



Working together with our community

Public Hearings Committee – October 05, 2022

Subject: County-initiated Official Plan Amendment and Implementing By-law to streamline and delegate decisions on certain types of minor Zoning By-laws in accordance with the Bill 13 changes to the Ontario *Planning Act*.

Report Number: CD 22-093

Division: Community Development

Department: Planning

Purpose: For Public Meeting

Recommendation(s):

THAT staff Report CD-093 for County-initiated Official Plan Amendment and associated By-law to streamline and delegate certain types of minor Zoning By-laws be received for information;

THAT County-initiated Official Plan Amendment application OPNL-2022-238 and associated delegation by-law to streamline and delegate certain types of minor Zoning By-laws BE APPROVED, as shown in Attachments B and C to Report CD-22-093.

AND FURTHER THAT any comments received as part of the statutory public meeting process be considered in the decision on application OPNL-2022-238.

Public Meeting Notification:

A public meeting is a statutory requirement in accordance with the Planning Act, and is intended to allow members of the public to submit written or oral comments in relation to the proposed development. Additionally, any person may make written submissions at any time prior to County Council making its final decision on the application.

Pursuant to the requirements of the Planning Act R.S.O. 1990, C. P. 13 (“Planning Act”), a notice of the statutory public meeting was posted 20 days in advance of the Public Meeting within required newspaper advertisement and on the County’s public hearing planning webpage. Notification was also provided to local development industry representatives, which includes those who typically submit these type of Zoning By-law requests.

Discussion:

Legislative Direction/Authority

Bill 13, the *Supporting People and Businesses Act*, received Royal Assent in December 2021. Through Schedule 19 of the Bill, the Ontario *Planning Act* was amended by adding a new section 39.2 that allows the council of a local municipality to delegate the authority to pass by-laws under Section 34 that are minor in nature to a committee of council or an individual who is an officer, employee or agent of the municipality.

That delegation of authority to pass by-laws under section 34 of the *Planning Act* includes:

- removing a holding “H” symbol (Holding By-laws)
- authorizing the temporary use of land, buildings, or structures (Temporary Use By-laws)
- other “minor” zoning by-law amendments (such as “Housekeeping”/Technical Amendment By-laws).

In order to delegate the authority to pass by-laws on these matters, the *Planning Act* requires that the Official Plan must be updated to provide policies to specify the types of by-laws that may be delegated. The *Planning Act* also provides that the delegation may be subject to conditions set out by Council, and that Council may withdraw this authority at any time through changing or rescinding the delegation by-law.

Although only a few municipalities have proceeded thusfar, to date, it is understood that the delegation of these specific zoning by-law matters does not:

- alter any notice or public meeting requirements;
- limit appeal rights; or,
- change the requirement for planning decisions to be consistent with the Provincial Policy Statement and to conform with the Official Plan.

The changes to the *Planning Act* were made to assist municipalities streamline their planning processes for more routine and technical applications, and shift some of the administrative burden of making decisions under the *Planning Act* from elected officials to municipal staff or committees. Changes were also made to assist applicants avoid delays in approvals due to waiting for Council meetings and reporting cycles (particularly if there is a break in meetings during summer, etc).

Proposed Amendment, Delegation and Procedures

The amendment to the Official Plan proposes to add policies to specify the categories or types of by-laws that may be delegated to staff (or committee). The delegated authority by-law provides the implementing tool with further details about the procedures. The types of minor zoning by-laws to be delegated and a brief description includes:

- Holding Provision - Authority to pass a by-law with the effect of lifting or removing an existing holding provision that applies to one or more properties once confirmation is received that the requirements have been met. The removal of a holding provision in Norfolk typically is done once a development agreement is registered, servicing capacity is confirmed, a Record of Site Condition is provided and/or other technical requirement is met. A circulation to departments/agencies is conducted to confirm.

Currently, there are no public appeal rights for these type of by-laws. This delegation would not include the ability to ‘add’ a holding provision to a property –that would remain with the typical rezoning application process and Council approval. On average there are approximately 2-4 of these types per year.

- Temporary Provision – Authority to pass a by-law with the effect of adding a new or renewing an existing temporary use by-law for one or more properties. This would still require public notice, statutory meeting (public hearing committee) and appeal rights. This would allow for the passing of the by-law at any time after the public meeting. Temporary use by-laws in Norfolk often include allowance for “granny flats” / mobile homes for up to a specified time period. On average there are approximately 0-4 of these types per year.
- Other Minor Zoning Amendments – Authority to pass a by-law with the effect of implementing a technical update to the text or mapping of the zoning by-law (often referred to as the annual “housekeeping” amendment). A limited number of other types of “minor” zoning by-laws are recommended at this time and may be further considered in the future depending upon experience, what is permitted to be delegated and future monitoring/reporting to Council. On average there are 2-5 of these types per year. The other types of “minor” at this time include:
 - deeming by-laws (merging two or more registered lots)
 - where one or more of the parcels require a zoning change that would entirely conform to the Official Plan land use designation and not require any site specific provisions or relief (e.g. from Agricultural to Hamlet Residential for a property designated in the Official Plan as Hamlet Residential).
- The above types would continue to have public notification, meeting and fees as required. Any other types of “minor” by-laws would require a further amendment to the Official Plan policy and delegation by-law by Council. On average there are about 1-4 of these types per year.

The recommended process has similarities to the Telecommunication Tower policy and protocol. These “minor” amendment applications would be circulated for comment, including copy to the Ward Councillor and Mayor. The Director of Planning is proposed to have the authority to decide on the “minor” zoning by-laws. In consultation with the Ward Councillor and Mayor, any such by-law could be directed to the Planning Advisory Committee (current function performed by TEDAB) or Public Hearing Committee with recommendation to Council or directly to Council.

With the delegation by-law, it is identified that an annual reporting be provided to Council of all such “minor” zoning by-laws that have been received and decided. Council can amend or rescind the delegation by-law at any time.

Benefits

Through report CD-21-098, in October 2021, the Planning Department and Council have already taken steps to streamline several of these type of zoning processes. That has resulted in saving several weeks for applicants, reduction in staff time required, and no report or presentation needed as the by-laws go directly to the Council agenda for decision. The current process is still dependent upon the timing of Council meetings, which may be once per month and lesser during holiday breaks (eg, a typical summer may have an 8-week break between Council meetings).

Time is money for applicants. The recommended approach and delegation could further save applicants approximately 1-8 weeks time. In most cases, the by-law to lift a holding provision is at a point in the process where they are registering lots and awaiting building permits. This would assist in helping deliver much needed housing and development a little bit sooner through a more streamlined process. A recent example that covers several of the “minor” types is a site on Jaylin Crescent required both a deeming by-law and a by-law to remove the holding provision once the items were complete. If these were delegated, the decisions could be made significantly faster. This would also reduce the time and space taken on Council agendas and with Clerks.

Consultations, Public and Technical Comments

No issues have been raised to date. This is primarily a more technical, procedural matter and the proposed delegation by-law was prepared with Clerks assistance. Staff connected with Haldmind Planning and reviewed procedures of other municipalities.

Strategic Plan Linkage:

This report aligns with the 2019-2022 Council Strategic Priority and "Create an Optimal Place for Business".

Explanation: This is directly related to streamlining development applications and reduction of red tape and will further assist in development getting to the finish line.

Conclusion:

A recommendation report will be provided on this matter following review of the circulation, planning considerations and this statutory public hearing meeting regarding the submitted, “complete” development applications.

Attachments:

Attachment A - Bill 13 / Ontario Planning Act Provisions
Attachment B - Recommended Official Plan Amendment
Attachment C - Recommended Implementing Bylaw

Approval:

Prepared and Approved By:
Brandon Sloan, BES, MCIP, RPP
General Manager
Community Development Division

Reviewed By:
Tricia Givens, MCIP, RPP
Director of Planning
Community Development Division
Planning Department

Legislative
Assembly
of Ontario



Assemblée
législative
de l'Ontario

2ND SESSION, 42ND LEGISLATURE, ONTARIO
70 ELIZABETH II, 2021

Bill 13

(Chapter 34 of the Statutes of Ontario, 2021)

An Act to amend various Acts

The Hon. N. Tangri

Associate Minister of Small Business and Red Tape Reduction

1st Reading	October 7, 2021
2nd Reading	October 28, 2021
3rd Reading	December 2, 2021
Royal Assent	December 2, 2021



EXPLANATORY NOTE

*This Explanatory Note was written as a reader's aid to Bill 13 and does not form part of the law.
Bill 13 has been enacted as Chapter 34 of the Statutes of Ontario, 2021.*

SCHEDULE 1 BARRISTERS ACT

The Schedule repeals section 3 of the *Barristers Act*. Section 3 of the Act sets out the order of precedence for members of the bar of Ontario in the courts of Ontario.

SCHEDULE 2 CANNABIS LICENCE ACT, 2018

The Schedule amends the *Cannabis Licence Act, 2018* respecting methods of distributing cannabis sold through cannabis retail stores. In particular, section 20 of the Act is re-enacted to provide that cannabis may be distributed either in person in a cannabis retail store or in an area immediately adjacent to it or by delivery. Complementary amendments are made to various provisions of the Act. Additionally, related amendments are made to two other statutes:

1. Subsection 7 (2) of the *Cannabis Control Act, 2017* is amended to expand the application of the subsection to distribution, which includes delivery, rather than to delivery only, when cannabis is not provided to a purchaser at the time of sale. Section 9 of the Act is re-enacted to provide that no person may purchase cannabis except from an authorized cannabis retailer, as defined in the Act.
2. Section 2 of the *Ontario Cannabis Retail Corporation Act, 2017*, setting out the exclusive rights of the Corporation, is re-enacted. The Corporation is given the exclusive right to sell cannabis online, without doing so through a cannabis retail store. Selling cannabis for resale through a cannabis retail store continues to be an exclusive right of the Corporation. The Corporation's exclusive rights also continue to be subject to such exceptions as may be specified by regulations made under the Act.

The *Cannabis Licence Act, 2018* is also amended to provide for searches, including warrantless searches, of conveyances for enforcement purposes. As well, subsection 49 (1) of the Act is amended to add an authority for the Lieutenant Governor in Council to make regulations governing rules and processes that apply if the Registrar of the Alcohol and Gaming Commission of Ontario receives a copy of a resolution of the council of the band in respect of a reserve containing a prescribed request relating to the delivery of cannabis or other products to the reserve. This could include regulations prohibiting or restricting the delivery of cannabis to a reserve.

Finally a correction is made to the French version of the definition of "reserve" in subsection 1 (1) of the *Cannabis Licence Act, 2018* and subsection 26 (3) of the *Cannabis Control Act, 2017*.

SCHEDULE 3 COLLECTION AND DEBT SETTLEMENT SERVICES ACT

The *Collection and Debt Settlement Services Act* is amended to update references to certain statutes.

SCHEDULE 4 COURTS OF JUSTICE ACT

The Schedule amends section 17 of the *Courts of Justice Act* to address an outstanding reference to case management masters, in part retroactive to September 1, 2021, the day on which they were retitled as associate judges. The Schedule also corrects several French language errors in the Act.

SCHEDULE 5 CROWN ADMINISTRATION OF ESTATES ACT

The Schedule amends the *Crown Administration of Estates Act* to change a reference to the Ministry of the Attorney General website to refer instead to a Government of Ontario website.

SCHEDULE 6 CROWN FOREST SUSTAINABILITY ACT, 1994

The Schedule amends the *Crown Forest Sustainability Act, 1994* by adding a new part III.2 governing the harvesting of forest resources in Crown forests for personal use in the prescribed circumstances or in accordance with an authorization issued by the Minister. Several consequential amendments are made and the Lieutenant Governor in Council is given new regulation making powers in respect of the harvesting of forest resources for personal use.

**SCHEDULE 7
DEVELOPMENT CHARGES ACT, 1997**

The amendments to the *Development Charges Act, 1997* change the method by which the estimate for the increase in the need for the Yonge North subway extension is calculated by basing it on the planned level of service provided in the municipality over the 20-year period immediately following the preparation of the background study.

**SCHEDULE 8
EDUCATION ACT**

The *Education Act* is amended to remove references to ranked ballot elections, change when boards must elect their chairs and when the chief executive officer of a board must submit a report to the board, and eliminate certain requirements relating to the appointment of supervisory officers.

**SCHEDULE 9
ELECTRICITY ACT, 1998**

The Schedule amends the *Electricity Act, 1998* to add a new section 36.1.1 creating a two-year limitation period (or such other limitation period as may be prescribed) that applies to certain payments, adjustments and amounts settled by the IESO.

Related amendments concerning limitation periods are made to the *Electricity Act, 1998* and other Acts:

1. A new subsection (9) is added to section 25.33 (Global Adjustment) of the *Electricity Act, 1998* to create the authority to provide for a limitation period in respect of adjustments to be made by the IESO, distributors and retailers under that section or the regulations.
2. The *Limitations Act, 2002* is amended to add new section 36.1.1 of the *Electricity Act, 1998* to the Schedule made under section 19 of that Act, to provide that a limitation period established under section 36.1.1 of the Act or the regulations prevails in respect of a claim where a limitation period in the Act also applies.
3. New provisions are added to the *Ontario Energy Board Act, 1998* to create the authority to prescribe limitation periods for entitlements related to certain electricity rate-mitigation programs.
4. The *Ontario Fair Hydro Plan Act, 2017* is amended to authorize the making of regulations to prescribe a limitation period related to the entitlement of consumers; and the rights or obligations of electricity vendors, unit sub-meter providers and the IESO in respect of payments, adjustments or amounts to be provided under that Act as it read immediately before the final plan date.

