



OHBA ACTIVITY Summary

Keeping Members Informed

DATES TO NOTE

- November 4: OHBA Board of Directors Meeting
- November 18: OHBA's Housing Technology Tour – SOLD OUT

November 2015

OHBA AT QUEEN'S PARK

On October 21, 2015 OHBA was joined by member delegates from across our network of 30 local associations for the OHBA at Queen's Park day. The day began with a breakfast reception in the legislative dining room, which was well attended by MPPs from all three parties. All three parties welcomed OHBA staff and members and we heard remarks from Minister McMeekin, MPP Ernie Hardeman from the PC Caucus and MPP Percy Hatfield from the NDP Caucus.

Following breakfast, attendees split up into smaller working groups and attended a series of strategic meetings with MPPs and key ministry staff whose portfolios affect our industry. OHBA members met with: MMAH Assistant Deputy Minister Larry Clay, Executive Director of the Climate Change Directorate Alex Wood, the College of Trades Registrar and CEO David Tsubouchi, MPP Ernie Hardeman and the PC Caucus, MPP Randy Pettapeice, MPP Cheri DiNovo and the NDP Caucus, Minister David Oraziotti, MPP Vic Fedeli and MPP Peter Milczyn.

The OHBA at Queen's Park day offered an opportunity to reconnect with key individuals on issues of importance to the industry and opened the door for future meetings. OHBA will continue to engage, and educate MPPs and key officials on issues of importance to the association and the industry. OHBA would like to thank all the volunteers and members who were able to join us at Queen's Park.



SMART GROWTH FOR OUR COMMUNITIES ACT

The *Smart Growth for Our Communities Act*, introduced this spring, received Second Reading at the end of September. The Act proposes to amend both the *Planning Act* and the *Development Charges Act*. The OHBA submission and recommendations to improve the *Smart Growth for Our Communities Act* (EBR 012-3651) is [available here](#). OHBA has had volunteer members appointed to a Planning Act stakeholders working group and to the Development Charges Act Steering Committee as well as three technical DC sub-groups that met regularly throughout the summer. Following the conclusion of the working group process, the Minister will consider regulations to support the implementation of an amended *Planning Act* and *Development Charges Act*. The legislation has been referred to the Standing Committee on Social Policy. OHBA and BILD will appear before the standing committee on November 2nd and with WRHBA on November 9th to present industry concerns and recommendations regarding the legislation.

CONDO ACT BILL 106 MOVES THROUGH COMMITTEE

OHBA provided an [oral deputation at the Standing Committee](#) on Finance and Economic Affairs on October 22nd. OHBA's presentation highlighted the need for a regional and rural consideration when making regulations that affect condominium living. In addition we reiterated our support for the Condo Manager licensing as this will provide more professionalism and expertise when a condominium is being operated. Craig Robson from the Waterloo-Region Home Builders' Association also provided comments on the need for the *Condo Act* to work for all parts of Ontario, not just high-rise towers in Toronto.

The Committee also heard from representatives from the Canadian Condominium Institute (CCI) that the Act should be amended to allow for additional liabilities for developers. CCI is proposing a new mandatory bond or letter of credit supplied by the developer that the condo corporation can draw on if the first year deficit is not paid. Another proposal from CCI is to triple the developer's obligation if there is a shortfall in the first year. OHBA opposes both proposals.

Significant components of [Bill 106](#) require regulations to be established before any changes can take effect. There will be additional consultations on those regulatory components after the legislation receives Royal Assent. Future consultations will clarify rules around the prohibition for sale or leaseback of units and common elements as well as new disclosure requirements. OHBA looks forward to providing industry expertise to inform the next stage of consultations.

IMPROVING THE GROWTH PLAN

OHBA continues to provide the Ontario Government and the Expert Panel the necessary evidence, information and facts needed to improve the implementation of Ontario's *Places to Grow Act*. OHBA recently commissioned two reports to provide institutional history and knowledge along with an economic practitioners experience on the challenges of growth-planning implementation to the current Co-ordinated Review undertaken by the Expert Panel chaired by David Crombie.

The first report by former Assistant Deputy Minister Brad Graham and Economist Tom McCormack "[Improving the Growth Plan: A Commentary](#)" outlines a series of actions and areas for consideration that will maximize the benefit of significant transit investments on urban form and function, to better align the investment in public facilities and community infrastructure with the *Growth Plan*, to explore a new more effective and equitable financing model for water and waste water, to ensure that sufficient "White-belt" lands are available and are developed to the highest standards, to examine the application of the Plan's density targets to ensure that employment activity remains strong and that the future mix of residential development matches future population needs.

The second commissioned report will be released shortly.

CONSERVATION AUTHORITIES ACT REVIEW

The provincial government has initiated a review of the *Conservation Authorities Act*. A [discussion paper](#) has been posted on the [environmental registry \(012-4509\)](#) that identify opportunities to improve the existing legislative, regulatory and policy framework that currently governs Conservation Authorities and the programs and services they provide. Working in conjunction with the Ministry of Natural Resources and Forestry, OHBA facilitated three consultations for members in Guelph, Aurora and Toronto. OHBA provided the Ministry with our [recommendations in a submission](#) outlining industry recommendations and concerns. These included: ensuring greater Ministry oversight, clearly outlining the scope of conservation authority roles and responsibilities to reduce duplication and including the *Conservation Authorities Act* in the Schedule in the *Consolidated Hearings Act* to enhance accountability and transparency through independent third party appeals for planning and permitting roles as well as fee schedules.

