



Ontario
Home Builders'
Association

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MPP Kaleed Rasheed
Chair, Standing Committee on Legislative Assembly
Room 1405, Whitney Block
Queen's Park, Toronto, ON M7A 1A2
RE: Bill 245, *Accelerating Access to Justice Act, 2021*

Dear Chair Rasheed,

We thank you for this opportunity to provide a written submission on Bill 245, *Accelerating Access to Justice Act, 2021*.

The Ontario Home Builders' Association (OHBA) is the voice of the residential construction industry in Ontario, representing 4,000 member companies organized into 27 local associations across the province.

It is imperative that through Schedule 6 of the legislation, the goal and end result of consolidating the five existing Ontario Land Tribunals into a single entity must respect the existing due process of parties before the current tribunals, the legal rights of those parties and the procedures that they follow in navigating the tribunal framework. This is particularly important for any parties before the tribunals, particularly the Local Planning Appeal Tribunal, whose cases may be impacted by a transition to a singular tribunal. Equally important, is that the appropriate transition provisions which would be created in regulation are fair and reasonable and do not undermine the current due process afforded to applicants. As has been a long-standing OHBA concern, necessary resourcing and staffing of this new Ontario Land Tribunal will need to be a priority to ensure efficient, effective, and timely decisions.

Industry members across the province have expressed concern about the changes to expropriation legislation in Bill 245 which may introduce ambiguity in what is currently a well-understood and accepted process. Schedule 5, by providing for the annual rate of interest to be determined through regulation, creates a great deal of uncertainty for parties subject to the costs of expropriation. OHBA therefore recommends that the government insert into the legislation a formula, as we see with other pieces of legislation, of the calculation of the specified interest rate. This will provide some more certainty to parties subject to government expropriation action in legislation versus government regulatory decision that can change the interest rate during an expropriation process.

Regarding Hearings of Necessity, the changes proposed in this legislation could result in these hearings being eliminated entirely through regulation and replaced with a requirement for government to provide documented reasons for the expropriation. OHBA continues to support the statutory right for hearings of necessity, as this is one of the very few opportunities for a landowner to challenge the need for government expropriation action.

We thank you for your consideration.

Best regards,

Joe Vaccaro

CEO, Ontario Home Builders' Association