The Schedule also amends Part VIII of the *Electricity Act, 1998* to replace the administrative penalties currently provided for in respect of that Part with a new authority to impose administrative penalties, and to make related amendments. Under the new provisions, the Director may order a person to pay an administrative penalty if the person has contravened a prescribed provision of Part VIII or the regulations made under it, certain restrictions, limitations or conditions of a prescribed authorization or a prescribed order of the Authority. The maximum amount of an administrative penalty is \$10,000. The Minister is given regulation-making authority over matters relating to administrative penalties.

**SCHEDULE 10
ENVIRONMENTAL ASSESSMENT ACT**

The Schedule amends the *Environmental Assessment Act* to specify that both amendments to approved class environmental assessments, as well as amendments to approvals of class environmental assessments, may include amendments to change the classes of undertakings to which the class environmental assessment applies.

**SCHEDULE 11
LIQUOR LICENCE AND CONTROL ACT, 2019**

Paragraph 17 of subsection 78 (1) of the *Liquor Licence and Control Act, 2019* provides regulation-making authority to authorize the Registrar to approve temporary physical extensions of licensed premises. The Schedule re-enacts paragraph 17 to provide for a broad regulation-making authority governing physical extensions and other physical changes to licensed premises that may be specified by the regulations, which may be temporary or permanent and indoor or outdoor extensions or changes.

**SCHEDULE 12
MINING ACT**

The Schedule amends the *Mining Act* to add a new section 139.0.1 to Part VII (Rehabilitation of Mining Lands). The new section provides for a process by which activities that would otherwise be “mine production” as defined in section 139 for the purposes of Part VII are in specified circumstances instead deemed to be either “advanced exploration” as defined in that section or activities to which section 78.2, 78.3 or both apply. A proponent in respect of whom a deeming applies under the new section is subject to certain additional requirements specified in subsection 139.0.1 (6). The new section also specifies a process by which the deeming may cease to apply. Consequential amendments are made to section 78.1 and the definitions of “mine production” and “advanced exploration” in section 139.

The Schedule also amends Part VII to provide for a new recovery permit that authorizes the holder to recover minerals or mineral bearing substances from tailings or other waste materials resulting from mining, subject to the permit holder ensuring the remediation of the land on which the tailings or other waste materials are located. The remediation must be such that the condition of the land with respect to one or both of public health and safety or the environment is improved following the recovery and remediation, as determined by the Director of Mine Rehabilitation (section 152.1). Lands may be excluded under section 152.2 from the application of a permit. The recovery permit holder is required to comply with the permit, including the recovery and remediation plan that forms part of the permit, as well as the terms and conditions to which the permit is subject (section 152.3). Provisions are added to provide for the making of orders or directions in the event of a failure to comply, or in circumstances where public health and safety or the environment have been or may likely be injured, damaged or endangered (sections 152.6 and 152.7). Consequential amendments are made to the definition of “mine” in subsection 1 (1) and throughout Part VII.

**SCHEDULE 13
MINISTRY OF INFRASTRUCTURE ACT, 2011**

Currently, clause 7.1 (4) (c) of the *Ministry of Infrastructure Act, 2011* allows the Lieutenant Governor in Council to make regulations respecting the application of specified statutes to any corporation that the Minister may establish, acquire or otherwise deal with for purposes of investing in, supporting or developing transit-oriented community projects related to priority transit projects. The Schedule amends this clause to add a reference to the *Not-for-Profit Corporations Act, 2010*.

**SCHEDULE 14
NORTHERN SERVICES BOARDS ACT**

The Schedule amends several provisions of the *Northern Services Boards Act* related to where notices of meetings are to be posted and how they are to be published. Notably, notices of meetings can now be published by electronic means or in an electronic format. Similar amendments are made to provisions of the Act dealing with where the minutes of meetings are to be posted and how they are published.

**SCHEDULE 15
OCCUPATIONAL HEALTH AND SAFETY ACT**

The Schedule amends the *Occupational Health and Safety Act* as follows:

The Act is amended with respect to terminology related to engineers. A new definition of the term “engineer” is added and the term “engineer of the Ministry” is replaced by the term “professional engineer of the Ministry”. Related amendments are made to the Act.

Certain notification and reporting provisions are amended with respect to deaths, critical injuries and other occurrences at a workplace. An amendment is made that if the regulations so provide, an employer must at least annually prepare and review a written occupational health and safety policy and develop and maintain a program to implement that policy for workplaces with five or fewer workers. A new regulation-making authority provides for the prescribing of elements and format of policies and programs required under the Act.

**SCHEDULE 16
ONTARIO AGENCY FOR HEALTH PROTECTION AND PROMOTION ACT, 2007**

The *Ontario Agency for Health Protection and Promotion Act, 2007* is amended to give the Lieutenant Governor in Council the authority to designate the chair and vice-chairs of the Agency’s board of directors.

**SCHEDULE 17
ONTARIO COLLEGE OF TEACHERS ACT, 1996**

The *Ontario College of Teachers Act, 1996* is amended in respect of various matters, including the composition of the Council and of panels of committees, the appointment of deputy registrars and the use of certain notations in the register. Provisions are also added prohibiting persons who are not members of the College from using certain titles or holding themselves out as members.

**SCHEDULE 18
ONTARIO ENERGY BOARD ACT, 1998**

The Schedule amends section 4.3 of the *Ontario Energy Board Act, 1998* by removing the upper limit on the number of commissioners that may be appointed, and to provide that the *Labour Relations Act, 1995* does not apply to commissioners.

In addition, section 4.10 of the Act is amended to provide for a single process for ministerial review of certain by-laws made by the board of directors of the Ontario Energy Board.

**SCHEDULE 19
PLANNING ACT**

The Schedule adds a new section 39.2 to the *Planning Act*. Section 39.2 provides that the council of a local municipality may, by by-law, delegate the authority to pass by-laws under section 34 that are of a minor nature to a committee of council or an individual who is an officer, employee or agent of the municipality. The Schedule also makes consequential amendments to the *Municipal Act, 2001* and the *City of Toronto Act, 2006*.

**SCHEDULE 20
POLICE RECORD CHECKS REFORM ACT, 2015**

The *Police Record Checks Reform Act, 2015* is amended to add a definition of “volunteer”. The Act is also amended to prohibit police services from charging certain fees in respect of police record checks requested by volunteers. The regulation-making authority is expanded with respect to prescribing requirements for how police services are to conduct police record checks for volunteers and with respect to prescribing purposes and periods of time for which such checks may be relied on.

**SCHEDULE 21
PROFESSIONAL FORESTERS ACT, 2000**

The Schedule amends the scope of practice of professional forestry set out in section 3 of the *Professional Foresters Act, 2000*. Several consequential amendments are made. Subsection 14 (7) of the Act is also amended to expand the prohibition against the use of the designation “Registered Professional Forester” by non-members.

**SCHEDULE 22
PROVINCIAL PARKS AND CONSERVATION RESERVES ACT, 2006**

The *Provincial Parks and Conservation Reserves Act, 2006* is amended to prohibit acquiring rights in or title to lands to which that Act applies, or to lands acquired for purposes of the Act, through the use, possession or occupation of the lands or by prescription.

**SCHEDULE 23
PUBLIC LANDS ACT**

The *Public Lands Act* is amended to prohibit acquiring rights in or title to public lands through the use, possession or occupation of the lands or by prescription.

Other amendments clarify the power of the Minister to establish and charge fees or other charges for any service, approval, permission or decision under the Act.

Certain powers currently exercised by the Lieutenant Governor in Council are given to the Minister.

The ability of the Minister to transfer or dispose of lands along waterbodies is clarified.

Other changes of a housekeeping nature are made.

**SCHEDULE 24
TORONTO ATMOSPHERIC FUND ACT, 2005**

Provisions of the *Toronto Atmospheric Fund Act, 2005* relating to the City of Toronto and financial commitments, liabilities and obligations of the Fund are repealed.

**SCHEDULE 25
WATER OPPORTUNITIES ACT, 2010**

The Schedule repeals Part II (Water Technology Acceleration Project) of the *Water Opportunities Act, 2010* and makes a consequential amendment to subsection 42 (1) of the Act.

An Act to amend various Acts

CONTENTS

1.	Contents of this Act
2.	Commencement
3.	Short title
Schedule 1	Barristers Act
Schedule 2	Cannabis Licence Act, 2018
Schedule 3	Collection and Debt Settlement Services Act
Schedule 4	Courts of Justice Act
Schedule 5	Crown Administration of Estates Act
Schedule 6	Crown Forest Sustainability Act, 1994
Schedule 7	Development Charges Act, 1997
Schedule 8	Education Act
Schedule 9	Electricity Act, 1998
Schedule 10	Environmental Assessment Act
Schedule 11	Liquor Licence and Control Act, 2019
Schedule 12	Mining Act
Schedule 13	Ministry of Infrastructure Act, 2011
Schedule 14	Northern Services Boards Act
Schedule 15	Occupational Health and Safety Act
Schedule 16	Ontario Agency for Health Protection and Promotion Act, 2007
Schedule 17	Ontario College of Teachers Act, 1996
Schedule 18	Ontario Energy Board Act, 1998
Schedule 19	Planning Act
Schedule 20	Police Record Checks Reform Act, 2015
Schedule 21	Professional Foresters Act, 2000
Schedule 22	Provincial Parks and Conservation Reserves Act, 2006
Schedule 23	Public Lands Act
Schedule 24	Toronto Atmospheric Fund Act, 2005
Schedule 25	Water Opportunities Act, 2010

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Contents of this Act

1 This Act consists of this section, sections 2 and 3 and the Schedules to this Act.

Commencement

2 (1) Subject to subsections (2) and (3), this Act comes into force on the day it receives Royal Assent.

(2) The Schedules to this Act come into force as provided in each Schedule.

(3) If a Schedule to this Act provides that any provisions are to come into force on a day to be named by proclamation of the Lieutenant Governor, a proclamation may apply to one or more of those provisions, and proclamations may be issued at different times with respect to any of those provisions.

Short title

3 The short title of this Act is the *Supporting People and Businesses Act, 2021*.

**SCHEDULE 1
BARRISTERS ACT**

1 Section 3 of the *Barristers Act* is repealed.

Commencement

2 This Schedule comes into force on the day the *Supporting People and Businesses Act, 2021* receives Royal Assent.

**SCHEDULE 2
CANNABIS LICENCE ACT, 2018**

1 The French version of the definition of “reserve” in subsection 1 (1) of the *Cannabis Licence Act, 2018* is amended by adding “indiens” after “habitants”.

2 Paragraph 2 of subsection 5 (1) of the Act is amended by adding “or distribution” after “the sale”.

3 Clauses 7 (4) (a) and (b) of the Act are amended by adding “or distribute” after “sell” wherever it appears.

4 Sections 18 to 20 of the Act are repealed and the following substituted:

Restriction on products, services

18 The holder of a retail store authorization may only sell or charge for,

- (a) cannabis that was purchased by the holder directly from the Ontario Cannabis Retail Corporation, in the packaging in which it was purchased from the Ontario Cannabis Retail Corporation, subject to the regulations; and
- (b) any other products or services that may be prescribed.

Purchase of cannabis by holder

19 The holder of a retail store authorization may only purchase cannabis for sale under the retail store authorization from the Ontario Cannabis Retail Corporation.

Distribution

20 The holder of a retail store authorization shall ensure that cannabis sold by the holder is distributed only,

- (a) in person in the cannabis retail store or in an area immediately adjacent to it; or
- (b) by delivery.

5 Subsection 21 (4) of the Act is repealed and the following substituted:

Limit on distribution

(4) The holder of a retail store authorization shall ensure that the amount of cannabis distributed to an individual during a single visit in person or by delivery does not exceed the maximum permissible cannabis amount.

6 Sections 22 and 23 of the Act are repealed and the following substituted:

Only recorded sales permitted

22 The holder of a retail store authorization shall ensure that cannabis is sold only through recorded sales.

No employment of individual under 19 years of age

23 The holder of a retail store authorization shall not employ an individual under 19 years of age.

7 Paragraph 4 of subsection 26 (1) of the Act is repealed and the following substituted:

- 4. Training and other measures relating to the responsible use, sale or distribution of cannabis.

8 (1) Section 30 of the Act is amended by adding “or conveyance” after “place” wherever it appears.

(2) Subsection 30 (3) of the Act is amended by striking out “and provide assistance” and substituting “or provide assistance”.

9 Section 31 of the Act is amended by adding “or conveyance” after “place”.

10 Subsection 32 (2) of the Act is amended by striking out “a place or part of a place or” and substituting “a place or conveyance or part of a place or conveyance”.

11 The Act is amended by adding the following section:

Warrantless search of conveyances

32.1 (1) In this section,

“vehicle” means a motor vehicle, trailer, traction engine, farm tractor, road-building machine, bicycle or motorized snow vehicle, other than a street car, and includes anything attached to the vehicle.

Same

(2) For any purpose relating to the administration and enforcement of this Act and the regulations, an investigator designated for this section by the Registrar who reasonably believes that a vehicle, a vessel, railway equipment on rails or an aircraft contains evidence of a contravention of this Act or the regulations may,

- (a) without warrant, stop and detain it;

- (b) examine its contents, including any cargo, manifests, records, accounts, vouchers, papers or other documents that may afford evidence of the contravention; and
- (c) subject to subsection (3), seize and take away any of the manifests, records, accounts, vouchers, papers or other documents and retain them until they are produced in a court proceeding.