ENDANGERED SPECIES ACT - BOBOLINK / EASTERN MEADOWLARK

The Ministry of Natural Resources and Forestry posted a proposal for a regulatory amendment to provide a 10-year exemption for agricultural operations with regard to Bobolink and Eastern Meadowlark (EBR # 012-5138) as well as Development of a Government Response Statement for Bobolink & Eastern Meadowlark (EBR #012-1597). An [OHBA submission to the Ministry](#) was supportive of the recommendations of the Bobolink and Eastern Meadowlark Round Table (OHBA is a member of the Round Table) as a basis for the development of a Government Response Statement for Bobolink and Eastern Meadowlark. The OHBA submission was also supportive of the recommendation for a regulatory amendment to provide a 10-year exemption for agricultural operations with regard to Bobolink and Eastern Meadowlark, commencing on December 30, 2015 and expiring at the end of 2024.

MUNICIPAL LEGISLATIVE REVIEW

The Ministry of Municipal Affairs and Housing is currently reviewing four pieces of municipal legislation: the *Municipal Act*, the *City of Toronto Act*, the *Municipal Conflicts of Interest Act* and the *Municipal Elections Act*. This review process will integrate the reviews of the *Municipal Act*, *City of Toronto Act*, and *Municipal Conflict of Interest Act* to examine key, cross-cutting issues of interest to the government, municipalities, and Ontarians. The Ministry consulted directly with OHBA and BILD at a joint Land Committee meeting in October covering key theme's from the provincial [discussion guide](#). [The OHBA submission](#) highlighted OHBA's concern that the municipal legislative review will become focused on how municipalities can generate additional review from our sector and ultimately our consumers by charging more new neighbour taxes (a municipal land transfer tax).

WETLAND CONSERVATION IN ONTARIO

The Ministry of Natural Resources and Forestry is working on a strategic plan for Ontario's wetlands and [OHBA has submitted a joint letter](#) in response to the discussion paper with a number of other organizations including the Ontario Federation of Agriculture, the Ontario Waterpower Association, Ontario Stone, Sand & Gravel Association, Canadian Wind Energy Association, Canadian Solar Industries Association and Ducks Unlimited Canada. The organizations state in the letter that a successful wetlands conservation strategy takes a strong implementation plan and buy-in from stakeholders. The group has committed to working with the government to develop a clear, straightforward and simple framework to implement.

OHBA has also provided industry recommendation in an [OHBA submission](#) that highlights our support for a clear mitigation hierarchy as a policy tool to allow alternate approaches to wetland conservation that will consider land-use proposals where economic and ecological needs intersect.

The Mitigation/Compensation Hierarchy

1. Avoid



Prevent impacts from occurring by changing project location, scope, nature of timing of activities

2. Minimize



Reduce the duration, intensity and/or extent of impacts that cannot be avoided

3. Mitigate



Rehabilitate or restore features or functions that have been exposed to impacts that could not be avoided or minimized

4. Compensate



Create or restore new habitat to compensate for loss that could not be avoided, minimized or mitigated

OHBA AND PEMBINA RELEASE "MAKE WAY FOR LANEWAY REPORT"

Allowing more small-scale housing units in established neighbourhoods would increase the supply of affordable housing options and help local businesses, according to a new joint report from the Pembina Institute and the OHBA. [Make Way for Laneway](#) shows that the population of some older neighbourhoods is actually shrinking, as residents age and their children move out. Introducing more small-scale housing options in these established neighbourhoods would keep the population stable, which in turn provides the customers that local businesses need to thrive. The report highlights four solutions to the obstacles faced by infill developments in these areas. Implementing these solutions would allow small-scale housing to reach its potential and help address the region's affordability gap.

TARION: FORMALIZING THE REPAIR WARRANTY

[Tarion has launched a consultation](#) on how to formalize the Repair Warranty. Currently, there is a longstanding, informal policy to warrant repairs made by builders or Tarion, for one year from the date of initial repair. Tarion believes that formalizing this policy will provide clarity and consistency for all parties involved, enhance consumer protection and help ensure repairs stand a reasonable test of time.

The OHBA/Tarion Liaison Committee, working with the OHBA Repair Warranty Subcommittee and BILD Builders' Council, will be finalizing an industry submission, which will be distributed to the OHBA Executive, Board and Executive Officers. To better inform members who may be attending Tarion Builder Updates on repair warranty, please contact Pauline Lip (plip@ohba.ca) for a copy of OHBA's draft submission.

Tarion will be accepting feedback on the considerations that have been outlined in the consultation guide, by Wednesday December 16, 2015. Please send your feedback to submissions@tarion.com.

SEEKING BUILDERS FOR ONTARIO NEW HOMES RADON SURVEY

OHBA has signed a Memorandum of Understanding with the Radiation Safety Institute of Canada to conduct voluntary radon testing on 200 new homes across Ontario. As recommended by Health Canada, a long-term test (for 90-100 days) will be conducted during the upcoming heating season to give a better indication of the annual average radon concentration. Builders who are interested in participating in the radon survey should contact Pauline Lip (plip@ohba.ca). To maintain privacy, participating builders and their homes will not be disclosed as part of the survey.



Ontario Home Builders' Association

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