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## March 2020



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### Important Dates to Note

- Wednesday, April 1st- Friday, April 3rd, 2020: CHBA Conference
- Tuesday, April 14th, 2020: EnerQuality Awards
- Tuesday, April 14th, 2020: Presidents' and Executive Officers' Seminar

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## Provincial Policy Statement

As part of the More Homes, More Choice: Ontario's *Housing Supply Action Plan*, the Ministry of Municipal Affairs and Housing has released amendments to the Provincial Policy Statement (PPS). OHBA was pleased to join Municipal Affairs and Housing Minister Steve Clark, at the announcement in Bellville along with the Quinte Home Builders' Association. The OHBA press release [available here](#) articulated OHBA support for the new PPS that removes barriers to providing housing in Ontario.

The PPS is an important part of Ontario's land use planning system, setting out the provincial land use policy direction. On several occasions, OHBA met directly with the Ministry on this matter. Thank you to local HBAs and members who participated in the consultation and provided advice to OHBA. On October 21st, [OHBA made a submission with recommendations to streamline the PPS](#), reduce red tape and clarify a number of ambiguous definitions to the Ministry. OHBA notes that many of our recommendations supporting increased housing supply have been adopted in the new PPS.

A number of key highlights & amendments to the PPS include:

- Increasing long-term planning horizon from 20 to 25 years;
- Policy direction on housing land supply amended from 10 to 15 years (MMAH consulted on 12 years and listened to OHBA recommendations to go beyond 12 years);
- Continue the current minimum requirement for serviced residential land (3 years) and add a new policy to allow a higher minimum requirement (5 years) for upper- and single-tier municipalities;
- Update provincial guidance to support land budgeting;
- There are a number of policies which increase flexibility for local decision making by changing requirements from a "shall" (requirement) to a "should" (promoted);
- Minor settlement area boundary expansions will be permitted outside of a comprehensive review;
- Prioritizing intensification and transit-supportive development in proximity to transit;
- The old requirement for planning authorities to consider implications of development on waste generation, management and diversion has been removed;

More information is available at the [Ministry Press Release](#).

A link to the new PPS, [click here](#).

## Bill 108 – Community Benefits Charges



OHBA was pleased to join Municipal Affairs and Housing Minister Steve Clark; MPP Todd Smith (Bay of Quinte); MPP Daryl Kramp (MPP Hasting-Lennox and Addington); local Quinte area municipal leaders and members of the Quinte Home Builders' Association at a Geertsma Homes project in Quinte West for the CBC announcement.

As part of the *More Homes, More Choice: Ontario's Housing Supply Action Plan*, Minister of Municipal Affairs and Housing, Steve Clark, made an announcement on Friday, February 27th that was attended by OHBA President Bob Schickedanz in Quinte West on the proposed regulatory matters for a Community Benefits Charge (CBC). The [proposed regulatory](#)

[matters pertaining to Community Benefits Authority under the Planning Act, the Development Charges Act and the Building Code Act](#) marks the next step in the consultation on the

framework for CBCs with a commenting period until March 30th. Community Benefits Charges are designed to increase the certainty of development-related costs by replacing the existing municipal tools:

- Density bonusing under section 37 of the Planning Act;
- Parkland dedication under sections 42 and 51.1 of the Planning Act;
- Some development charges for discounted (“soft”) services under the Development Charges Act

The [OHBA press release available here](#) articulated OHBA’s position that while Community Benefits Charges should support a growth pays for growth model, that the charges should not escalate beyond reasonable cost recovery. OHBA is however generally supportive of a new model that brings greater accountability, certainty, predictability and transparency to municipal community benefits charges.

Key highlights of the proposed model in the regulatory posting:

- Municipalities will be required to develop a CBC Strategy with prescribed elements to be included in the strategy;
- Some “soft” services initially proposed to be under the CBC will be moved back to Development Charges and will be 100% cost recoverable:
  - Public Libraries
  - Park development (e.g. playground equipment)
  - Long-term care
  - Public health
  - Recreation
  - Note: Under Bill 108 waste diversion & ambulance services were previously moved to DCs at 100% cost recovery
- The CBC would have prescribed percentages of land value that would determine the maximum CBC that could be charged:
  - Single Tier Municipality – 15%
  - Lower Tier Municipality – 10%
  - Upper Tier Municipality – 5%
- Transition timelines (was previously January 1, 2021) will be for a one year period after the new CBC Regulation comes into effect;

- Interest rate for CBC refunds (Bill 138 allows for an appeal to the LPAT as OHBA recommended in our August and October submissions for CBC By-laws) will be prescribed as the minimum rate a municipality must pay for refunds when a by-law has been successfully appealed as the Bank of Canada rate;
- Building Code Applicable Law – similar to the Development Charges Act the CBC is payable prior to the issuance of a Building Permit.

