

[View this email in your browser](#)

August 2020



For the latest updates, please follow our social media [@OntarioHBA](#).

Table of Contents

- [Ontario Jobs and Recovery Advocacy](#)
 - [Bill 197 - COVID-19 Economic Recovery Act](#)
 - [Community Benefit Charges](#)
 - [MECP Environmental Registry Postings related to Economic Recovery](#)
 - [Growth Plan Amendment #1 and LNA Submission](#)
 - [Regional Voices: Local HBA's at Committee](#)
 - [MTO Update of Traffic Impact Study Guidelines](#)
 - [AMM Resolutions](#)
 - [CACEA and Owens Corning Joint Pilot Program: The Road to Net-Zero Ready Construction](#)
-

Ontario Jobs and Recovery Advocacy

July provided an opportunity to engage members of the Ontario Cabinet on a variety of policy files including economic and job recovery following the impacts of COVID-19.

[Submission](#). Minister Phillips shared an update on the work being done by the Ontario Jobs and Recovery Committee and OHBA emphasized key financial changes to modernize the HST threshold for new housing promoting both affordability for consumers and the ability to accelerate housing supply delivery.

Later in July, OHBA had the opportunity to speak with the Minister of the Environment, Conservation and Parks and MPP for Elgin-Middlesex-London, Jeff Yurek. We appreciated the Minister sharing some updates on the Made in Ontario Environment Plan and continued work on modernizing the Conservation Authority system. We underscored the importance of streamlining environmental approval processes to help support job creation, reduce burdensome red-tape and facilitate a sustainable long-term economic recovery plan.

Finally, OHBA met with Minister of Labour, Training & Skills Development and MPP for Lambton-Kent-Middlesex, Monte McNaughton. The Minister provided an important update on apprenticeship modernization and OHBA reinforced the significant need for skilled tradespersons to be a catalyst for job and economic recovery.

Bill 197 - COVID-19 Economic Recovery Act

On July 8th, the provincial government introduced [Bill 197 COVID-19 Economic Recovery Act](#) which was passed and received Royal Assent on July 21st. The omnibus Bill made amendments to a number of pieces of legislation as part of *Ontario's Plan for Economic Jobs and Recovery*. The legislation responds to OHBA's major concerns articulated in [OHBA's April 2020 submission](#) responding to the Environmental Registry 019-1406 with respect to the Community Benefits Authority. The provincial government received over 70 submissions from local home builders' associations & individual member companies that "ran the math" to demonstrate potentially significant cost increases for new home purchasers due to the imposition of a CBC (under the previous framework). Furthermore, the legislation (and subsequent proposed regulations from the Ministry of the Environment, Conservation & Parks) responds to OHBA's submissions on modernizing Ontario's Environmental Assessments. Overall, the legislation is a positive step towards building more housing supply and creating jobs as part of the post-pandemic recovery.

DEVELOPMENT CHARGES:

- The list of eligible services has been expanded to include certain former soft services, all at full cost recovery

[Subscribe](#)[Past Issues](#)[Translate ▼](#)

development charges has been reduced, meaning some services for which municipalities previously charged soft service DCs for will no longer be eligible.

- Providing transparency, the full list restored to the development charge regime will now include:
 - Waste Diversion
 - Ambulance Services
 - Public libraries
 - Long-term care
 - Parks development
 - Public health
 - Recreation - community centres
 - Child care
 - Housing services such as affordable housing and shelters
 - By-law enforcement and court services
 - Emergency preparedness
 - Airports (relates specifically to the Region of Waterloo)
 - Studies - background studies and planning studies
- In terms of transition, municipalities could continue charging for ineligible services until 2 years from the proposed changes coming in to effect OR when the former soft-services development charge by-law is repealed OR when a CBC by-law is passed.
- Municipalities also have the option to pass a new development charges by-law to amend/remove the 10% discount at any time after the proposed changes take effect.

