposed and the government announcement, click [here](#).

### **ELECTION READINESS: MEMBER SURVEY**

As OHBA's advocacy work enters the 2018 provincial election cycle, we are polling members on their thoughts on key priority industry issues – four more years or time for a fresh start? Members are encouraged to voice their thoughts by completing the poll. Responses are anonymous and key findings will be discussed in a future issue of the *OHBA* magazine.

Complete the brief member survey online: [www.ohba.ca/member-survey](http://www.ohba.ca/member-survey)

**Make your voice heard on priority  
industry issues!**



Fill out the OHBA Member Survey  
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