OHBA previously made a submission responding to the proposed CBC in August, which led to a second consultation that OHBA participated in over the fall. In October during these consultations, [OHBA submitted a letter to the Ministry](#) articulating a number of concerns and recommendations to improve the CBC.

OHBA looks forward to continuing dialogue and consultation with the provincial government. OHBA is also seeking feedback from members as we prepare a submission with industry recommendations that will respond to the regulatory consultation prior to March 30th. Please share comments, concerns and questions with OHBA Director of Policy, Mike Collins-Williams ([mikecw@ohba.ca](mailto:mikecw@ohba.ca))

The Ministry of Municipal Affairs and Housing press release is available here:  
<https://news.ontario.ca/mma/en/2020/02/ontario-helping-communities-build-more-homes-attract-more-jobs.html>

## OHBA Feedback to Tarion on Interim Enhancements to the Customer Service Standard



In February, through the Ministry of Government and Consumer Services, Tarion requested feedback on proposed enhancements to the Tarion customer service standard and builder warranties.

1. Add a grace period to the first 30-day submission period.

2. Add a grace period to the request for conciliation period for all form types (such as 30-day, year-end, two-year and major structural defect forms).

3. Allow for submission of more than one 30-day form in the initial and year-end periods.

4. Add a grace period after the year-end submission deadline if the homeowner can show that the builder was provided with written notice of the defect within the one-year period. We are also seeking input on the types of written notices that would be acceptable.

5. Make a policy change to the definition of emergency claims to include any water penetration claim (as opposed to "major" water penetration only).

OHBA has prepared draft [formal feedback](#) to submit to the Ministry on March 6<sup>th</sup>. Members who wish to submit comments directly to OHBA for this submission can do so by emailing Alex Piccini at [apiccini@ohba.ca](mailto:apiccini@ohba.ca) by end of day, March 6<sup>th</sup>.

Members can also submit comments directly to the Ministry using the link below, and scrolling down to the feedback form at the bottom of the page.

<https://www.ontariocanada.com/registry/view.do?postingId=31429&language=en>

## Condominium Act Consultation

The Ministry of Government and Consumer Services has begun a public consultation on the **Condominium Act, 1998**. OHBA representatives participated in an initial industry roundtable on February 18<sup>th</sup>. The Ministry's consultation topics include:

1. Changing the amount of interest that would be owed to a purchaser who makes deposits and other payments on a purchase from the developer, if the condo project is cancelled and in other circumstances;
2. Requiring the Condominium Authority of Ontario to develop a condo guide for buyers and require developers to provide it at the point of purchase;
3. Establishing guidelines or standards that will govern how condo corporations are to procure goods or services;
4. Clarifying how interim occupancy fees are handled by developers;

5. Establishing a process when condo corporations add charges to an owner's common expenses (condo fees), under certain circumstances;
6. Clarifying how contributions are made to reserve funds, the manner in which they can be used and how reserve fund studies can be conducted; and
7. Clarifying the processes for mediation or arbitration between corporations and owners.

OHBA has prepared draft [formal feedback](#) to submit to the Ministry on March 10<sup>th</sup>.

Members who wish to submit comments directly to OHBA for this submission can do so by emailing Alex Piccini at [apiccini@ohba.ca](mailto:apiccini@ohba.ca) by March 7<sup>th</sup>.

Members can also submit comments directly to the Ministry using the link below, and scrolling down to the feedback form at the bottom of the page.

<https://www.ontariocanada.com/registry/view.do?postingId=31627&language=en>

## Conservation Authorities



Provincial Government Priorities

More Homes, More Choice

Preserving and Protecting our Environment

A Made-in-Ontario Environment Plan

The MECP *Made in Ontario Environment Plan* states that the Ministry intends to:

"Work in collaboration with municipalities and stakeholders to ensure that conservation authorities focus and deliver on their core mandate of protecting people and property from flooding and other natural hazards, and conserving natural resources."



The Ministry of the Environment, Conservation and Parks hosted multi-stakeholder engagement consultations on Conservation Authorities during February in Barrie, Colborne and a final session in London that had over 300 people in attendance. OHBA strongly appreciates the tremendous support from 50+ members representing numerous local home builders' associations that participated directly in these stakeholder sessions. OHBA President Bob Schickedanz and Director of Policy Mike Collins-Williams gave presentations to the first two sessions, while the London Home Builders' Association presented industry positions in London. Minister Jeff Yurek, attended and spoke at all of the sessions as well. A northern session has been scheduled in North Bay on March 5th, 2020.