PARKLAND DEDICATION:

- The current parkland provisions in the Planning Act for basic and alternative parkland rates are to be maintained, which directly responds to concerns raised by OHBA and local associations
- Cost certainty and enhanced accountability would be provided by a proposed mechanism to allow for the appeal to LPAT of parkland by-law that utilizes the alternative rates
- LPAT would also have the power to amend a by-law and reduce the alternative rate
- The legislative amendments do NOT include a cap. OHBA will continue to advocate for a cap on the alternative cash-in-lieu of parkland rate
- For transition, current parkland by-laws that include alternative parkland rates would expire after 2 years of the legislative changes come into effect, therefore providing municipalities with up to 2 years to pass a new parkland by-law in order to continue charging the alternative parkland rates

Subscribe

Past Issues

Translate ▼

- CBC will be applicable only to a single or lower-tier municipality if they chose to implement a CBC.
- CBC will be applicable only to higher density residential developments as defined by developments with 10 or more residential units and 5 storeys or more. This critical change reflects the OHBA and our local association position that the CBC should NOT apply to low-rise or missing middle housing supply.
- Bill 197 does NOT include a percentage of land value that would determine the maximum CBC payable – it will be set out in regulation
- The CBC could fund growth-related, capital costs of any potential service, including services recovered partially through development charges or parkland dedication, recognizing that the CBC has to be justified through the appropriate background work, show a direct nexus to growth and is now appealable – and provided that the capital costs related to the CBC are not the same costs as those funded by development charges or parkland contributions.
- As was originally proposed, municipalities will no longer be able to charge “Section 37” density bonuses – the new CBC replaces this municipal tool and municipal CBC by-laws will be appealable to the LPAT

MINISTERS ZONING ORDERS:

- The legislation expands Ministerial authority to Site Plan Controls in addition to all existing zoning authority
- This is in an effort to support transit-oriented communities and economic recovery and does not include lands within the Greenbelt
- The new authority will also allow the Minister to prescribe affordable housing targets, including those associated with inclusionary zoning

Bill 197 is an important step toward post-pandemic recovery and reflects broader provincial objectives in [More Homes, More Choice: Ontario's Housing Supply Action Plan](#) and the [Made in Ontario Environment Plan](#) as well as provincial initiatives to support Transit Oriented Communities.

Community Benefit Charges

Last week as part of the COVID-19 post-pandemic recovery, the provincial government passed the OHBA supported [Bill 197 COVID-19 Economic Recovery Act](#). The legislative amendments to the *Planning Act* and the *Development Charges Act* as part of Bill 197 provides

articulate new recommendations regarding the percentage cap for the proposed Community Benefits Charges (CBC) framework recognizing that the legislative framework underpinning the CBC has evolved to enhance cost certainty and accountability through amendments made to the *Planning Act* and *Development Charges Act* as part of Bill 197. The letter recommends, based on the analysis by the Altus Group and in the context of Bill 197, that the Ministry of Municipal Affairs and Housing establish regulation on matters pertaining to community benefits authority under the *Planning Act*, the *Development Charges Act*, and the *Building Code Act* with a maximum percentage cap of 2% of the land value.

Thank you to the many local home builders' associations and individual member companies that made CBC submissions in April articulating significant concerns with the previously proposed framework (The Ministry received 70+ submissions "running the math" from OHBA members and local associations). OHBA is generally supportive of the major changes the provincial government has made to shift a number of services back into the Development Charges framework, restoring parkland dedication to the Planning Act (with new appeal authorities) and restricting the CBC framework only to projects with 10 or more units and 5-or-more floors. Under the new framework, as was recommended by OHBA, low-rise and missing middle housing will not be subject to the CBC authority.

MECP Environmental Registry Postings related to Economic Recovery

On July 8th the Ministry of the Environment, Conservation and Parks (MECP) posted a number Environmental Registry postings related to the *COVID-19 Economic Recovery Act*. MECP is proposing to move forward with the next phase of environmental assessment modernization, to further reduce delays and focus resources on projects with a higher potential for environmental impacts so that the provincial government can help communities get important infrastructure projects built faster while maintaining strong environmental oversight.

Proposed amendments to the *Environmental Assessment Act* (EAA):

- Bill 197 allows the MECP, through subsequent regulations and proclamations, to allow online submissions, reduce the average time by half for the largest projects and match the potential environmental impact of a project to the level of study required.
- Please refer to <https://ero.ontario.ca/notice/019-2051> for more info.

