



# OHBA ACTIVITY Summary

Keeping Members Informed

## MAY 2014

### DATES TO NOTE

- May 12: OHBA Awards of Distinction Submissions Open
- May 14: OHBA Board Meeting
- May 29 – 30: OHBA NYC Housing Study Tour (*limited space left*)
- September 21-23: OHBA Annual Conference – Ottawa
- September 22: OHBA Awards of Distinction – Ottawa
- September 23: OHBA's President's Gala – Ottawa

### **BILL 20, AN ACT RESPECTING THE CITY OF TORONTO AND THE ONTARIO MUNICIPAL BOARD**

On April 17th, The Ontario Home Builders' Association (OHBA) appeared before the Standing Committee on Finance and Economic Affairs to oppose the [Private Member's Bill](#) proposed by NDP MPP Rosario Marchese, to remove Toronto from the jurisdiction of the Ontario Municipal Board (OMB). In our remarks, OHBA noted the importance of [taking politics out of planning](#). The land-use planning system is much bigger than the OMB, and many communities across Ontario, including Toronto, have zoning by-laws which are decades out-of-date and, ultimately, lead to unnecessary OMB appeals. This proposed legislation would mean that the professional opinions of planners, engineers and other professionals could be dismissed by a political process with no appeal other than the courts. Following OHBA's remarks, BILD Chair Steve Upton and BILD Toronto Chapter Chair Gary Switzer [addressed the Standing Committee](#) with remarks that focused on a number of examples where the OMB weighed in on planning decisions and took the politics out of planning.

The Standing Committee hearings provided an important opportunity for both OHBA and BILD to reiterate that in our current planning system, an appeal to an independent, non-political, un-biased decision-maker is essential to ensure that any municipality, community, and ratepayer association, along with the landowner, has an opportunity to present and test the merits of an application against sound planning principles.

### **PROVINCIAL TRANSPORTATION FUNDING ANNOUNCEMENT**

In the lead up to the Provincial Budget scheduled on May 1<sup>st</sup>, Premier Wynne announced a dedicated and substantial funding plan for transit and transportation infrastructure. The province would make nearly \$29 billion available over the next 10 years for infrastructure projects across the province such as public transit, roads, bridges and highways. The province would create two dedicated funds - one for the Greater Toronto and Hamilton Area (GTHA) with up to \$15 billion and one for the rest of the province with nearly \$14 billion.

Funding sources for *Moving Ontario Forward* would include new revenue measures, repurposed revenues and debt financing, when needed. Measures would include:

- Repurposing the existing HST that is charged on the current provincial taxes on gas and diesel.
- Redirecting 7.5 cents of the existing gas tax. This would be over and above the two cents that goes directly to municipalities to fund transit infrastructure.
- The value resulting from a review of key government assets would go to the *Trillium Trust* and be directed towards this plan.
- Proceeds from the previously announced *Green Bonds* program.

OHBA has been engaged and extensively consulted by the provincial government with respect to transportation planning and funding. In a [joint submission in 2013](#), OHBA, BILD and HHHBA opposed the proposed *Metrolinx Investment Strategy* that would have substantially increased taxes and fees on new home buyers, new employers and on renovation contracts. OHBA Past President Leith Moore was subsequently appointed to the Premier's [Transit Investment Strategy Advisory Panel](#) to advise the Province on how to best respond to the *Metrolinx Investment Strategy*. OHBA is generally supportive of the initial announcement to substantially invest in transportation infrastructure without increasing the HST, target new home buyers through Development Charges or target employers through a parking tax. The Provincial Government in fact utilized a tool that was previously recommended by OHBA and passed at the [OHBA 2007 Annual Meeting of Members as a resolution](#) to redirect an additional portion of the existing gas tax to fund transit infrastructure. Additional details are anticipated in the upcoming May 1<sup>st</sup> provincial budget.