The purpose of these meetings is to engage key stakeholders to gather input on how to improve efficiencies, consistency, transparency and oversight of Conservation Authorities. OHBA members presented a variety of experiences, perspectives and recommendations that will be crucial to the development of *Conservation Authorities Act* amendments and associated regulations in the coming weeks.

These consultations will build on previous actions the provincial government has undertaken through the *Housing Supply Action Plan* and the *Made in Ontario Environment Plan*. Earlier this year MECP [launched a consultation](#) proposing to modernize operations and the Conservation Authorities Act (013-5018) and a second [regulatory consultation](#) focusing on Conservation Authority development permits on the protection of people and property (013-4992). The amendments to the *Conservation Authorities Act* were included as a schedule in the *More Homes, More Choice Act, 2019 (Bill 108)* which was passed on June 6, 2019. [OHBA submitted our recommendations](#) to government on Conservation Authorities in a submission on May 10, 2019.

OHBA encourages members who were unable to attend the session to help MECP further define Conservation Authorities roles, responsibilities, and core mandates of preparing against natural hazards, managing conservation authority lands and protecting drinking water sources by participating in the MECP Conservation Authorities' Review survey:

<https://www.ontario.ca/form/survey-ontario-conservation-authorities>



On February 18, 2020, the Minister of Transportation, Caroline Mulroney introduced Bill 171, [Building Transit Faster Act, 2020](#) that will help deliver Ontario's four priority subway projects on-time and on-budget. The proposed legislation introduces measures to streamline the delivery of four specific subway priority projects:

- Ontario Line (extended version of the Relief Line);
- Yonge North Subway Extension;
- Scarborough Subway Extension; and
- Eglinton Crosstown West Extension

The *Building Transit Faster Act* would provide the province with the tools to expedite the planning, design and construction process that has delayed major projects in the past. If passed, the legislation would remove roadblocks and give the Province the ability needed to deliver projects by:

- Relocating utilities more efficiently while treating businesses fairly, and ensuring costs are not passed on to consumers;
- Ensuring the assembly of land required to construct stations, conduct tunnelling and prepare sites, while treating property owners fairly;
- Ensuring timely access to municipal services and rights-of-way;
- Allowing Ontario to inspect and remove physical barriers with appropriate notification to property owners;
- Ensuring nearby developments or construction projects are coordinated so they do not delay the four priority subway projects

OHBA notes that members with property located on or within 30 metres of lands designated as “transit corridor land,” for one of the four priority transit projects, should review the Bill carefully as it may impact development approvals. The proposed legislation has five key aspects (and a sixth key regulatory change) that only apply to the four corridors for the planning & construction period:

1. Corridor Development Permits for any development or construction in the four priority corridors
2. Ability to Enter Land with new provisions to remove obstacles through a clear and defined process of notification to potential obstacle owners
3. Land Assembly with an updated process that would exempt lands expropriated in the four corridors from a “Hearing of Necessity” under the Expropriations Act

5. Minister could issue orders allowing Metrolinx to use or modify municipal assets if they present an obstacle to the timely delivery of transit on the corridor
6. Speeding up Environmental Assessments via proposed regulations to speed up four priority projects (speed up TRAP process) and proposed regulations would allow “early work” on Ontario Line to be done in advance of completed EA

## Promoting Skilled Trades in Ontario



Chuck McShane (Niagara HBA), Bob Schickedanz (President, OHBA), John Meinen (Incoming CHBA President), Rainer Hummel (Host- Hummel Properties).

February saw significant interaction on the Skilled Trades file with OHBA President, Bob Schickedanz meeting with Minister Monte McNaughton to emphasize the ways that our

OHBA is pleased that the government has taken steps to make entering the skilled trades easier and more direct for both employers and prospective employees. We are also happy to see that the government is taking action to promote and de-stigmatize the skilled trades, especially as they relate to young people.

## EnerQuality Awards Night



It's going to be a memorable night for Doug Tarry at this year's EnerQuality Awards. Vice President of Operations at Doug Tarry Homes, and a Past President of the OHBA, Tarry will be inducted on Tuesday, April 14th at this year's EnerQuality gala, which annually recognizes the outstanding work of Ontario home builders. Doug's ongoing commitment to building Energy Star qualified homes and, more recently, to Net Zero and Net Zero Ready homes has made a significant and long-term impact on the new construction industry.

**Date:** Tuesday, April 14th, 2020

**Time:** 6:00pm - 11:00pm

**Location:** Sheraton Toronto Airport Hotel & Conference Centre  
801 Dixon Rd, Toronto ON, M9W 1J5

To purchase tickets to the gala, please visit [Enerquality.ca](http://Enerquality.ca)

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