Application for retention of documents

(3) Where documents are seized under subsection (2), the Registrar shall, within 14 days, make an application to a justice, as defined in the *Provincial Offences Act*, for an order to permit the retention of the documents until they are produced in a court proceeding, and the application may be heard and the order may be made, both without notice, on receipt of information under oath from a person who reasonably believes that the documents afford evidence of the commission of an offence under this Act.

Seizure and disposal of cannabis

(4) If, during a detention under subsection (2), cannabis is found in a person's possession contrary to a law of Canada or Ontario, an investigator designated for this section by the Registrar may, subject to subsections (5) and (6), seize, impound and hold and dispose of the cannabis.

Application

(5) Cannabis seized under subsection (4) is forfeited to the Crown to be disposed of as the Registrar directs unless, within 30 days following the seizure, the person from whom the cannabis was seized, or the owner of the cannabis, applies to the Superior Court of Justice to establish the right to possess the cannabis.

Right to possession of cannabis

(6) For the purpose of an application under subsection (5), the applicant has the right to possession of the cannabis if the possession did not, at the time the seizure was made, constitute a contravention of a law of Canada or Ontario.

Order

(7) If, on application under subsection (5), the court is satisfied that the applicant has the right to possession of the cannabis, the court may order that the cannabis be returned to the applicant.

Disposal pending final determination by court

(8) Where a final order has not been made under subsection (7) within 60 days after the filing of the application under subsection (5), the Registrar may dispose of the cannabis pending the determination of the application.

Forfeiture after dismissal of application

(9) On dismissal of an application under subsection (5) and the expiry of the applicable appeal period, the cannabis is forfeited to the Crown to be disposed of as the Registrar directs.

12 (1) Clause 49 (1) (p) of the Act is amended by adding "or distribution" after "for sale".

(2) Subsection 49 (1) of the Act is amended by adding the following clause:

- (r.1) providing for and governing rules and processes that apply if the Registrar receives a copy of a resolution of the council of the band in respect of a reserve containing a prescribed request relating to the delivery of cannabis or other products to the reserve, including,
 - (i) prohibiting holders of a retail store authorization from delivering cannabis or other products to a reserve,
 - (ii) governing notice to holders of a retail store authorization respecting a prohibition or restriction on delivering cannabis or other products to a reserve, including requiring the Registrar to publish information respecting the prohibition or restriction on the Commission's website and governing the publication,
 - (iii) providing for and governing rules and processes that apply if the Registrar receives a copy of a resolution of the council of the band in respect of a reserve amending or rescinding a resolution to which the regulations apply,
 - (iv) requiring a council of the band to provide notice of a resolution to which the regulations apply, and governing the notice;

Cannabis Control Act, 2017

13 (1) Subsection 7 (2) of the *Cannabis Control Act, 2017* is amended,

- (a) by striking out "deliver" and substituting "distribute"; and
- (b) by striking out "delivering" and substituting "distributing".

(2) Section 9 of the Act is repealed and the following substituted:

Unlawful purchase

9 No person shall purchase cannabis except from an authorized cannabis retailer.

(3) The French version of the definition of “reserve” in subsection 26 (3) of the Act is amended by adding “indiens” after “habitants”.

Ontario Cannabis Retail Corporation Act, 2017

14 (1) Section 2 of the *Ontario Cannabis Retail Corporation Act, 2017* is repealed and the following substituted:

Exclusive rights, cannabis sales

2 Except as provided by the regulations, the Corporation has the exclusive right in Ontario to sell cannabis,

- (a) online, without doing so through a cannabis retail store under the *Cannabis Licence Act, 2018*; and
- (b) to a holder of a retail store authorization under the *Cannabis Licence Act, 2018* for the purpose of resale through a cannabis retail store.

(2) Subsection 29 (1) of the Act is amended by adding the following clause:

- (d) providing for exceptions to the application of section 2, and making such exceptions subject to conditions;

Commencement

15 (1) Subject to subsection (2), this Schedule comes into force on the day the *Supporting People and Businesses Act, 2021* receives Royal Assent.

(2) Sections 2 to 12, subsections 13 (1) and (2) and section 14 come into force on a day to be named by proclamation of the Lieutenant Governor.

**SCHEDULE 3
COLLECTION AND DEBT SETTLEMENT SERVICES ACT**

1 Clause 2 (1) (c) of the *Collection and Debt Settlement Services Act* is repealed and the following substituted:

- (c) to an assignee, custodian, liquidator, receiver, trustee or other person licensed or acting under the *Bankruptcy and Insolvency Act* (Canada), the *Corporations Act*, the *Business Corporations Act*, the *Courts of Justice Act*, the *Not-for-Profit Corporations Act, 2010* or the *Winding-up and Restructuring Act* (Canada) or a person acting under the order of any court;

2 Subsection 19 (1) of the Act is amended by striking out “the *Bankruptcy and Insolvency Act* (Canada), the *Courts of Justice Act*, the *Corporations Act*, the *Business Corporations Act* or the *Winding-up and Restructuring Act* (Canada)” in the portion after clause (b) and substituting “the *Bankruptcy and Insolvency Act* (Canada), the *Courts of Justice Act*, the *Corporations Act*, the *Business Corporations Act*, the *Not-for-Profit Corporations Act, 2010* or the *Winding-up and Restructuring Act* (Canada)”.

Not-for-Profit Corporations Act, 2010

3 Section 218 of the *Not-for-Profit Corporations Act, 2010* is repealed.

Commencement

4 This Schedule comes into force on the later of the day subsection 4 (1) of the *Not-for-Profit Corporations Act, 2010* comes into force and the day the *Supporting People and Businesses Act, 2021* receives Royal Assent.

**SCHEDULE 4
COURTS OF JUSTICE ACT**

1 The French version of subsection 6 (1.0.1) of the *Courts of Justice Act* is amended by striking out “interjetée en appel” and substituting “portée en appel”.

2 The French version of the heading to Part II of the Act is amended by striking out “de Justice”.

3 (1) Clause 17 (a) of the Act is amended by striking out “a master or case management master” at the end and substituting “a master, case management master or associate judge”.

(2) Clause 17 (a) of the Act, as amended by subsection (1), is amended by striking out “a master, case management master or associate judge” at the end and substituting “an associate judge”.

4 The English version of subsection 86 (1) of the Act is amended by striking out ““Votre Honneur” ou” and substituting ““Votre Honneur” or”.

Commencement

5 (1) Subject to subsections (2) and (3), this Schedule comes into force on the day the *Supporting People and Businesses Act, 2021* receives Royal Assent.

(2) Subsection 3 (1) is deemed to have come into force on September 1, 2021.

(3) Subsection 3 (2) comes into force on a day to be named by proclamation of the Lieutenant Governor.

**SCHEDULE 5
CROWN ADMINISTRATION OF ESTATES ACT**

1 Subsection 5.1 (8) of the *Crown Administration of Estates Act* is amended by striking out “the website of the Ministry of the Attorney General” at the end and substituting “a Government of Ontario website”.

Commencement

2 This Schedule comes into force on the day the *Supporting People and Businesses Act, 2021* receives Royal Assent.

**SCHEDULE 6
CROWN FOREST SUSTAINABILITY ACT, 1994**

1 (1) The definition of “Crown charges” in section 3 of the *Crown Forest Sustainability Act, 1994* is repealed and the following substituted:

“Crown charges” means all prices, charges, fees, penalties, costs, expenses, interest and fines imposed under this Act or the regulations or under a forest resource licence, a permit or an authorization; (“redevances de la Couronne”)

(2) The definition of “Minister” in section 3 of the Act is repealed and the following substituted:

“Minister” means the Minister of Northern Development, Mines, Natural Resources and Forestry or any other member of the Executive Council to whom responsibility for the administration of this Act may be assigned or transferred under the *Executive Council Act*; (“ministre”)

2 Clause 41.2 (1) (c) of the Act is repealed and the following substituted:

(c) the granting of a subsequent forest resource licence under section 38, the issuing of a subsequent permit under section 41.6 or the issuance of an authorization under section 41.18;

3 The Act is amended by adding the following part:

**PART III.2
AUTHORIZATIONS FOR PERSONAL USE**

Definition

41.15 In this Part,

“personal use” means personal use as defined in the regulations.

Harvesting for personal use

41.16 (1) A person may harvest forest resources in a Crown forest for personal use,

- (a) in accordance with an authorization issued by the Minister, subject to subsection (2); or
- (b) in the circumstances prescribed by the regulations.

Minister’s authorization

(2) The Minister’s authorization under clause (1) (a) shall be issued in accordance with the regulations.

Terms and conditions

(3) An authorization under clause (1) (a) is subject to whatever terms and conditions may be prescribed in the regulations and to such other terms and conditions as the Minister may specify in the authorization.

Prices and charges

41.17 (1) The Minister may determine, from time to time, the prices, forestry futures charges and forest renewal charges applicable to the harvesting of forest resources for personal use under a Minister’s authorization or in the circumstances prescribed by the regulations.

Same

(2) A person who harvests forest resources in a Crown forest for personal use under a Minister’s authorization or in the circumstances prescribed by the regulations shall pay the prices and charges determined under subsection (1) in the amounts, in the manner and within the times required by the Minister.

Personal use harvesting on land subject to licence

41.18 (1) The Minister may issue an authorization under section 41.16 to harvest forest resources on land that is subject to a forest resource licence.

Same

(2) The regulations may provide that a person can harvest forest resources under clause 41.16 (1) (b) on land that is subject to a forest resource licence in the circumstances prescribed by the regulations.

Part IV not applicable

41.19 (1) The harvesting of forest resources for personal use under an authorization issued under this Part or in the circumstances prescribed by the regulations is not subject to any of the requirements of Part IV.

4 The Act is amended by striking out “Minister of Natural Resources” in the following provisions and substituting in each case “Minister of Northern Development, Mines, Natural Resources and Forestry”:

1. Subsections 49 (1) and (2).

2. Subsection 50 (3).

3. Clause 50 (3) (a).

5 Clauses 64 (1) (a) and (b) of the Act are repealed and the following substituted:

- (a) harvests or removes forest resources, in or from a Crown forest, or uses forest resources in a Crown forest for a designated purpose, without the authority of a forest resource licence, a permit, an authorization or not in the circumstances prescribed by the regulations, is guilty of an offence and on conviction is liable to a fine of not more than \$100,000;
- (b) fails to comply with a forest resource licence, a permit or an authorization is guilty of an offence and on conviction is liable to a fine of not more than \$100,000;

6 Subsection 69 (1) of the Act is amended by adding the following paragraph:

16.1.1 governing the harvesting of forest resources in Crown forests for personal use and authorizations for such harvesting, including,

- i. defining the meaning of “personal use” for the purposes of part III.2,
- ii. limiting the area in which harvesting of forest resources in Crown forests for personal use may occur under an authorization or in the circumstances prescribed by the regulations,
- iii. setting out the circumstances in which a person may harvest forest resources in a Crown forest for personal use without an authorization including any applicable conditions or restrictions,
- iv. prescribing the records to be kept by a person who harvests forest resources in a Crown forest for personal use,
- v. prescribing fees payable for the harvesting of forest resources in a Crown forest for personal use in accordance with an authorization or in the circumstances prescribed in the regulations,
- vi. governing the issuance, amendment, renewal, transfer, refusal, suspension or cancellation of an authorization issued under section 41.16 including prescribing the terms, conditions, restrictions to which an authorization is subject;

Commencement

7 This Schedule comes into force on a day to be named by proclamation of the Lieutenant Governor.

**SCHEDULE 7
DEVELOPMENT CHARGES ACT, 1997**

1 (1) Subsection 2 (4) of the *Development Charges Act* is amended by adding the following paragraph:

6.1 Yonge North subway extension, as defined in subsection 5.1.1 (1).

(2) Paragraph 7 of subsection 2 (4) of the Act is amended by adding “and the Yonge North subway extension” at the end.

2 The Act is amended by adding the following section:

Yonge North subway extension

Definition

5.1.1 (1) In this section,

“Yonge North subway extension” means an extension of the subway service located in the City of Toronto beyond its terminus at Finch subway station further north in the City of Toronto and into The Regional Municipality of York, and works and equipment directly related to that extension.

Provision does not apply

(2) Paragraph 4 of subsection 5 (1) does not apply in determining the estimate for the increase in the need for the Yonge North subway extension.

Applicable restriction

(3) For the purposes of section 5, the estimate for the increase in the need for the Yonge North subway extension shall not exceed the planned level of service over the 20-year period immediately following the preparation of the background study required under section 10.

Regulations

(4) The method of estimating the planned level of service for the Yonge North subway extension and the criteria to be used in doing so may be prescribed by regulation.

3 Clauses 60 (1) (m.1), (m.2) and (m.3) of the Act are repealed and the following substituted:

(m.1) further clarifying or defining the term “Toronto-York subway extension” in subsection 5.1 (1) or the term “Yonge North subway extension” in subsection 5.1.1 (1);

(m.2) prescribing the method and criteria to be used to estimate the planned level of service for the Toronto-York subway extension or the Yonge North subway extension;

(m.3) prescribing a service, other than the Toronto-York subway extension or the Yonge North subway extension, as a service for the purposes of section 5.2;

Commencement

4 This Schedule comes into force on a day to be named by proclamation of the Lieutenant Governor.

**SCHEDULE 8
EDUCATION ACT**

1 Section 58.7 of the *Education Act* is amended by striking out “that has not passed a by-law authorizing the use of a ranked ballot election” at the end.

