



# OHBA ACTIVITY Summary

Keeping Members Informed

## MAY 2016

### DATES TO NOTE

- May 4-6: CHBA Spring Meetings
- May 9: [OHBA Awards of Distinction Submissions Open](#)
- May 9: [OHBA Conference Website Opens](#)
- May 17-19: OHBA Iceland Housing Tour
- June 8: OHBA Board of Directors Meeting – BILD Awards Hall
- June 8: OHBA Land Committee Meeting

### INCLUSIONARY ZONING

In March the Minister of Municipal Affairs and Housing announced the government's commitment to provide [Inclusionary Zoning powers to municipalities](#) as part of the province's [Long-Term Affordable Housing Strategy](#) (LTAHS). OHBA has been [consistent in opposing Inclusionary Zoning powers](#) since first introduced as a concept in the 2009 LTAHS discussion.

On March 24th in the Legislative Assembly, Minister McMeekin noted that Inclusionary Zoning, "works by partnering together with our municipalities and the private sector and not-for-profits, to try to encourage, incent and plan for the provision of social and affordable housing. I've come to believe, thanks to some of the advocacy efforts of other members in the House that Inclusionary Zoning is a good way to go. We're meeting with our partners. We're going to come up with something very comprehensive, and it's going to work." OHBA has been engaged with the Ministry as well as the Premier's Office since the announcement and will continue to advocate for transparency and fairness throughout the upcoming consultation to ensure that an Inclusionary Zoning framework is truly based on a partnership model, rather than simply being another extraction that will make housing less affordable for the majority of Ontarians.

OHBA is anticipating the legislation will be tabled prior to the Legislative Assembly rising for the summer and that the provincial government will launch a robust consultation process over the summer to ensure that there is a comprehensive framework built around an Inclusionary Zoning program.

### CLIMATE CHANGE STRATEGY

The province has stated its intent through the *Climate Change Mitigation and Low-carbon Economy Act, 2016* (Bill 172) to pursue complementary actions to support and promote the transition to a low-carbon economy. [OHBA made a submission to the Standing Committee on General Government](#) on April 6<sup>th</sup> that makes five key recommendations as to how the new housing, professional renovation and land development industry can provide leadership to implement complementary actions to support and promote the transition to a low-carbon economy:

Mandatory Home Energy Rating & Disclosure	Energy-Efficient Home Renovation Tax Credit	High-Performance Home Buyer Rebate (HPRH) Program
Pre-Zoning Transit Corridors and Growth Centres	Wetland Conservation and Carbon Offsetting	

OHBA is a member of the *Home Energy Transparency Coalition* and is working with a number of stakeholders including the: Canadian Energy Efficiency Alliance, the Clean Economy Alliance, Environmental Defence and NAIMA Canada representing more than 125 organizations to advocate for the province to mandate home energy rating and disclosure upon the sale of an existing home. Check out the newly launched website: [www.homeenergytransparency.org](http://www.homeenergytransparency.org)

### SHORT-TERM WATER TAKINGS (PTTW)

Over the past few years OHBA and a number of other construction associations including the OSWCA and the ORBA have been engaged with the MOECC advocating for a modernization of Permits To Take Water (PTTW) including clarifications on when permits are and are not required as well as advocating for exemptions for certain low-risk activities. The Ministry has listened to the concerns raised by the industry and has identified select water taking activities to be included in the Environmental Activity and Sector Registry (EASR) framework. In brief, [the regulation that came into force on March 29, 2016](#) includes:

- 1) Transition of certain water takings from PTTW to EASR if eligible:
  - a. Surface water takings used for road construction and maintenance purposes; and
  - b. Construction dewatering where taking is not expected to exceed more than 400,000 L/day.
- 2) Clarification that passive in-stream diversion for construction purposes is not a water taking;
- 3) Exemption from needing a PTTW for active in-stream pump for the purpose of creating or maintaining a dewatered construction site if erosion and sedimentation measures are in place;
- 4) Exemption from PTTW requirements for the development, restoration or maintenance of a wetland; and
- 5) Exemption from PTTW requirements for weirs that are not involved in hydroelectric generation.

OHBA has scheduled a Land Development Committee meeting with the Ministry at 10:00 on June 8th for members to learn about the new regulation.

### MINISTRY OF LABOUR BLITZ SCHEDULE

The Ministry of Labour has released its enforcement blitz schedule for 2016 for construction. For additional resources and for a list of regional enforcement blitzes that may be occurring in your region visit <http://www.labour.gov.on.ca/english/resources/blitzschedule.php>

Focus	Program	Date
Falls	Occupational Health and Safety Act	May 16 – July 15
Temporary Foreign Workers	Employment Standards Act	May – June
Young Workers	Employment Standards Act	May – June
Mobile Cranes and Material Hoisting	Occupational Health and Safety Act	August – September
Electrical Hazards	Occupational Health and Safety Act	November – December

## TARION REVIEW: INVITATION TO INDUSTRY CONSULTATION SESSIONS

The Ontario government has appointed the Honourable Justice Cunningham, Q.C. to review existing home warranty protections for owners/purchasers of new homes and identify potential opportunities to improve consumer protection. More specifically, Justice Cunningham will be reviewing the *Ontario New Home Warranties Plan Act* (ONHWPA) and Tarion. Justice Cunningham will be conducting public and industry consultations in Kingston, Oshawa, Thunder Bay, London, Niagara, Sudbury and Ottawa (details below.) Industry stakeholders include: Builders, Condominium Boards and Association, Consumer Advocacy Groups, Building Officials, Engineers and Architects, Legal Professionals, Real Estate Professionals and Home Inspectors.

