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January 2021



Important Dates:

- **Wednesday, January 13th and 20th** - HCRA and Tarion Industry Updates
- **Thursday, January 21st** - OHBA Board of Directors Meeting
- **Thursday, January 21st and 28th** - EnerQuality Net Zero Sales Training - 12:30-4:00 PM
- **Wednesday, January 27th** - EnerQuality FREE Housing Innovator Series Webinar - 11:00-12:00 PM

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

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Provincial Lockdown

On Monday, December 21st, Premier Ford announced that due to rising case numbers of COVID-19, Ontario would enter a **province-wide shutdown** on Saturday, December 26th. This shutdown will last for 28 days in Southern Ontario and 14 days in Northern Ontario.

Although the shutdown measures mean that certain businesses have had their operations limited or closed, construction remains permitted during the shutdown. Key parts of the new provincial regulations which members should be aware of include:

1. Construction

- Construction activities or projects and related services that support construction activities or projects, including demolition services
- Land surveyor

2. Real Estate (including pre-sale construction)

- No open houses - showing a property permitted by appointment only

3. Maintenance

- Maintenance, repair and property management services that manage and maintain the safety, security, sanitation and operation of institutional, commercial, industrial and residential properties and buildings

The limitation on real-estate (including pre-sale construction) also applies to sales centres and model homes operating by appointment only. Members should not be advertising “open house” on any project or site.

Design/decor centres should operate by appointment only under the Construction Provision that they are related services that support construction activities.

Members should reach out to their local public health agencies if they have any questions or concerns on local operations. OHBA will continue to monitor the shutdown and update members as this situation evolves.

Keeping Our Jobsites Healthy and Safe

Since early 2020, OHBA members have prioritized enhanced health, safety and sanitation on

In November 2020, OHBA held a [winter readiness Toolbox Talk](#) with our H&S partners, Construction Workplace Safety Training Ltd. and the Infrastructure Health & Safety Association ([IHSA](#)). The Toolbox Talk was a great opportunity for members to ask questions and get important insights on getting jobsites winter-ready.

Members should also review the Ministry of Labour's [guidelines for construction](#) and utilize the many resources that OHBA has on our [COVID-19 webpage](#), such as the [workplace screening form guide](#).

As of December 26th, 2020, all members must also have a COVID-19 workplace safety plan in place. The Provincial Government has provided [resources and a template](#) for employers to develop their COVID-19 safety plan.

We are all in this together. Let's keep each other safe.

Species at Risk Conservation Fund

The Ministry of the Environment, Conservation and Parks (MECP) posted a notice on the [Environmental Registry](#) (019-2636) that outlines regulatory proposals under the *Endangered Species Act, 2007* (ESA) that align with our [Made-in-Ontario Environment Plan](#) commitment to improving the effectiveness of the species at risk program, by offering more innovative and coordinated ways of helping species at risk impacted by development projects, while increasing certainty and streamlining authorizations for businesses, municipalities and individuals. OHBA responded on December 17th with [a submission to the MECP](#) the supported the Species at Risk Conservation Fund (with a number of specific cost calculation recommendations) and to amend Ontario Regulation 242/08 to further streamline ESA authorizations for some common and routine activities.

The MECP has proposed the following six species at risk for this new approach, which the Ministry has determined will benefit from a more strategic and coordinated approach to planning and implementing large-scale protection and recovery efforts:

- Butternut
- Barn Swallow
- Bobolink
- Eastern Meadowlark

OPPI Recommends Measures to Enhance Planning Delegation

In late December, the Ontario Professional Planners Institute (OPPI) sent a letter to Honourable Steve Clark, Minister of Municipal Affairs and Housing, offering a number of recommendations to enhance delegation of routine planning approvals to achieve a more efficient municipal planning approval process. OHBA and BILD, along with several other industry organizations, were signatories to the [joint letter](#).