2 Subsections 208 (4) and (5) of the Act are repealed and the following substituted:

Election of chair

- (4) The members shall elect one of themselves to be chair,
- (a) at the first meeting referred to in subsection (2) or (3);
 - (b) in each following year, at the first meeting on or after the anniversary of the date the term of office of the board began; and
 - (c) at the first meeting after a vacancy occurs in the office of chair.

Presiding officer

(5) At a meeting referred to in clause (4) (a) or (b), the chief executive officer shall preside until the election of the chair or, if there is no chief executive officer or in his or her absence, the members present shall designate who shall preside at the election of the chair and if a member of the board is so designated, he or she may vote at the election of the chair.

3 Subsection 283 (3) of the Act is repealed and the following substituted:

General report of chief executive officer

(3) At the first meeting referred to in subsection 208 (2) or (3) and, in each following year, at the first meeting on or after the anniversary of the date the term of office of the board began, the chief executive officer of a board shall submit to the board a report in a format approved by the Minister on the action he or she has taken during the preceding 12 months under subsection (2) of this section and a copy of such report shall be submitted to the Minister on or before the 31st day of January next following.

4 Subsection 285 (2) of the Act is repealed.

5 Subsection 286 (4) of the Act is repealed.

Commencement

6 (1) Subject to subsection (2), this Schedule comes into force on the day the *Supporting People and Businesses Act, 2021* receives Royal Assent.

(2) Sections 2 and 3 come into force on January 1, 2022.

**SCHEDULE 9
ELECTRICITY ACT, 1998**

1 Section 25.33 of the *Electricity Act, 1998* is amended by adding the following subsection:

Limitation period

(9) The adjustments referred to in this section to be made by the IESO, a distributor or a retailer under this section or under the regulations are subject to the limitation period provided for in the regulations, if any.

2 The Act is amended by adding the following section:

LIMITATION PERIOD

Limitation period

36.1.1 (1) Despite anything in this or any other Act or regulation, the market rules or any licence or code issued by the Board, but subject to the regulations made under this section and to subsections (7) and (8), no market participant, consumer, entity or person shall, more than two years or other prescribed period of time after the applicable date, be entitled to seek or receive any payment, adjustment or amount, or be required to make any payment or adjustment or to pay an amount, from or to the IESO, where the payment, adjustment or amount is based on an entitlement or a specified charge that arises under an Act or a regulation, or one or more provisions of an Act or a regulation, that is prescribed for the purposes of this subsection.

Same, IESO

(2) For the purposes of subsection (1), and subject to subsections (7) and (8), the IESO shall not, in respect of an entitlement or specified charge described in subsection (1), make or receive any payment or adjustment of any amount to or from a market participant, consumer, entity or person, including settling or resettling such payments, adjustments or amounts, more than two years or other prescribed period of time after the applicable date referred to in that subsection.

Greater certainty

(3) For greater certainty, subsection (1) does not apply to a payment, adjustment or amount in respect of an entitlement or specified charge that arises under an Act or a regulation, or under a provision of an Act or a regulation, that is not prescribed for the purposes of that subsection.

Applicable date

(4) For the purposes of subsection (1), the applicable date is, with respect to a settlement of any payment, adjustment or amount that relates to an entitlement or a specified charge, and subject to the regulations, if any,

- (a) the earlier of,
 - (i) the initial date on which the IESO would have the right or obligation to settle a transaction, or
 - (ii) the date the IESO issues an invoice; or
- (b) the alternative applicable date provided for in the regulations or determined by a method provided for in the regulations.

Discoverability, etc.

(5) Subsection (1) applies whether or not the payment, adjustment or amount in respect of an entitlement or specified charge was capable of being identified or discovered within the applicable limitation period.

IESO authority unaffected, market rules, etc.

(6) Subject to subsection (8), nothing in this section shall be read to remove, eliminate, limit or interfere with the IESO's authority that does not relate to or conflict with the matters provided for in subsection (1), including its authority to make or receive any payments or adjustments that arise under the market rules or to participate in any transactions or settlements that arise under the market rules or to undertake any other activities that arise under the market rules, and including the IESO's authority to,

- (a) make or amend the market rules in relation to settlements, payments, adjustments or charges including the timing and method for determining such settlements, payments, adjustments or charges, or any related matter;
- (b) commence or carry out compliance or enforcement activities arising under the market rules, including any audit, inquiry, investigation, monitoring or other supervisory activity or review related to the issuance or potential issuance of a financial penalty or other sanction under the market rules or in relation to any settlements, payments, adjustments or charges under the market rules;
- (c) make or adjust amounts paid or payable under the market rules, including amounts mentioned in clause (f);
- (d) suspend or terminate a market participant's authorization to participate in the IESO-administered markets, in accordance with the market rules;
- (e) make or receive a payment or pay or receive an amount that is attributable to,

- (i) a decision, an order, a licence or a code made or issued by the Board, any form of compliance or enforcement activity, determination or direction of the Board or an assurance of voluntary compliance given to the Board under section 112.7 of the *Ontario Energy Board Act, 1998*,
- (ii) an award, an order, a determination or a proceeding provided by an arbitrator, a court, the IESO or a tribunal other than the Board or by a compliance agreement or other agreement providing for the resolution of a matter arising from a compliance or enforcement activity,
- (iii) an award, an order, a ruling or a determination of an arbitrator, a court or a tribunal in relation to a settlement, or
- (iv) any contract entered into by the IESO;
- (f) make or adjust amounts paid or payable arising under the market rules, including settling or resettling such amounts as and when required or appropriate in accordance with the market rules;
- (g) issue, re-issue or amend settlement statements or any documentation that reflects settlements that arise under the market rules; or
- (h) make, receive or provide for a payment, adjustment or amount or participate in a transaction that is provided for in the regulations or to do any of those things in a manner that is determined by the regulations with a person or class of persons prescribed by the regulations.

Non-application, subs. (1)

(7) Despite subsection (1), the IESO shall not be restricted from making or receiving any payment or adjustment of any amount to or from a market participant, a consumer, an entity or a person in respect of an entitlement or a specified charge to which that subsection applies where such payment or adjustment results from,

- (a) any form of compliance or enforcement activity, determination, ruling or decision arising under the market rules, including the issuance of any financial penalty or other sanction under the market rules or the making or adjusting of amounts paid or payable under the market rules or that are based on a payment or entitlement mentioned in subsection (1);
- (b) a decision, an order or a direction of the Board in respect of a variance account;
- (c) any form of compliance or enforcement activity, determination, direction, decision or order of the Board or an assurance of voluntary compliance given to the Board under section 112.7 of the *Ontario Energy Board Act, 1998*;
- (d) a decision or an order of a court arising from a matter mentioned in clause (b) or (c);
- (e) an award, an order, a decision, a ruling or a determination provided by a court, the Board, a tribunal or an arbitrator that relates to a compliance or enforcement activity undertaken by the IESO, including any agreement providing for the resolution of a matter entered into in the context of such proceedings; or
- (f) with respect to any matters that are not referred to in clauses (b), (c), (d) and (e), an award, an order, a decision, a ruling or a determination provided by the Board, a court, a tribunal other than the Board or an arbitrator, where the proceedings were initiated in the manner provided for in the regulations, and before the limitation period provided for in the regulations, if any.

Board authority unaffected

(8) Subject to subsection (11), nothing in this section shall be read to remove, eliminate or interfere with the Board's authority under this or any other Act.

No expropriation

(9) Nothing in this section and nothing done or not done in accordance with this section constitutes an expropriation or injurious affection for the purposes of the *Expropriations Act* or otherwise at law.

No compensation

(10) Despite any other Act or law, no person is entitled to any compensation for any loss or damages, including loss of an entitlement to a payment, an adjustment or an amount referred to in this section or the loss of revenues or loss of profit, that arises from the enactment, repeal or application of this section, the making, revocation or application of any regulation or order made under this section or anything done or not done in accordance with this section or a regulation or an order made under this section.

Conflicts, etc.

(11) Where any conflict exists between an order of the Board, a code issued by the Board or a licence condition and this section or a regulation made under this section, this section or the regulation made under this section shall prevail to the extent of the conflict.

Crown not liable, etc.

(12) No cause of action arises against the Crown, any current or former member of the Executive Council or any current or former employee or agent of or advisor to the Crown, or against the IESO or the Board or any of their current or former directors, officers, employees or agents, and in the case of the Board, any of its current or former chairs, vice-chairs, members or commissioners, as a direct or indirect result of,

- (a) the enactment, operation, administration or repeal of any provision of this section or the regulations made under it or that are consequential to its enactment; or
- (b) anything done or not done in order to comply with this section or the regulations made under it.

Timing

(13) Subsection (12) applies regardless of whether the cause of action on which the proceeding is purportedly based arose before, on or after the day this section came into force.

Regulations

(14) The Lieutenant Governor in Council may make regulations,

- (a) providing for and governing situations to which subsection (1) does or does not apply, including prescribing Acts, regulations, or provisions of Acts or regulations to which subsection (1) does or does not apply;
- (b) providing for an alternative limitation period for the purposes of subsection (1), and providing for and governing situations where different limitation periods apply, including providing for the method or methods of determining such limitation periods;
- (c) prescribing payments, adjustments, amounts, entitlements and specified charges to which subsection (1) does or does not apply;
- (d) respecting what the applicable date is for the purposes of subsection (1), including providing for the alternative applicable date mentioned in clause (4) (b), or a method of determining the applicable date or the alternative applicable date, including providing for the application of or determination of different applicable dates in different circumstances;
- (e) defining “adjustment”, “amount”, “entitlement”, “invoice”, “payment”, “specified charge” and “variance account” for the purposes of this section, and providing for any criteria they must meet;
- (f) providing for criteria that must be met relating to the manner in which the proceedings referred to in clause (7) (f) are initiated and providing for different criteria that must be met in different circumstances;
- (g) providing for the limitation period referred to in clause (7) (f);
- (h) generally for governing the application of this section and providing for anything that is described in this section as being prescribed by, determined in or provided for in the regulations;
- (i) governing such transitional matters as the Lieutenant Governor in Council considers necessary or advisable to facilitate the implementation of this section.

Retroactive

(15) A regulation under this section may apply to a period before it is made, if the regulation so provides.

Definitions

(16) In this section,

“adjustment”, “amount”, “entitlement”, “invoice”, “payment”, “specified charge” and “variance account” have the meaning provided for in the regulations.

3 Section 112.1 of the Act is amended by adding the following definition:

“administrative penalty” means an administrative penalty imposed under subsection 113.18.1 (1); (“pénalité administrative”)

4 Section 113.1 of the Act is amended by adding the following subsection:**Exception**

(4.1) Despite subsection (4), a Director shall not delegate the power to impose an administrative penalty under subsection 113.18.1 (1).

5 Section 113.17 of the Act is amended by striking out “administrative penalties” wherever it appears.**6 The Act is amended by adding the following section:**

Administrative penalty

113.18.1 (1) A Director may, by order, impose an administrative penalty against a person in accordance with this section and the regulations made by the Minister if the Director is satisfied that the person has contravened or is contravening,

- (a) a prescribed provision of this Part or the regulations;
- (b) a restriction, limitation or condition imposed by a Director in respect of a prescribed authorization; or
- (c) a prescribed order of the Authority.

To whom payable

(2) An administrative penalty is payable to the Authority.

Purpose

(3) An administrative penalty may be imposed under this section for one or more of the following purposes:

- 1. To ensure compliance with this Part or the regulations.
- 2. To prevent a person from deriving, directly or indirectly, any economic benefit as a result of a contravention described in subsection (1).

Amount

(4) The amount of an administrative penalty shall reflect the purpose of the penalty and shall be determined in accordance with the regulations made by the Minister, but the amount of the penalty shall not exceed \$10,000.

Form of order

(5) An order made under subsection (1) imposing an administrative penalty against a person shall be in the form that the Authority determines.

Service of order

(6) The order shall be served on the person against whom the administrative penalty is imposed in accordance with the regulations made by the Minister.

Absolute liability

(7) An order made under subsection (1) imposing an administrative penalty against a person applies even if,

- (a) the person took all reasonable steps to prevent the contravention on which the order is based; or
- (b) at the time of the contravention, the person had an honest and reasonable belief in a mistaken set of facts that, if true, would have rendered the contravention innocent.

No effect on offences

(8) For greater certainty, nothing in subsection (7) affects the prosecution of an offence.

Other measures

(9) Subject to subsection (16), an administrative penalty may be imposed alone or in conjunction with the exercise of any measure against a person provided by this Part or the regulations, including the application of restrictions, limitations or conditions to an authorization by a Director, the suspension or revocation of an authorization or the refusal to renew an authorization.

Limitation

(10) A Director shall not make an order under subsection (1) more than two years after the day the Director became aware of the person's contravention on which the order is based.

No hearing required

(11) Subject to the regulations made by the Minister, a Director is not required to hold a hearing or to afford a person an opportunity for a hearing before making an order under subsection (1) against the person.

Non-application of other Act

(12) The *Statutory Powers Procedure Act* does not apply to an order made under subsection (1).

Appeal

(13) For greater certainty, a person on whom an order imposing an administrative penalty is made may appeal the order in accordance with the regulations made under clause 15 (1) (c) of the *Safety and Consumer Statutes Administration Act, 1996*.

Enforcement

(14) If a person against whom an order imposing an administrative penalty is made fails to pay the penalty in accordance with the terms of the order or, if the order is varied on appeal, in accordance with the terms of the varied order, the order may be filed with the Superior Court of Justice and enforced as if it were an order of the court.

Date of order

(15) For the purposes of section 129 of the *Courts of Justice Act*, the date on which the order is filed with the court is deemed to be the date of the order.