[Subscribe](#)[Past Issues](#)[Translate ▼](#)

- The MECP is seeking input on proposed amendments to 8 Class EAs (including Municipal Class EAs for which OHBA has been engaged with a variety of recommendations to the MECP).
- Proposed changes would support the MECP modernization initiative as they would exempt low-impact projects from the requirements of the *Environmental Assessment Act*, eliminate duplication and find efficiencies in the planning process.
- MECP is seeking input on these proposed amendments during a 45-day comment period, closing on August 22.
- OHBA is seeking feedback from members and is working with a sub-committee to prepare a response specifically to the proposed MCEA amendments within ERO 019-1712
- Details of this proposal may be found at <https://ero.ontario.ca/notice/019-1712>.

Exempting Regulations:

- MECP is proposing regulatory exemptions from the *Environmental Assessment Act* to eliminate duplication and reduce delays
- Some of these projects and activities are already subject to other legislation or planning processes that would provide the appropriate level of assessment and consultation.
- Other projects may be exempted from the EAA but would still be subject to conditions such as requirements to post notifications or undertake technical studies as appropriate.
- MECP is seeking input on these proposed amendments during a 45-day comment period, closing on August 22.
- Please refer to <https://ero.ontario.ca/notice/019-1805>.

Proposed changes to environmental approvals for municipal sewage collection works:

- MECP is proposing to modernize Ontario's environmental approval process for low-risk municipal sewage works by implementing a Consolidated Linear Infrastructure Permissions Approach.
- The proposed approach will consolidate and update the approvals process for these types of works and incorporates measures that will enhance environmental protection.
- [OHBA Resolution #1](#) (Modernization of Approvals) passed at our AMM in September 2019 and, the [OHBA Modernizing Ontario's Environmental Assessments \(ERO 013-5101\) submission](#) the [OHBA Made in Ontario Environment Submission](#) have supported streamlining the redundant ECA process for SWM facilities

Subscribe

Past Issues

Translate ▼

- [template](#) posted on the EDR under the Consolidated Linear Infrastructure heading.
- MECP is seeking input on these proposed amendments during a 45-day comment period, closing on August 22.
 - OHBA is seeking feedback from members and is working with a sub-committee to prepare a response specifically to the proposed MCEA amendments within ERO 019-1080
 - Please refer to <https://ero.ontario.ca/notice/019-1080>

Proposals for select Ministry of Transportation projects:

- Proposal to exempt select Ministry of Transportation (MTO) projects from the requirements of the *Environmental Assessment Act*, subject to conditions for environmental protection
- Bradford Bypass and several MTO Provincial Transportation Facilities class environmental assessments (Class EA) projects. The full list of projects is included in the Environmental Registry link.
- Proposed regulation to update the existing environmental assessment process for MTO's GTA West Transportation Corridor.
- MECP is seeking input on these two proposed amendments during a 45-day comment period, closing on August 22.
- Please refer to <https://ero.ontario.ca/notice/019-1883> and <https://ero.ontario.ca/notice/019-1882>.

Many of the MECP proposals listed above respond directly to OHBA advocacy through the [OHBA Submission to Ontario's Jobs and Recovery Committee](#), [OHBA Resolution #1](#) (Modernization of Approvals) passed at our AMM in September 2019, the [OHBA Modernizing Ontario's Environmental Assessments \(ERO 013-5101\) submission](#) and the [OHBA Made in Ontario Environment Submission](#). OHBA would like to thank our many volunteer members who have dedicated countless hours on these files. OHBA will be responding to the various MECP Environmental Registry posting and is seeking input from members. Please contact OHBA Director of Policy, Mike Collins-Williams (mikecw@ohba.ca)

Growth Plan Amendment #1 and LNA Submission

In June the Ministry of Municipal Affairs and Housing [proposed Amendment 1](#) and the Land Needs Assessment ([019-1679](#) and [019-1680](#)) related to the Growth Plan for the Greater Golden Horseshoe that responds to key advocacy positions of OHBA and our 11 local home

Peterborough & the Kawartha and Durham Region).

On July 30th, [OHBA and BILD made a joint submission](#) that is generally supportive of the Ministry proposals with a number of specific recommendations to enhance both Amendment 1 to the Growth Plan and the Land Needs Assessment.