### **GROWTH PLAN - PROPOSED PERFORMANCE INDICATORS**

The Ontario Growth Secretariat introduced 12 proposed indicators for assessing implementation of the *Growth Plan for the Greater Golden Horseshoe*, and where possible including initial results to help illustrate how each indicator could be used to [measure implementation progress](#). Determining ways to evaluate public policy and the impacts of any policy initiatives accurately and impartially is critically important, especially in the context of the upcoming 10-year review of the Growth Plan scheduled in 2016. OHBA has participated in technical workshops and met with the Ontario Growth Secretariat leadership team to review the proposed performance indicators and other issues related to the Growth Plan. [OHBA is preparing a submission](#) to the Ontario Growth Secretariat that will be posted on the OHBA website on April 30<sup>th</sup>.

### **NEW PROVINCIAL POLICY STATEMENT – APRIL 30**

In late February the Provincial Government released a new [Provincial Policy Statement \(PPS\)](#) that included a very short transition window with an "in effect" date of April 30, 2014. The PPS, issued under the *Planning Act*, is the statement of the provincial interest in land-use planning while recognizing the diversity of Ontario. The PPS has been under review since 2010 and OHBA was extensively involved throughout the consultation period. OHBA responded to the new 2014 PPS in a media release stating that the 2014 PPS will place additional constraints on new housing land development in Ontario.

OHBA scheduled two Land Development Committee meetings with the Ministry of Municipal Affairs and Housing to provide an overview of the new PPS to member companies. Copies of three presentations are available:

- [Ministry of Municipal Affairs and Housing Presentation to OHBA and BILD on new PPS.](#)
- [Savanta President Tom Hilditch overview of the natural heritage and environmental changes in the new PPS.](#)
- [Davis LLP partner, Chris Barnett overview of greenfield, urban and employment lands in new PPS.](#)

## SPECIES AT RISK UPDATE

On March 28, 2014, the Ministry of Natural Resources (MNR) received a report from COSSARO, regarding 22 species that were assessed and classified in 2013. In accordance with the requirements of the Endangered Species Act (ESA), the Species at Risk in Ontario (SARO) List will be amended to reflect these assessments within three months. Once the SARO List is amended, species which are newly listed as Endangered or Threatened, or those which have changed classification, will receive species and general habitat protection under the ESA. The species to be added to the list are:

Mottled Duskywing (Butterfly) – Endangered	Riverine Clubtail (Dragonfly) – Endangered	Eastern Small-footed Myotis (Bat) – Endangered
Lilliput (Mussel) – Threatened	Threehorn Wartyback (Mussel) – Threatened	Bank Swallow – Threatened

O. Reg. 242/08 (supported by OHBA through the association's involvement on the MNR's ESA Stakeholder Roundtable) allows certain activities to proceed that would affect threatened or endangered species and that would otherwise not be allowed, provided specific conditions are followed to protect species and their habitat. On July 1, 2013, amendments to this regulation supported by OHBA came into force that allow certain activities to proceed by registering with MNR, subject to protective conditions. As additional species are listed on the SARO List, the ministry assesses whether amendments to O. Reg. 242/08 are warranted. MNR is proposing regulatory amendments to O. Reg. 242/08 to make it apply generally to the new species that will be added to the SARO List no later than **June 27, 2014**. OHBA intends to provide MNR with industry recommendations regarding the proposed regulatory amendments and is seeking feedback from members during the 45 day consultation period until **May 26, 2014**. For information on the proposed regulatory amendments, search for **#012-1553** at [www.ebr.gov.on.ca](http://www.ebr.gov.on.ca). Please provide OHBA Director of Policy, [Mike Collins-Williams](#) any comments or concerns prior to May 26th.

Secondly, MNR is proposing an interim 14-month extension to the current exemption for agricultural operations with respect to Bobolink and Eastern Meadowlark. This will provide additional time for MNR to further engage stakeholders and the public.. OHBA is represented on the Bobolink Round Table and is supportive of the 14-month extension of the exemption for agricultural operations. For more info about this and to submit comments, please visit the [www.ebr.gov.on.ca](http://www.ebr.gov.on.ca) and search **#012-1596**. The comment period closes **June 2, 2014**.