Effect of paying penalty

(16) If a person against whom an order imposing an administrative penalty is made pays the penalty in accordance with the terms of the order or, if the order is varied on appeal, in accordance with the terms of the varied order, the person cannot be charged with an offence under this Part in respect of the same contravention on which the order is based and no other prescribed measure shall be taken against the person in respect of the same contravention on which the order is based.

Publication of orders

(17) The Authority may publish any orders made under subsection (1), or if varied on appeal, any varied orders, on its website.

7 Subsection 113.20 (6) of the Act is repealed.**8 Subsection 113.22 (2) of the Act is repealed and the following substituted:****Regulations, Minister**

(2) The Minister may make regulations,

- (a) governing administrative penalties that a Director may order under this Part and all matters necessary and incidental to the administration of a system of administrative penalties, including,
 - (i) prescribing provisions, authorizations and orders for the purpose of subsection 113.18.1 (1),
 - (ii) specifying the amount of an administrative penalty or providing for the determination of the amount of an administrative penalty by specifying the method of calculating the amount and the criteria to be considered in determining the amount,
 - (iii) providing for different amounts to be paid, or different calculations or criteria to be used, depending on the circumstances that gave rise to the administrative penalty or the time at which the penalty is paid,
 - (iv) specifying information that must be included in an order for payment of an administrative penalty,
 - (v) governing the rules for serving an order for an administrative penalty and the rights of the parties affected by the rules, including the time at which the order is deemed to be served on the person against whom the order is made,
 - (vi) respecting hearings for the purpose of subsection 113.18.1 (11),
 - (vii) respecting measures for the purpose of subsection 113.18.1 (16);
- (b) specifying the purposes for which the Authority may use the funds that it collects as administrative penalties.

9 Subsection 114 (1.3) of the Act is amended by adding the following clause:

(g.0.1) providing for and governing the limitation period for the purposes of subsection 25.33 (9);

Limitations Act, 2002**10 The Schedule to the *Limitations Act, 2002* is amended by adding the following:**

<i>Electricity Act, 1998</i>	section 36.1.1
------------------------------	----------------

Ontario Energy Board Act, 1998**11 (1) Section 79 of the *Ontario Energy Board Act, 1998* is amended by adding the following subsection:****Limitation**

(4.4) The compensation to be provided to a distributor and the rate protection to be provided to a consumer under this section are subject to the limitation period provided for in the regulations, if any.

(2) Subsection 79 (5) of the Act is amended by adding the following clause:

(g.1) providing for and governing the limitation period for the purposes of subsection (4.4);

(3) Section 79.1 of the Act is amended by adding the following subsection:

Limitation

(3.1) The rate protection through rate reduction to be provided in respect of a consumer and the compensation to be provided to a distributor under this section are subject to the limitation period provided for in the regulations, if any.

(4) Subsection 79.1 (4) of the Act is amended by adding the following clause:

(g.1) providing for and governing the limitation period for the purposes of subsection (3.1);

(5) Section 79.2 of the Act is amended by adding the following subsection:

Limitation

(10.1) The rate assistance to be provided to a rate-assisted consumer and the compensation to be provided to a distributor, unit sub-meter provider or any person under this section are subject to the limitation period provided for in the regulations, if any.

(6) Subsection 79.2 (14) of the Act is amended by adding the following clause:

(j.1) providing for and governing the limitation period for the purposes of subsection (10.1);

Ontario Fair Hydro Plan Act, 2017

12 (1) Section 1.3 of the Ontario Fair Hydro Plan Act, 2017 is amended by adding the following subsection:

Limitation period

(2.1) Any entitlement of a specified consumer, a regulated rate consumer or a consumer who meets the prescribed requirements to a payment, an adjustment or an amount that relates to the rates applicable to the consumer and that is to be provided by or under this Act as it read immediately before the final plan date is subject to the limitation period provided for in the regulations, if any.

(2) Subsection 1.3 (3) of the Act is amended by striking out “For the purposes of subsections (1) and (2)” at the beginning and substituting “For the purposes of subsections (1), (2) and (2.1)”.

(3) Section 1.3 of the Act is amended by adding the following subsection:

Regulated-rate consumer

(4) For the purposes of subsection (2.1), the term “regulated rate consumer” has the meaning assigned to it in this Act as it read immediately before the final plan date.

(4) Section 1.4 of the Act is amended by adding the following subsection:

Limitation period

(1.1) Any right or obligation of an electricity vendor or a unit sub-meter provider to make or receive a payment, an adjustment or an amount that relates to the rates applicable to a specified consumer, a regulated rate consumer or a consumer who meets the prescribed requirements and that is to be provided by or under this Act as it read immediately before the final plan date is subject to the limitation period provided for in the regulations, if any.

(5) Subsection 1.4 (2) of the Act is amended by striking out “For the purposes of subsection (1)” at the beginning and substituting “For the purposes of subsections (1) and (1.1)”.

(6) Section 1.5 of the Act is amended by adding the following subsection:

Limitation period

(5) Any right or obligation of the IESO to make or receive a payment, an adjustment or an amount to or from an electricity vendor, a unit sub-meter provider or another person, that relates to the rates applicable to a specified consumer, a regulated rate consumer or a consumer who meets the prescribed requirements and that is to be provided by or under this Act as it read immediately before the final plan date is subject to the limitation period provided for in the regulations, if any.

(7) Subsection 42 (1) of the Act is amended by adding the following paragraph:

4. Providing for and governing the limitation period for the purposes of subsections 1.3 (2.1), 1.4 (1.1) and 1.5 (5).

Commencement

13 (1) Subject to subsection (2), this Schedule comes into force on the later of January 1, 2022 and the day the *Supporting People and Businesses Act, 2021* receives Royal Assent.

(2) Sections 3 to 8 come into force on a day to be named by proclamation of the Lieutenant Governor.

SCHEDULE 10
ENVIRONMENTAL ASSESSMENT ACT

1 Section 1 of the *Environmental Assessment Act* is amended by adding the following subsections:

Same

(5) An amendment to an approved class environmental assessment made under section 15.1.4 or subsection 15.4 (1) may include a change to the definition of the class of undertakings to which the approved class environmental assessment applies, and, in particular, the amendment may include adding or removing a class.

Same

(6) Subsection (5) applies, with necessary modifications, to an amendment to an approval of a class environmental assessment made under section 15.1.4.

Commencement

2 This Schedule comes into force on the day the *Supporting People and Businesses Act, 2021* receives Royal Assent.

**SCHEDULE 11
LIQUOR LICENCE AND CONTROL ACT, 2019**

1 Paragraph 17 of subsection 78 (1) of the *Liquor Licence and Control Act, 2019* is repealed and the following substituted:

- 17. governing physical extensions and other prescribed physical changes to licensed premises, which may be temporary or permanent and indoor or outdoor extensions or changes, including,
 - i. authorizing the Registrar to approve, or restricting the Registrar from approving, extensions or prescribed changes,
 - ii. authorizing a municipality or other prescribed person or entity to approve extensions or prescribed changes,
 - iii. providing for, or authorizing the Registrar or a municipality or prescribed person or entity to provide for,
 - A. circumstances in which an extension or prescribed change may be sought,
 - B. conditions to which the approval of an extension or prescribed change is subject, and
 - iv. providing for, or authorizing the Registrar or a municipality or prescribed person or entity to provide for, processes governing approvals, including processes for obtaining an approval, reviews of approval decisions and withdrawals of approvals, and otherwise governing approvals;

Commencement

2 This Schedule comes into force on a day to be named by proclamation of the Lieutenant Governor.

**SCHEDULE 12
MINING ACT**

1 The definition of “mine”, when used as a verb, in subsection 1 (1) of the *Mining Act*, is amended by adding “or any activity carried out under the authority of a recovery permit issued under section 152.1” at the end.

2 Section 78.1 of the Act is amended by adding “subject to section 139.0.1” at the end.

3 The heading to Part VII of the Act is repealed and the following substituted:

**PART VII
REHABILITATION AND REMEDIATION OF LANDS**

4 (1) The definition of “advanced exploration” in subsection 139 (1) of the Act is amended by striking out “any other prescribed work” at the end and substituting “any other prescribed work, and includes deemed advanced exploration under section 139.0.1”.

(2) The definition of “mine production” in subsection 139 (1) of the Act is amended by striking out “means mining” and substituting “means, subject to section 139.0.1, mining”.

(3) Subsection 139 (1) of the Act is amended by adding the following definition:

“recovery permit” means a permit described in subsection 152.1 (1); (“permis de récupération”)

5 The Act is amended by adding the following section immediately before the heading “Progressive Rehabilitation”:

Certain mine production deemed to be exploration

139.0.1 (1) Activity that would otherwise be “mine production” as defined in section 139 is deemed not to be mine production and is instead deemed for the purposes of this Act to be activity that has been prescribed for the purposes of section 78.2, 78.3 or both, as determined by the Director, if the Director determines, on application under subsection (3), that,

- (a) the mineral or mineral-bearing substance that is intended to be sold or stockpiled for future sale is the end product of mining, milling and refining carried out for the purpose of testing mineral content; and
- (b) but for the intended sale of the mineral or mineral-bearing substance, the activity would constitute activity that has been prescribed for the purposes of section 78.2, 78.3 or both, as the case may be.

Deemed advanced exploration

(2) Activity that would otherwise be “mine production” as defined in section 139 is deemed not to be mine production and is instead deemed for the purposes of this Act to be advanced exploration, if the Director determines, on application under subsection (3), that,

- (a) the mineral or mineral-bearing substance that is intended to be sold or stockpiled for future sale is the end product of mining, milling and refining carried out for the purpose of testing mineral content; and
- (b) but for the intended sale of the mineral or mineral-bearing substance, the activity would constitute “advanced exploration” as defined in section 139.

Application

(3) A proponent may apply to the Director in accordance with the regulations for a determination under subsection (1) or (2).

Considerations

(4) In making the determination, the Director shall consider,

- (a) the purpose of this Act;
- (b) whether Aboriginal consultation has occurred in accordance with any prescribed requirements; and
- (c) any other prescribed matter.

Determinations

(5) A determination of the Director under subsection (1) or (2) shall be in writing.

Additional requirements for proponents

(6) A proponent in respect of whom a deeming under subsection (1) or (2) applies,

- (a) shall pay to the Crown any amounts received by the proponent, directly or indirectly, for the sale of the mineral or mineral-bearing substance that exceed the cost to the proponent of the related excavation, processing, transportation, testing, evaluation and rehabilitation;
- (b) shall, in accordance with the regulations, report the prescribed information to the Director; and

- (c) shall comply with any requirements imposed by the Director for the purposes of this section, in the time and manner specified by the Director.

Deeming ceases to apply

(7) If, despite the application of a deeming under subsection (1) or (2), the proponent meets the requirements of paragraphs 1 to 4 of subsection 141 (1) with respect to the deemed activity, subsection (1) or (2), as the case may be, ceases to apply to the activity as of the date of the written confirmation given by the Director under clause 141 (2) (a).

6 The heading before section 152 of the Act is repealed and the following substituted:

APPEALS BY PROPONENTS

7 The Act is amended by adding the following sections:

RECOVERY AND REMEDIATION

Permit to recover minerals, mineral bearing substances

152.1 (1) Any person may, subject to section 152.2, apply to the Director for a permit authorizing the recovery of minerals or mineral bearing substances from tailings or other waste materials resulting from mining.

Terms and conditions

- (2) A recovery permit is subject to the following terms and conditions:
1. That the permit holder shall ensure the remediation of the land on which the tailings or other waste materials are located, such that the condition of the land with respect to one or both of public health and safety or the environment is improved following the recovery and remediation, as determined by the Director.
 2. Any terms and conditions that the Director determines are appropriate and specifies in the permit, which may include a requirement that the permit holder provide financial assurance, in the form and amount specified by the Director in the permit, to the Crown in right of Ontario for either or both of,
 - i. the performance of any activity authorized by the permit that is specified in the permit for the purposes of the requirement, and
 - ii. measures taken to prevent, eliminate or ameliorate any adverse effect arising from the recovery or remediation undertaken under the permit.

Application

- (3) An application under subsection (1) must be made in accordance with the regulations, and must contain,
- (a) a recovery and remediation plan that meets the prescribed requirements, setting out,
 - (i) a description of the land on which the tailings or other waste materials are located,
 - (ii) how the minerals or mineral bearing substances would be recovered,
 - (iii) how the land would be remediated such that the condition of the land with respect to one or both of public health and safety or the environment is improved following the recovery and remediation, as determined by the Director,
 - (iv) the estimated costs of the recovery and remediation,
 - (v) a proposed schedule for the recovery and remediation, and
 - (vi) any other information specified by the regulations;
 - (b) the written consent to the recovery and remediation of every owner of the land that is not the applicant or the Crown; and
 - (c) any other prescribed document or information.

Determination of application

(4) The Director shall review the application and determine whether to issue a recovery permit or reject the application.

Considerations

- (5) In deciding whether to issue a permit and what additional terms and conditions, if any, should apply to it, the Director shall consider,
- (a) the purpose of this Act;
 - (b) whether Aboriginal consultation has occurred in accordance with any prescribed requirements;
 - (c) any arrangements that have been made with a surface rights owner of the land respecting the proposed recovery and remediation;

- (d) whether, if the remediation were carried out in accordance with the proposed recovery and remediation plan, the condition of the land with respect to one or both of public health and safety or the environment would be improved following the recovery and remediation; and
- (e) any other prescribed matter.

Plan to form part of permit

(6) A recovery permit that is issued by the Director shall include the recovery and remediation plan proposed by the permit holder, subject to any modifications specified by the Director.