As space may be limited, please RSVP before the session of your choice (listed below) by emailing [TarionReview@ontario.ca](mailto:TarionReview@ontario.ca) (and cc. OHBA Staff at [plip@ohba.ca](mailto:plip@ohba.ca) to receive a copy of OHBA's industry notes in preparation for the consultation). Please put "Industry Consultation RSVP" and the city of your choice in the subject line.

Oshawa	Quality Inn Hotel and Conference Centre (Oshawa) 1011 Bloor Street, East, Oshawa, ON L1H7K6 - Room: Durham North and Center	Wednesday, May 18, 2016	3:00 p.m. – 5:00 p.m.
Thunder Bay	Valhalla Inn 1 Valhalla Inn Road, Thunder Bay, ON P7E6J1 Room: Odin	Thursday, May 19, 2016	2:00 p.m. – 4:00 p.m.
London	Courtyard London 864 Exeter Road, London, ON N6E1L5 Room: South Wellington	Tuesday, May 24,	3:00 p.m. – 5:00 p.m.
Niagara	Scotiabank Convention Center 6815 Stanley Avenue, Niagara Falls, ON L2G3Y9 - Room: 200 series	Wednesday, May 25, 2016	3:00 p.m. – 5:00 p.m.
Sudbury	Quality Inn Hotel and Conference Center Downtown 390 Elgin Street South, Sudbury, ON P3B1B1 - Room: Senator	Thursday, May 26, 2016	2:00 p.m. – 4:00 p.m.
Ottawa	Ramada Ottawa on the Rideau 2259 Prince of Wales Drive, Ottawa, ON K2E6Z8 - Room: Riverview	Tuesday, May 31, 2016	2:00 p.m. – 4:00 p.m.

## OMB FEES

The Ministry of the Attorney General has proposed a new regulation would set out a flat fee structure for the Ontario Municipal Board (OMB) and increase the fee to institute a new proceeding from \$125 to \$300. A reduced fee of \$25 will continue to apply to:

- Each additional consent appeal filed by the same appellant in relation to connected consent applications.
- Each additional variance appeal filed by the same appellant in relation to connected variance applications.

OMB fees, which are deposited in to the Consolidated Revenue Fund, have remained the same for approximately 25 years. The proposed fee increase to institute a new proceeding would allow the OMB to recover approximately eight per cent of operating costs, up from three per cent at present. If approved, the new regulation would come into force on July 1, 2016 and the current Fees regulation O. Reg. 888/90 would be revoked.

## SMART GROWTH FOR OUR COMMUNITIES ACT: DEVELOPMENT CHARGES AND

The *Smart Growth for Our Communities Act* (Bill 73) was passed in December with many components now in effect. The legislation amended both the *Planning Act* and the *Development Charges Act*. A regulation made under the *Development Charges Act* was also filed on December 17<sup>th</sup> based on input from the Ministry Development Charges (DC) Steering Committee and three DC subcommittees. The regulation outlines ineligible/eligible services, ties DCs to municipal asset management planning and a new DC formula for transit services.

[OHBA provided a submission](#) to the province with recommendations on April 14<sup>th</sup> for five proposed *Planning Act* regulations which are as follows:

- Enhanced complete application requirements – [EBR Registry Number 012-6823](#)
- Enhanced and updated notice requirements – [EBR Registry Number 012-6824](#)
- Enhanced Ontario Municipal Board record for minor variances – [EBR Registry Number 012-6825](#)
- Rename the development permit system the "community planning permit system", and provide for a five-year timeout for privately-initiated amendments – [EBR Registry Number 012-6826](#)
- Transition of specified Bill 73 amendments to the *Planning Act* – [EBR Registry Number 012-6827](#)

## GET READY FOR TWO VERY EXCITING EVENTS!

It is that time of year again – the [OHBA 2016 Awards of Distinction online submission](#) opens on **Monday, May 9, 2016!** Are you the best of the best in Ontario? Showcase your talent and submit your projects! The award winners will be announced at [OHBA's Annual Conference](#) taking place **September 18-20** at the Blue Mountain Resort in Collingwood.

This year's conference will be taking place in Collingwood and promises to be jam-packed with speakers, activities and important industry insights! Registration for the conference opens on **May 9<sup>th</sup>** as well!



## POTENTIAL STRIKES: MARBLE, TILE, TERRAZZO, FRAMING & DRYWALL

If you believe that the potential strikes will impact your project(s), Tarion encourages you to read [this addendum](#) to help understand the various considerations, Tarion's definition of an Unavoidable Delay, and who to contact at Tarion if you would like to discuss your builder repair period.

## TARION HOMEOWNERS' CHOICE AWARDS 2016

The province's home builders with the best customer service were announced at the Tarion annual Luncheon and Awards. Tarion presented awards in four and winners are chosen by Ontario's new home buyers. These awards focus exclusively on customer service, and let the buyers decide who should shine.

The Daniels Corporation and The Tricar Group – High-Rise Category (tied)	Tribute Communities – Large Volume Category
LEMAY Homes – Maisons LEMAY – Medium Volume Category	