OHBA, BILD, DRHBA and a number of members from other impacted local HBAs participated in Ministry working groups over the past year. The Growth Plan proposals also responds directly to an OHBA Resolution passed at the OHBA AMM in September 2019, that specifically recommended that the Growth Plan Schedule #3 be updated with 2051 forecasts and updating the Land Needs Assessment methodology. The date by which municipalities must conform with the policies in A Place To Grow will remain July 1, 2022.

OHBA would like to thank our members from BILD and DRHBA that volunteered on the various working groups including Tiago Do Couto, Matthew Cory, Jeannette Gillezeau, Gary Gregoris, Robyn Brown and others that have provided support, advice and assistance. With over 5 million more #homebelievers forecast to join Greater Golden Horseshoe communities by 2051 – we are going to need approximately 2 MILLION new homes to make their #homebeliever dreams a reality.

Regional Voices: Local HBA's at Committee

Ontario is a vast province and so elevating regional economic perspectives for the government was a key objective for July. OHBA and many local HBAs spoke to the Standing Committee on Finance and Economic Affairs during a series of public hearings to study the economic impacts of COVID-19 on individual sectors. From July 14-15, OHBA along with BILD, London, Niagara, Greater Ottawa & Quinte HBAs spoke to the regional economic challenges that COVID-19 has created for our sector.

The Committee took great interest in many of the economic recovery recommendations our locals raised, especially around a Home Renovation Tax Credit and the need for a shared apprenticeship model. Durham, Waterloo and Simcoe locals also provided written submissions to reinforce the role our sector is ready to play in job and economic recovery. Strong advocacy by OHBA and local HBAs showcases the resiliency of our sector and also advances our members' ability to deliver key housing supply.

[Subscribe](#)[Past Issues](#)[Translate ▼](#)

The Ministry of Transportation is undertaking an update of its Traffic Impact Studies (TIS) Guidelines and is consulting with the industry for feedback. The purpose of this consultation exercise is to identify requirements and recommendations that may be included in the Ministry's TIS to improve the quality of these studies. It is expected that the feedback will enhance the updated content of the TIS Guideline and support any necessary adjustments before finalizing the General Guidelines for the preparation of TIS. For full details on this initiative and areas of the TIS Study preparation process that the Ministry is seeking further input on, please see the Industry Consultation Reference Material, [here](#).

Members are invited to complete an online survey regarding the Ministry's TIS Guidelines update process. The survey will be available in the following link until August 7th, 2020: <https://www.surveymonkey.com/r/MTOTIS>.

Earlier this spring a [Joint OHBA/BILD letter](#) was submitted to MTO following stakeholder consultations on streamlining of MTO's Highway Corridor Management System. Members are encouraged to share feedback directly to OHBA Director of Policy Mike Collins-Williams at mikecw@ohba.ca.

AMM Resolutions

OHBA has produced a [2019-2020 Resolutions Update package](#) with a status report of the resolutions approved at the September 2019 OHBA Annual Meeting of Members. OHBA invites and encourages local associations to submit resolutions for the 2020 OHBA Annual Meeting of Members on Monday, September 28th.

Our 27 local associations have a voice in the policies and priorities of our organization. Please provide OHBA with your input.

CACEA and Owens Corning Joint Pilot Program: The Road to Net-Zero Ready Construction

The Canadian Association of Consulting Energy Advisors (CACEA) is seeking builders to

[Subscribe](#)

[Past Issues](#)

[Translate](#) ▼

effective technologies/systems as well as holistic enclosure solutions to help reduce callbacks.

This is to help improve occupant comfort and durability, energy efficiency and the air-tightness of the building envelope and develop a path of continuous improvement all the way to a net-zero ready performance by 2030. For information on participating in this pilot, please contact Ernie Lee (ernie.lee@owenscorning.com) or Cindy Gareau, CACEA Executive Director (manager@caceae.ca). For information about CACEA, please visit www.caceae.ca.

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



Ontario
Home Builders'
Association



Want to change how you receive these emails?

You can [update your preferences](#) or [unsubscribe from this list](#).



FORWARD TO A FRIEND

Not a subscriber? [Sign up](#) to receive updates.

Subscribe

Past Issues

Translate ▼

Want to change how you receive these emails?
You can [update your preferences](#) or [unsubscribe from this list](#)