Effective duration of permit

(7) A recovery permit is effective from the later of the day it is issued and the day on which the Director gives notice to the permit holder acknowledging that the financial assurance, if any, required by the permit has been provided, and ceases to be effective on the date specified in the permit.

Amendment, renewal of permit

(8) On application by the permit holder in accordance with the regulations or on the Director's own initiative, the Director may, after considering the matters listed in subsection (5), amend or renew a recovery permit.

Excluded lands

152.2 (1) Subsection 152.1 (1) does not apply with respect to tailings or other waste materials that are located on,

- (a) any prescribed land or class of land; or
- (b) any land designated by the Director under subsection (2).

Designations

(2) The Director may designate specified lands for the purposes of clause (1) (b).

Designations shall be public

(3) The Director shall publish every designation made under subsection (2) on a website of the Government of Ontario.

Conflict

(4) In the event of a conflict between a regulation made for the purposes of clause (1) (a) and a designation made under subsection (2), the regulation prevails to the extent of the conflict.

Compliance with permit

152.3 Every recovery permit holder shall comply with the permit, including, for greater certainty, the recovery and remediation plan that forms part of the permit and the terms and conditions to which the permit is subject.

Transfer of permit

152.4 (1) A recovery permit holder may transfer the permit to another person if the Director has consented in writing to the transfer and the transfer is carried out in accordance with such terms and conditions as the Director specifies in writing.

Transferee bound by permit

(2) A recovery permit that is transferred to a person under subsection (1) is binding on and enforceable against the person.

Return or release of financial assurance

152.5 The Director may, on the request of a recovery permit holder to return or release any or all financial assurance provided by the permit holder in accordance with the permit, make an order returning or releasing the amount, if the Director is satisfied that the amount is not required in respect of the permit.

Director may make orders

Re non-compliance with permit

152.6 (1) If the Director has reasonable grounds for believing that a recovery permit holder has failed to comply with the permit, the Director may, by order,

- (a) require the permit holder to achieve compliance with the permit within the time specified in the order;
- (b) require the permit holder to prevent the continuation or repetition of the failure to comply within the time specified in the order;
- (c) require the permit holder to cease carrying out activities under the permit until the failure to comply is addressed to the Director's satisfaction and the order to cease activity has been revoked; or
- (d) cancel the permit.

To repair or prevent injury, etc.

(2) If the Director has reasonable grounds for believing that the activities being carried out under a recovery permit have injured, damaged or endangered public health and safety or the environment, or are likely to do so, the Director may, by order, require the permit holder, any owner of the land, or all of them jointly to repair the injury or damage or prevent the injury, damage or danger.

Failure to comply

(3) Failure to comply with an order made under clause (1) (a), (b) or (c) or subsection (2) constitutes an offence that continues for each day during which the failure continues.

Directions to Ministry employees, agents

152.7 (1) This section applies if the Director has reasonable grounds for believing that,

- (a) a recovery permit holder has failed to comply with an order made under clause 152.6 (1) (a), (b) or (c); or
- (b) the activities being carried out under a recovery permit have injured, damaged or endangered public health and safety or the environment, or are likely to do so.

Same

(2) The Director may give directions in accordance with subsection (3) to the employees and agents of the Ministry, if the Director is of the opinion that it is in the public interest to do so and,

- (a) the Director is of the opinion that the recovery permit holder will not carry out promptly the work required to comply with the order or to repair the injury or damage or prevent the injury, damage or danger; or
- (b) the recovery permit holder requests the Director's assistance in order to comply with the order or to repair the injury or damage or prevent the injury, damage or danger.

Same

(3) The Director may, under subsection (2), direct employees and agents of the Ministry to do everything practicable, or to do such work and take such action as may be specified in the directions, in respect of the failure to comply with the order or of the repair of the injury or damage or prevention of the injury, damage or danger.

Same

(4) The Director need not hold, or afford to any person an opportunity for, a hearing before giving directions under subsection (2).

Use of financial assurance by Crown

(5) The Crown may, for the purpose of carrying out the directions, use any cash, realize any letter of credit or bond or enforce any other security, guarantee or protection provided by the recovery permit holder as financial assurance in respect of the permit.

Where cost debt due to Crown

(6) Any of the total cost incurred by the Crown in carrying out the directions that is not covered by financial assurance provided by the recovery permit holder is a debt due to the Crown by the permit holder, subject to subsection (7), that,

- (a) forms a lien and a charge on the land that is the subject of the permit in favour of the Crown, realizable by action for sale of any part or all of the land subject to the lien, including any buildings, structures, machinery, chattels or personal property situate in, on, over or under the land; and
- (b) is recoverable by the Crown in any court in which a debt or money demand of a similar amount may be collected.

Same

(7) If the permit holder is not an owner of the land to which the recovery permit relates, or is not the only owner, the permit holder and every owner of the land that is not the Crown are jointly and severally liable for a debt due under subsection (6).

Same

(8) Subsections 151 (4), (5) and (6) apply with necessary modifications with respect to the debt due to the Crown under subsection (6).

8 Section 153.3 of the Act is amended by adding the following subsection:**Recovery permit not contrary intention**

(1.1) The issuance of a recovery permit does not constitute a contrary intention under subsection (1).

9 Section 153.5 of the Act is amended by adding "made under this Part" after "any order".

Commencement

10 This Schedule comes into force on a day to be named by proclamation of the Lieutenant Governor.

SCHEDULE 13
MINISTRY OF INFRASTRUCTURE ACT, 2011

1 Clause 7.1 (4) (c) of the *Ministry of Infrastructure Act, 2011* is amended by striking out “*Business Corporations Act*” and substituting “*Business Corporations Act, Not-for-Profit Corporations Act, 2010*”.

Commencement

2 This Schedule comes into force on the later of the day the *Supporting People and Businesses Act, 2021* receives Royal Assent and the day subsection 4 (1) of the *Not-for-Profit Corporations Act, 2010* comes into force.

**SCHEDULE 14
NORTHERN SERVICES BOARDS ACT**

1 The definition of “Minister” in section 1 of the *Northern Services Boards Act* is repealed and the following substituted:

“Minister” means the Minister of Northern Development, Mines, Natural Resources and Forestry or any other member of the Executive Council to whom responsibility for the administration of this Act may be assigned or transferred under the *Executive Council Act*; (“ministre”)

2 (1) Subsection 3 (4.1) of the Act is repealed and the following substituted:

How notice is given

(4.1) The person calling the meeting shall,

- (a) post the notice of the meeting in at least one location visible to the public in the proposed Board area;
- (b) send the notice to the Minister; and
- (c) if available, publish the notice in a local publication available in physical form and having general circulation in the proposed Board area or by electronic means or in an electronic format.

(2) Subsection 3 (6) of the Act is repealed and the following substituted:

Recording secretary

(6) The chair shall appoint from among the inhabitants present a recording secretary who shall,

- (a) record the proceedings of the meeting;
- (b) post copies of the record of the proceedings in at least one location visible to the public in the proposed Board area;
- (c) if available, publish the record of the proceedings in a local publication available in physical form and having general circulation in the proposed Board area or by electronic means or in an electronic format;
- (d) send a copy of the record of the proceedings signed by the recording secretary, including the recommendations agreed upon by the meeting under subsection (8), to the Minister.

3 Clauses 14 (4) (c) and (d) of the Act are repealed and the following substituted:

- (c) ensure that copies of the minutes of meetings are posted in at least one location visible to the public in the Board area and, if available, by electronic means or in an electronic format;
- (d) post notices of meetings called by the Board in at least one location visible to the public in the Board area and, if available, publish them by electronic means or in an electronic format;

4 Section 17 of the Act is amended by striking out “posted up in at least six conspicuous places in the Board area” and substituting “posted in at least one location visible to the public in the Board area and, if available, published by electronic means or in an electronic format”.

5 Subsection 19 (2) of the Act is repealed and the following substituted:

Notice

(2) At least two weeks before the election meeting, the secretary shall,

- (a) post a notice of the place, date and time of the election meeting in at least one location visible to the public in the Board area;
- (b) if available, publish the notice by electronic means or in an electronic format; and
- (c) send a copy of the notice to the Minister.

Commencement

6 This Schedule comes into force on the day the *Supporting People and Businesses Act, 2021* receives Royal Assent.

**SCHEDULE 15
OCCUPATIONAL HEALTH AND SAFETY ACT**

1 (1) Subsection 1 (1) of the *Occupational Health and Safety Act* is amended by adding the following definition:

“engineer” means, subject to any prescribed requirements or restrictions, a person who is licensed as a professional engineer or who holds a limited licence under the *Professional Engineers Act*; (“ingénieur”)

(2) The definition of “engineer of the Ministry” in subsection 1 (1) of the Act is repealed.

(3) Subsection 1 (1) of the Act is amended by adding the following definition:

“professional engineer of the Ministry” means a person employed by the Ministry and who is licensed as a professional engineer under the *Professional Engineers Act*; (“ingénieur du ministère”)

(4) Subsection 1 (3) of the Act is amended by striking out “professional”.

2 Section 8 of the Act is amended by adding the following subsection:

Same

(14.1) A health and safety representative may share with an inspector any of the findings made by the representative under subsection (14).

3 Section 9 of the Act is amended by adding the following subsection:

Same

(31.1) A member of a committee who is designated to investigate cases under subsection (31) may share with an inspector any of the findings made by the member under subsection (31).

4 Subsection 25 (4) of the Act is repealed and the following substituted:

Same

(4) Unless otherwise prescribed, clause (2) (j) does not apply with respect to a workplace at which five or fewer workers are regularly employed.

5 Subsections 29 (3) and (4) of the Act are amended by striking out “an engineer of the Ministry” wherever it appears and substituting in each case “a professional engineer of the Ministry”.

6 Subsection 31 (2) of the Act is repealed and the following substituted:

Architects and engineers

(2) An architect, as defined in the *Architects Act*, or an engineer contravenes this Act if, as a result of the architect’s or engineer’s advice that is given or the architect’s or engineer’s certification required under this Act that is made negligently or incompetently, a worker is endangered.

Same

(3) For greater certainty, a contravention described in subsection (2) continues for each day or part of a day that a worker is endangered.

7 Subsection 51 (1) of the Act is amended by adding “and to the committee, health and safety representative and trade union, if any” after “Director”.

8 (1) Clause 54 (1) (k) of the Act is amended by striking out “a professional engineer” and substituting “an engineer” and by striking out “the professional engineer” and substituting “the engineer”.

(2) Clause 54 (1) (m) of the Act is amended by striking out “a professional engineer” in the portion before subclause (i) and substituting “an engineer”.

(3) Clause 54 (1) (n) of the Act is amended by striking out “a professional engineer” and substituting “an engineer”.

9 The Act is amended by adding the following section:

Order for written notices to Director under s. 52 (1)

55.4 For the purposes of subsection 52 (1), an inspector may, in writing, order an employer to give written notice to a Director during such period as may be specified by the inspector.

10 Subsection 65 (2) of the Act is amended by striking out “an engineer of the Ministry” and substituting “a professional engineer of the Ministry”.

11 Paragraph 15 of subsection 70 (2) of the Act is repealed and the following substituted:

15. prescribing elements that any policy or program required under this Act must contain and the format that the policy or program must be in;

Commencement

12 (1) Subject to subsection (2), this Schedule comes into force on the day the *Supporting People and Businesses Act, 2021* receives Royal Assent.

(2) Sections 1, 5, 6, 8 and 10 come into force on a day to be named by proclamation of the Lieutenant Governor.

SCHEDULE 16
ONTARIO AGENCY FOR HEALTH PROTECTION AND PROMOTION ACT, 2007

1 Section 10 of the *Ontario Agency for Health Protection and Promotion Act, 2007* is repealed and the following substituted:

Chair and vice-chairs

10 (1) The Lieutenant Governor in Council shall designate a chair and at least one vice-chair from among the members of the board of directors.

Transitional

(2) The chair and vice-chairs who were designated immediately before the *Supporting People and Businesses Act, 2021* received Royal Assent continue to be authorized to act in those capacities until the Lieutenant Governor in Council makes a designation under subsection (1).

Commencement

2 This Schedule comes into force on the day the *Supporting People and Businesses Act, 2021* receives Royal Assent.

SCHEDULE 17
ONTARIO COLLEGE OF TEACHERS ACT, 1996

1 (1) Clause 4 (2) (a) of the *Ontario College of Teachers Act, 1996* is amended by striking out “nine” at the beginning and substituting “six”.

(2) Clause 4 (2) (b) of the Act is amended by striking out “nine” at the beginning and substituting “six”.

2 (1) Subsection 9 (2) of the Act is amended by striking out “and may appoint one or more deputy registrars who shall have the powers of the Registrar for the purposes of this Act” at the end.

(2) Subsection 9 (4) of the Act is repealed and the following substituted:

Deputy Registrar

(4) The Registrar may appoint one or more deputy registrars who shall have the powers of the Registrar for the purposes of this Act.

Fluency in English and French

(5) Either the Registrar or a deputy registrar must be fluent in English and French.

3 Section 14 of the Act is amended by adding the following subsections:

Use of title

(6) No person except a member of the College in good standing shall use the English title “Ontario Certified Teacher” or the French title “Enseignant(e) agréé(e) de l’Ontario” or an abbreviation of any of those titles to describe themselves or their profession.

Good standing

(7) For the purposes of subsection (6), a person’s membership in the College is in good standing if the member has paid their annual membership fee and holds a valid certificate of qualification and registration that is not revoked, suspended, or cancelled.