## OCOT RULING: SPRINKLER & FIRE PROTECTION INSTALLER

The Ontario College of Trades (OCOT) released the [Review Panel Decision](#) for the Sprinkler and Fire Protection Installer Trade Classification Review recommending compulsory certification for this trade. [The ruling requires](#) OCOT to establish criteria for grandfathering within the next 120 days. The Panel ruling also establishes "a period of repose" of two years, after which time an application could be made to return this to a voluntary trade. OHBA provided a written submission in Fall 2013 arguing for this trade to remain voluntary as well as an oral deputation to the Panel on January 6th. This is consistent with the OHBA position for no further compulsory certification of trades related to residential construction adopted at the OHBA 2013 Annual Meeting of Members.

The Ruling was not unanimous and a Minority opinion reiterates many of the arguments OHBA has made with respect to concerns about process at OCOT and the negative effects compulsory certification would have on industry and tradespeople. OHBA will continue to argue in favour of this trade remaining voluntary along with any other trades making applications for compulsory certification. Short of Ministerial intervention in this process, we urge OHBA members to govern themselves accordingly to comply with the ruling should OCOT establish appropriate "grandfathering" protocols as the ruling requires of OCOT.

## CLARIFICATION ON OBC ACCESSIBILITY REQUIREMENTS FOR UNIVERSAL WASHROOMS

The Ministry of Municipal Affairs and Housing (MMAH) have made changes to the Ontario Building Code (OBC) ([Article 3.8.2.3](#), and [Table 3.8.2.3.A](#)) in order to set out new requirements for the number of universal washrooms required in buildings, effective **January 1, 2015**. In the case of a high-rise residential building, floors of residential suites, without common amenity space, **would not** require a universal washroom, nor would levels of underground parking below the building.

MMAH will be finalizing appendix notes that will provide clarification on this and other new requirements.

## CHBA'S ONTARIO REPRESENTATION

OHBA would like to congratulate Bob Finnigan of Heathwood Homes, Eric DenOuden of Hilden Homes and current president of OHBA and Neil Rodgers of Tribute Communities on their recent elections on the Executive and Board of the Canadian Home Builders' Association (CHBA). This marks Bob Finnigan's second year as second vice-president on the CHBA Executive Committee, Eric DenOuden's first year as second vice-president and Neil Rodgers' first year as Chair of the Urban Council. OHBA applauds all three individuals for their hard work and much deserved elections. OHBA is confident that with Bob, Eric and Neil at the helm, the association and the industry will be well represented at the national level.

## TARION AWARDS

On April 17, 2014, [Tarion announced](#) the recipients of the 2014 Tarion Awards of Excellence, the only awards in Ontario that recognize new home builders who demonstrate superior customer service delivery, particularly after the customer has taken possession of the home. Awards were presented to the following OHBA members:

- The Tricar Group, London - High-Rise Category
- Fusion Homes, Guelph - Large Volume Category
- Klemencic Homes, Trenton - Medium Volume Category

OHBA congratulates all of the award recipients on being recognized for providing their customers with exceptional service and ensuring they have a positive experience in the purchase of their home.

## TWO OHBA EVENTS YOU DON'T WANT TO MISS!

It is that time of year again – the [OHBA 2014 Awards of Distinction online submission](#) opens on **Monday May 12, 2014!** This is a great opportunity to showcase your company's ingenuity, creativity and hard work throughout the past year. The award winners will be announced at OHBA's Annual Conference taking place **September 21-23** at the Ottawa Convention Centre. This year's conference will be taking place in our nation's capital and promises to be jam-packed with speakers, activities and important industry insights! Registration for the conference opens on **Wednesday, May 14, 2014**.



Ontario Home Builders' Association

20 Upjohn Road #101, North York, Ontario M3B 2V9 (416) 443-1545 Toll Free:800-387-0109 Fax:(416) 443-9982 [info@ohba.ca](mailto:info@ohba.ca)