Conservation Authorities Act Through Bill 229

Following the 2019 amendments to the *Conservation Authorities Act* through Bill 108 (*More Homes, More Choice Act*), the Ministry of the Environment, Conservation and Parks (MECP) hosted multi-stakeholder engagement consultations in early 2020 on Conservation Authorities (CAs) across Ontario that OHBA participated in. The MECP intent through the process had been to modernize CAs with a strong focus towards the core mandate of protecting people and property from hazards and flooding. In December the provincial government passed legislative amendments to the *Conservation Authorities Act* and the *Planning Act*, as set out in the [Budget Measures Act \(Bill 229\)](#), which are intended to:

- Improve the consistency and transparency of the programs and services that CAs deliver;
- Provide additional oversight for municipalities and the province; and
- Streamline CA permitting and land use planning reviews to increase accountability, consistency and transparency.

A summary of the legislative amendments is available [here](#). A couple of key amendments include:

- Revise the objects of CAs (i.e., the range of activities conservation authorities are allowed to undertake) to reflect the three categories of programs and services that the CA is currently authorized to deliver under the *Conservation Authorities Act* over the area over which it has jurisdiction:
 1. Core mandatory programs and services described above

3. The programs and services that a conservation authority delivers to further the purposes of the *Conservation Authorities Act*

- Enable the minister to, by regulation, establish standards and requirements for the delivery of non-mandatory programs and services.
- Have all municipal levy appeals be heard by the Local Planning Appeal Tribunal (LPAT).
- Allow an applicant, within 30 days of a CA issuing a permit, with or without conditions, or denying a permit, to request the minister to review the CA's decision.
- In addition to the provision to seek a minister's review, provide the applicant with the ability to appeal a permit decision to LPAT within 90 days after the CA has made a decision.
- Provide permit applicants with the ability to appeal permit fees charged by a CA to LPAT.

OHBA notes that MECP will be posting additional regulatory proposals for public feedback in 2021 on a series of regulations and policies to further support the goals of the review of CAs. The Province is creating a working group to help implement changes to CAs. Hassaan Basit, President and CEO of Conservation Halton will chair the new group which will provide input on the development of proposed regulations under the *Conservation Authorities Act*, and on how CAs are governed.

Ministerial Enhanced Authority to Address Certain Matters as Part of an MZO

The *Planning Act* gives the Minister of Municipal Affairs and Housing the authority to zone any property in Ontario by issuing a zoning order. Currently, when a zoning order is issued by the Minister, a municipality that uses the site plan control tool in the Act has the authority to address site plan matters for that area. The recently enacted legislative changes to the *Planning Act* enhance the Minister's authority for zoning orders across the province. This enhanced authority does not apply to lands within the Greenbelt Area. The enhanced authority allows the Minister to:

- Require inclusionary zoning affordable housing (inclusionary zoning),
- Remove municipal use of site plan control and require agreements between the municipality and development proponent (or landowner) concerning site plan matters; and

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The Ministry will meaningfully consider all feedback received and determine whether changes should be made to the provisions of section 47 of the *Planning Act* enacted by Bill 197, the *COVID-19 Economic Recovery Act, 2020* and, assuming the provisions are maintained, at least in part, whether there are best practices that might be articulated to guide the implementation of this enhanced authority. Comments are due to the [Environmental Registry posting](#) (ERO 019-2811) by January 30th. OHBA is seeking feedback from members - please contact OHBA Senior Director of Planning & Policy, [Mike Collins-Williams](#).

Lake Simcoe Protection Plan

The Ministry of the Environment, Conservation and Parks is undertaking a 10-year review of the [Lake Simcoe Protection Plan](#) through a 75-day engagement period for the legislated review. As background, the government is required under the [Lake Simcoe Protection Act, 2008](#), to review the plan every 10 years to inform the Minister's decision on whether to amend the plan as we continue to protect and restore the lake.

As part of this review, members are invited to take part in the 75-day public review of the Lake Simcoe Protection Plan by completing an [online survey](#) between December 18, 2020, and March 3, 2021, to share their perspective on the plan's policies. For more information and other ways to get involved in the review, visit the [Protecting Lake Simcoe](#) webpage.

EnerQuality Upcoming Workshops



Net Zero Sales Training – January 21st & 28th, 12:30-4:00 PM - Cost: \$249.

FREE Housing Innovator Series Webinar featuring Mitsubishi – January 27th, 11:00-12:00 PM.

Our Better Built Homes Online Workshop Series is back! Free to eligible Ontario home builders, take part in our Advanced Building Science, ENERGY STAR for New Homes, and Net

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