Use of title, inactive/non-practising

(8) No person except a member of the College whose certificate of qualification and registration has been suspended solely for the reason described in clause 24 (1) (a) shall use the English title “Ontario Certified Teacher — Inactive/Non-Practising” or the French title “Enseignant(e) agréé(e) de l’Ontario — Membre inactif” or an abbreviation of any of those titles to describe themselves or their profession.

Holding out as a member of the College

(9) No person except a member of the College shall represent or hold out expressly or by implication that they are a member of the College.

4 Paragraphs 1 to 3 of subsection 17 (1) of the Act are repealed and the following substituted:

1. The panel must consist of at least three persons selected from the committee or the roster of eligible panellists for the committee established under subsection (4).
2. The panel must have at least one member of the College and one non-member.
3. At least one member of the panel shall be a member of the committee, unless the chair of the committee directs that this paragraph does not apply.

5 (1) Clause 23 (2) (c) of the Act is repealed and the following substituted:

(c) subject to clause (c.1), a notation of every revocation, cancellation and suspension of a certificate of qualification and registration;

(c.1) the notation “Inactive/Non-Practising” for a certificate of qualification and registration that is suspended under clause 24 (1) (a);

(2) Subsection 23 (2.5) of the Act is amended by striking out “and” at the end of clause (b) and by adding the following clause:

(b.1) the notation referred to in clause (2) (c.1) if the member is reinstated under subsection 24 (3); and

6 The Act is amended by adding the following section:

Offence: improper use of title or holding out as member

49.1 Any person who contravenes subsection 14 (6), (8) or (9) is guilty of an offence and on conviction is liable to a fine of not more than \$5,000 for a first offence and not more than \$10,000 for a subsequent offence.

7 Clauses 66 (5) (a) and (b) of the Act are amended by striking out “nine” wherever it appears and substituting in each case “six”.

Commencement

8 This Schedule comes into force on the day the *Supporting People and Businesses Act, 2021* receives Royal Assent.

SCHEDULE 18
ONTARIO ENERGY BOARD ACT, 1998

1 (1) Subsection 4.3 (1) of the *Ontario Energy Board Act, 1998* is amended by striking out “and no more than 10”.

(2) Section 4.3 of the Act is amended by adding the following subsection:

Non-application of *Labour Relations Act, 1995*

(6.1) The *Labour Relations Act, 1995* does not apply to commissioners.

2 (1) Subsections 4.10 (3), (5), (6) and (7) of the Act are repealed.

(2) Subsections 4.10 (8), (9), (10) and (11) of the Act are amended by striking out “clause (2) (d)” wherever it appears and substituting in each case “clause (2) (b) or (d)”.

(3) Subsection 4.10 (12) of the Act is amended by striking out “(5) or”.

Commencement

3 This Schedule comes into force on the day the *Supporting People and Businesses Act, 2021* receives Royal Assent.

**SCHEDULE 19
PLANNING ACT**

1 The *Planning Act* is amended by adding the following section:

Minor by-laws — delegation

39.2 (1) Subject to subsection (2), the council of a local municipality may, by by-law, delegate the authority to pass by-laws under section 34 that are of a minor nature to,

- (a) a committee of council; or
- (b) an individual who is an officer, employee or agent of the municipality.

Official plan requirement

(2) Subsection (1) does not apply unless there is an official plan in effect in the local municipality that specifies the types of by-laws in respect of which there may be a delegation of authority under that subsection.

Same

(3) Without limiting the generality of the meaning of a by-law passed under section 34 that is of a minor nature, such by-laws may include,

- (a) a by-law to remove a holding symbol; and
- (b) a by-law to authorize the temporary use of land, buildings or structures in accordance with subsection 39 (1).

Conditions

(4) A delegation of authority made by a council under subsection (1) may be subject to such conditions as the council, by by-law, provides.

Withdrawal of delegation

(5) A council may, by by-law, withdraw a delegation of authority made by it under subsection (1), and the withdrawal may be in respect of one or more by-laws in respect of which a final disposition was not made before the withdrawal.

Municipal Act, 2001

2 Paragraph 5 of subsection 23.3 (1) of the *Municipal Act, 2001* is amended by adding “except as provided under section 39.2 of that Act” at the end.

City of Toronto Act, 2006

3 Paragraph 5 of subsection 22 (1) of the *City of Toronto Act, 2006* is amended by adding “except as provided under section 39.2 of that Act” at the end.

Commencement

4 This Schedule comes into force on the day the *Supporting People and Businesses Act, 2021* receives Royal Assent.

SCHEDULE 20
POLICE RECORD CHECKS REFORM ACT, 2015

1 Subsection 1 (1) of the *Police Record Checks Reform Act, 2015* is amended by adding the following definition:

“volunteer” means a person who performs a service but who receives no compensation for doing so other than an allowance for expenses or an honorarium, and excludes a person receiving some other form of credit such as academic credit or fulfilling a sentence requirement; (“bénévole”)

2 Section 7 of the Act is amended by adding the following subsection:

Same, volunteers

(6) Despite subsection (5), no fee shall be charged by a person referred to in clause (a) or (b) of the definition of “police record check provider” in subsection 1 (1) in respect of the following, if the police record check requested under subsection (1) of this section is of a type set out in paragraph 1 or 2 of subsection 8 (1) and the check is in relation to the individual becoming a volunteer or continuing as a volunteer:

1. The conduct of the check under section 8.
2. The disclosure of the results of the check under section 12.
3. Five or fewer copies of the results of the check, if the copies were requested at the time the request for the check was made.

3 Section 8 of the Act is amended by adding the following subsection:

Prescribed requirements

(4) A type of police record check mentioned in subsection (1) that is in respect of an individual becoming a volunteer or continuing as a volunteer shall be conducted in accordance with any prescribed requirements if the check is conducted by a person mentioned in that subsection.

4 The Act is amended by adding the following section:

Limitation on use, volunteers

18.1 A police record check in respect of an individual becoming a volunteer or continuing as a volunteer shall not be relied on, for a prescribed purpose, after the period of time prescribed for that purpose.

Commencement

5 This Schedule comes into force on a day to be named by proclamation of the Lieutenant Governor.

SCHEDULE 21
PROFESSIONAL FORESTERS ACT, 2000

1 (1) Section 1 of the *Professional Foresters Act, 2000* is amended by repealing the definition of “minister”.

(2) Section 1 of the Act is amended by adding the following definitions:

“Crown forest” means Crown forest as defined in section 3 of the *Crown Forest Sustainability Act, 1994*; (“forêt de la Couronne”)

“forest” includes Crown forests, woodlands and urban woodlands; (“forêt”)

“forest operations prescription” means,

- (a) in respect of a Crown forest, forest operations prescription within the meaning of the *Crown Forest Sustainability Act, 1994*; and
- (b) in respect of all other forests, a set of site-specific harvest, renewal and maintenance activities used to achieve the expected structure and condition and the management objectives for such forests; (“prescription touchant des opérations forestières”)

“good forestry practices” means good forestry practices as defined in subsection 1 (1) of the *Forestry Act*; (“bonnes pratiques forestières”)

“Minister” means the Minister of Northern Development, Mines, Natural Resources and Forestry or any other member of the Executive Council to whom responsibility for the administration of this Act may be assigned or transferred under the *Executive Council Act*; (“ministre”)

“sustainability” means, in respect of a Crown forest, the sustainability of a Crown forest as determined in accordance with section 2 of the *Crown Forest Sustainability Act, 1994* and, in respect of all other forests, the long term health of such forests; (“durabilité”)

“urban woodlands” means woodlands found in an urban environment, including those in riparian areas, ravines and wetlands; (“terrain boisé urbain”)

“woodlands” means woodlands as defined in subsection 1 (1) of the *Forestry Act*; (“terrain boisé”)

2 (1) Subsection 3 (1) of the Act is repealed and the following substituted:

Scope of practice

(1) The practice of professional forestry is the provision of services and advice regarding forest operations and the preparation of plans relating to forestry, good forestry practices and the sustainability of forests, and includes:

- (a) designing, specifying or certifying forest operations prescriptions;
- (b) appraising or evaluating forest resources and certifying forests;
- (c) classifying, inventorying and mapping of forests, including distribution, composition, structure, range, age and tree species;
- (d) determining current and desired future forest conditions;
- (e) customizing and using information from forest estate models;
- (f) assessing or auditing planned forest operations to determine, among other things, whether those operations have been carried out as planned; and
- (g) planning and locating forest transportation systems, including forest roads.

(2) Subsection 3 (3) of the Act is repealed.

3 Subsection 14 (7) of the Act is repealed and the following substituted:

Same, prohibition

(7) No person, other than a member, shall,

- (a) use the designation “Registered Professional Forester” or the initials “R.P.F.”, or any name, title, abbreviation or description in any language implying or which may lead to the belief that the person is a registered member of the Association; or
- (b) identify themselves by a title or term in any language that includes the words “professional” and “forester” together or any variations or abbreviations of those words or the initials “P.For.”.

Commencement

4 This Schedule comes into force on the day the *Supporting People and Businesses Act, 2021* receives Royal Assent.

SCHEDULE 22
PROVINCIAL PARKS AND CONSERVATION RESERVES ACT, 2006

1 The *Provincial Parks and Conservation Reserves Act, 2006* is amended by adding the following section:

No right, title or interest by adverse possession

14.5 (1) Despite any other law, including the *Real Property Limitations Act* and any other Act or any common law rule, but subject to subsection (2), no person may acquire a right, title or interest in the following lands by or through the use, possession or occupation of the lands or by prescription, on or after the day the *Supporting People and Businesses Act, 2021* receives Royal Assent:

1. Public lands that are within a provincial park or conservation reserve.
2. Public lands acquired for the purposes of this Act or the *Provincial Parks Act* before its repeal, that are not in a provincial park or conservation reserve.

Application

(2) This section does not apply if the right to bring an action on behalf of Her Majesty against a person for the recovery of the lands was barred by the *Real Property Limitations Act* before the day the *Supporting People and Businesses Act, 2021* received Royal Assent.

Proceedings barred

(3) No proceeding may be brought or maintained in respect of a matter referred to in subsection (1).

Proceedings set aside

(4) A proceeding that may not be maintained under subsection (3) is deemed to have been dismissed, without costs, on the day the *Supporting People and Businesses Act, 2021* received Royal Assent.

Order

(5) Subject to subsection (6), the Minister may issue an order directing the appropriate land registrar to delete any instrument or deposit specified in the order that is registered or deposited on title to lands described in subsection (1) under the *Registry Act*.

Application

(6) Subsection (5) applies only to instruments or deposits registered or deposited against lands claimed by or through the use, possession or occupation of the lands or by prescription in circumstances where subsection (1) applies to the claim.

Deletion

(7) Upon registration of the order referred to in subsection (5) in the proper land registry office in a manner approved by the Director of Titles, the land registrar shall delete the instruments specified in the order.

No compensation

(8) No person is entitled to any compensation for any loss or damages, including loss of revenues or loss of profit, arising from the enactment, amendment, repeal or application of this section.

No expropriation

(9) Nothing in this section and nothing done or not done in accordance with this section constitutes an expropriation or injurious affection for the purposes of the *Expropriations Act* or otherwise at law.

Commencement

2 This Schedule comes into force on the day the *Supporting People and Businesses Act, 2021* receives Royal Assent.

**SCHEDULE 23
PUBLIC LANDS ACT**

1 (1) Section 1 of the *Public Lands Act* is amended by adding the following definition:

“Deputy Minister” means the deputy minister of the Minister; (“sous-ministre”)

(2) The definitions of “Minister” and “Ministry” in section 1 of the Act are repealed and the following substituted:

“Minister” means the member of the Executive Council to whom responsibility for the administration of this Act or part of this Act is assigned or transferred under the *Executive Council Act*; (“ministre”)

“Ministry” means the ministry of the Minister; (“ministère”)

2 The heading to Part I of the Act is repealed and the following substituted:

**PART I
THE MINISTRY**

3 Section 3 of the Act is amended by adding the following subsection:

Transfers, dispositions, etc.

(2) Nothing in subsection (1) prevents the Minister from doing any of the following:

1. Ordering the transfer of the administration and control of public lands in accordance with section 37.1.
2. Directing the disposal of public lands for the purpose of implementing an agreement involving the Crown in right of Ontario and an Indigenous community.
3. Directing the disposal of public lands to a municipality.

4 Section 11 of the Act is amended by striking out “Lieutenant Governor in Council” and substituting “Minister”.

5 The French version of subsection 13 (1) of the Act is amended by striking out “délivrer des permis de construction de bâtiments ou de structures, ou d’aménagement des terres du secteur” and substituting “délivrer des permis pour la construction d’un bâtiment ou d’une structure, ou la réalisation d’améliorations sur des terres du secteur”.

6 Clause 15 (1) (b) of the Act is amended by striking out “and prescribing the fee therefor” at the end.

7 (1) Subsection 17 (1) of the Act is amended by adding “Subject to subsection (1.1)” at the beginning.

(2) Section 17 of the Act is amended by adding the following subsection:

Application of subs. (1)

(1.1) Subsection (1) applies only if the right to bring an action on behalf of Her Majesty against a person for the recovery of the land was barred by the *Real Property Limitations Act* before the day the *Supporting People and Businesses Act, 2021* received Royal Assent.

8 The Act is amended by adding the following section:

No right, title or interest by adverse possession

17.1 (1) Despite any other law, including the *Real Property Limitations Act* and any other Act or any common law rule, but subject to subsection (3), no person may acquire a right, title or interest in public lands, including lands described in subsection (2), by or through the use, possession or occupation of the lands or by prescription on or after the day the *Supporting People and Businesses Act, 2021* receives Royal Assent.

Additional public lands

(2) For greater certainty, “public lands” for the purposes of this section includes lands acquired by the Crown in right of Ontario at any time for the purposes of a past or current program of the Ministry.

Application

(3) This section does not apply if the right to bring an action on behalf of Her Majesty against a person for the recovery of the lands was barred by the *Real Property Limitations Act* before the day the *Supporting People and Businesses Act, 2021* received Royal Assent.

Proceedings barred

(4) No proceeding may be brought or maintained in respect of a matter referred to in subsection (1).

Proceedings set aside

(5) A proceeding that may not be maintained under subsection (4) is deemed to have been dismissed, without costs, on the day the *Supporting People and Businesses Act, 2021* received Royal Assent.

Order

(6) Subject to subsection (7), the Minister may issue an order directing the appropriate land registrar to delete any instrument or deposit specified in the order that is registered or deposited on title to public lands under the *Registry Act*.

Application

(7) Subsection (6) applies only to instruments or deposits registered or deposited against lands claimed by or through the use, possession or occupation of the lands or by prescription in circumstances where subsection (1) applies to the claim.

Deletion

(8) Upon registration of the order referred to in subsection (6) in the proper land registry office in a manner approved by the Director of Titles, the land registrar shall delete the instruments or deposits specified in the order.

No compensation

(9) No person is entitled to any compensation for any loss or damages, including loss of revenues or loss of profit, arising from the enactment, amendment, repeal or application of subsection 17 (1.1) or this section.

No expropriation

(10) Nothing in subsection 17 (1.1) or this section and nothing done or not done in accordance with subsection 17 (1.1) or this section constitutes an expropriation or injurious affection for the purposes of the *Expropriations Act* or otherwise at law.

9 The Act is amended by adding the following section:**Release of habendum or certain restrictions**

19.1 (1) If public lands have been sold under this or any other Act, whether before or after the day this section comes into force, and the letters patent contain a restriction in the habendum with respect to the purposes for which the lands may be used or any other restriction limiting the use of the lands or limiting the owner's ability to further transfer or deal with the lands, the Minister may, upon such terms and conditions as the Minister considers proper, make an order releasing the land or any part of it from the restriction.

Effect

(2) An order made under subsection (1) in respect of a restriction in a habendum has the same legal effect as if the release of the restriction had been confirmed through the issuance of supplemental letters patent.

Order sent to land registry office

(3) The Minister may, in the Minister's discretion, register the order in the proper land registry office in a manner approved by the Director of Titles.

Registration

(4) Upon registration of an order under subsection (3) the land registrar shall provide a copy, including the particulars of the registration, to the person or entities identified by the Ministry.

10 Subsection 23 (2) of the Act is amended by striking out "the prescribed fee" and substituting "any required fee".**11 (1) Section 37.1 of the Act is amended by adding the following subsection:****Release from reversionary clause**

(2.1) If an order under subsection (1), or an order-in-council, that transfers responsibility for the administration and control of public lands from the Minister to the Crown in right of Canada or an agent corporation within the meaning of the *Financial Administration Act* (Canada) contains either a provision requiring that the administration and control of the lands be returned to the Crown in right of Ontario at some point in time or upon such other specified terms or a provision requiring that the lands be used by the Crown in right of Canada or the agent corporation only for a specified purpose, the Minister may, by order, release the Crown in right of Canada or the agent corporation from any such requirement.

(2) Subsections 37.1 (3) and (4) of the Act are repealed and the following substituted:**Order sent to land registry office**

(3) The Minister may, in the Minister's discretion, register the order in the proper land registry office in a manner approved by the Director of Titles.

Registration

(4) Upon registration of an order under subsection (3) the land registrar shall provide a copy, including the particulars of the registration, to the person or entities identified by the Ministry.

12 Subsection 39 (1) of the Act is amended by striking out "the Lieutenant Governor in Council" at the end and substituting "the Minister".

13 Section 40 of the Act is amended by striking out “the Deputy Minister of Natural Resources” and substituting “the Deputy Minister”.

14 Clause 47 (a) of the Act is repealed.

15 Subsection 61 (4) of the Act is amended by striking out “the Deputy Minister of Natural Resources” and substituting “the Deputy Minister”.

16 Part III of the Act is amended by adding the following section:

Fees, etc.

69.3 (1) The Minister may establish and charge fees or other charges for any service, approval, permission or decision related to the management, use or disposition of public lands under this Act.

Same

(2) For greater certainty, where any provision of this Act requires or permits the Minister to set terms, conditions, or terms and conditions with respect to any activity, the power to set terms or conditions includes the power to require the payment of a fee or other charge established by the Minister.

Requirement to pay

(3) A person shall pay any fees or other charges established by the Minister under this Act.

Change, refund, etc.

(4) Where, under this section or any other provision of this Act, the Minister has the power to establish a fee or other charge, the Minister may change the amount of the fee or charge and may direct the refund or waiver of all or part of any fee or charge if, in the Minister’s opinion, it is equitable to do so.

Commencement

17 (1) Subject to subsection (2), this Schedule comes into force on the day the *Supporting People and Businesses Act, 2021* receives Royal Assent.

(2) Section 14 comes into force on a day to be named by proclamation of the Lieutenant Governor.

SCHEDULE 24
TORONTO ATMOSPHERIC FUND ACT, 2005

1 Subsections 11 (8) and (9) of the *Toronto Atmospheric Fund Act, 2005* are repealed.

Commencement

2 This Schedule comes into force on the day the *Supporting People and Businesses Act, 2021* receives Royal Assent.

SCHEDULE 25
WATER OPPORTUNITIES ACT, 2010

1 Part II of the *Water Opportunities Act, 2010* is repealed.

2 Clause 42 (1) (b) of the Act is repealed.

Commencement

3 This Schedule comes into force on the day the *Supporting People and Businesses Act, 2021* receives Royal Assent.



The Corporation of Norfolk County

By-Law [REDACTED]-OP-2022

Being a By-Law to Adopt Amendment Number [REDACTED] to the Norfolk County Official Plan in respect of municipal-initiated amendments for streamlining development approvals in accordance with provincial legislation.

WHEREAS the *Planning Act, R.S.O. 1990, CHAPTER P.13*, as amended, Section 17 (22) states that “When the requirements of subsection (15) to (21), as appropriate, have been met and the Council is satisfied that the plan as finally prepared is suitable for adoption, the Council may adopt all or part of the Plan and, unless the plan is exempt from approval submit it for approval.”;

AND WHEREAS the Council of The Corporation of Norfolk County has considered an amendment to the Norfolk County Official Plan in accordance with the provisions of the Planning Act, R.S.O. 1990, c.P.13 as amended, Sections 17, 21 and 22.

NOW THEREFORE the Council of The Corporation of Norfolk County hereby enacts as follows:

1. That amendment number [REDACTED] to the Norfolk County Official Plan as set out in the text and Schedule “A” attached hereto is hereby adopted.
2. That the effective date of this By-Law shall be the date of passage thereof.

ENACTED AND PASSED this [REDACTED] day of [REDACTED], 2022.

Mayor

County Clerk

Amendment Number [REDACTED] to the Norfolk County Official Plan

Part A: Preamble to the Amendment

The purpose of amendment number [REDACTED] to the Norfolk County Official Plan is to add retail use on the ground floor of a building with permitted residential uses.

Location of the Lands Affected

All lands within the municipality that may be subject to the development application types described within the amendment.

Basis of the Amendment

The purpose of this application is to update the Official Plan to add policies to allow for usage of changes made to the *Planning Act* via Bill 13 that can be utilized to delegate the approval of passing minor zoning by-laws from Council that are of a minor nature to a committee of council or an individual who is an officer, employee or agent of the municipality. Bill 13 introduced new clause 39.2 to the Planning Act which outlines that such delegation may include passing a bylaw under section 34 that is minor in nature, along with also a by-law to remove a holding symbol, and a by-law to authorize the temporary use of land, buildings or structures.

This amendment has been reviewed in accordance with the Provincial Policy Statement and the Norfolk County Official Plan and is consistent and in conformity with these planning documents.

Part B: The Amendment

That the Norfolk County Official Plan is hereby amended as follows:

Revise Policy 9.4.2

Add new Policy 9.4.2.1 at the end of the section as follows:

- 1) That subject to the policies of this section and plan, that the authority for passing a by-law under the *Planning Act* with the effect of lifting or removing of a holding provision for a property or properties pending confirmation of justification to do so may be delegated by by-law from Council to the appropriate municipal staff having oversight of the planning and development function (such as the Director of Planning). This may include provisions for referral of a specific holding by-law removal to a Committee of Council (such as a Planning Advisory Committee) or

Council as necessary.

Revise Policy 9.4.4

Add new Policy 9.4.4.1 at the end of the section as follows:

1. That subject to the policies of this section and plan, that the authority for passing a by-law under the *Planning Act* with the effect of a new or renewed temporary use by-law for a property or properties, pending confirmation of justification to do so, may be delegated by by-law from Council to the appropriate municipal staff having oversight of the planning and development function (such as the Director of Planning). This may include provisions for referral of a specific temporary use by-law to a Committee of Council (such as a Planning Advisory Committee) or Council as necessary.

Add New Policy 9.4.6

9.4.6 Minor Zoning By-laws

That subject to the policies of this section and plan, that the authority for passing a by-law under the *Planning Act* with the effect of a minor zoning by-law amendment for a property, properties, general or specific zoning provisions that may apply to portions of or the entire municipality, pending confirmation of justification to do so, may be delegated by by-law from Council to the appropriate municipal staff having oversight of the planning and development function (such as the Director of Planning). This may include provisions for referral of a specific temporary use by-law to a Committee of Council (such as a Planning Advisory Committee) or Council as necessary. For the purposes of this policy “minor” may include:

- Technical update amendment to the zoning by-law (eg. “housekeeping”)
- Deeming by-laws (eg. to deem the merging of two or more registered lots to be considered as one)
- Rezoning one or more parcels of land whereby the new zoning would directly implement and comply with the Official Plan designation in force for the subject lands and not require any site specific special provisions or other relief (e.g. for a property to go from an existing agricultural zone to a hamlet residential zone that would entirely comply with the hamlet residential designation of the Official Plan)

Additional types of “minor” zoning by-laws may be added via amendment to this plan and implementing delegation by-law.

Part C: Additional Information

This document will be implemented by Norfolk County enacting an appropriate amendment to the Norfolk County Zoning By-Law 1-Z-2014.

THE CORPORATION OF NORFOLK COUNTY

By-law Number 2022-

Being a by-law to delegate certain powers and duties as authorized under the Planning Act and Municipal Act

WHEREAS Section 23.1 of the Municipal Act, 2001, S.O. 2001, c. 25 (the Act), as amended authorizes a municipality to delegate its powers and duties under the Act or any other Act to a person or body subject to certain restrictions;

WHEREAS Section 224 (d) of the Act states that it is the role of Council to ensure that administrative policies, practices and procedures are in place to implement the decisions of Council;

WHEREAS Section 227 of the Act states that it is the role of officers and employees of the municipality to: (a) implement Council's decisions and establish administrative practices and procedures to carry out Council's decisions; and (c) carry out other duties under this or any other Act and other duties assigned by the municipality;

WHEREAS Section 284.1 of the Act provides for a review or appeal of a decision made by a person or body in the exercise of a power delegated by the municipality under the Act;

WHEREAS Section 39.2 of the Planning Act, R.S.O. 1990, c. P.13, as amended provides that the council of a local municipality may, by by-law, delegate the authority to pass by-laws under section 34 that are of a minor nature to a committee of council or an individual who is an officer, employee or agent of the municipality;

WHEREAS the Norfolk County Official Plan, as amended implements Section 39.2 of the Planning Act R.S.O. 1990, c. P.13, as amended to establish policies and further authority and description for the delegation to pass certain zoning by-laws that are of a minor nature;

AND WHEREAS the Council of the Corporation of Norfolk County deems it expedient to delegate certain minor or routine decisions on zoning by-laws to designated staff to improve business efficiencies and streamline development approvals while adhering to the principles of accountability and transparency;

NOW THEREFORE, the Council of The Corporation of Norfolk County enacts as follows:

Part 1 – Nature and Scope of Delegation of Powers and Duties

- 1.1 Council delegates the powers, duties and restrictions to the Director of Planning to decide and pass zoning by-laws related to:
 - 1.1.1 The removal of holding provisions
 - 1.1.2 New or extensions for temporary use provisions
 - 1.1.3 Other minor zoning changes that are limited to those that are:
 - 1.1.3.1 Technical (“housekeeping”) changes to text or mapping
 - 1.1.3.2 Deeming
 - 1.1.3.3 Rezoning of one or more parcels of land to zoning category that would entirely implement and comply with the Official Plan land use designation for the subject parcel(s) and does not require any site specific special provisions
- 1.2 All authorities set out in legislation or approved Norfolk County policies or programs remain in place and do not fall within the scope of this by-law. This includes any provisions under the Planning Act, R.S.O. 1990, c. P.13, as amended, related to notice requirements and appeal rights for the zoning by-law types referred to in Clause 1.1. The Municipal Fees and Charges By-law, as amended would continue to apply.
- 1.3 Through the circulation of the zoning by-law types referred to in Clause 1.1, the Director of Planning, in consultation with the Ward Councillor and Mayor, or conversely, the Ward Councillor or Mayor may require the Director of Planning, to direct the decision on a specific by-law to Council. This may include:
 - 1.3.1 Referring the matter for recommendation from the Planning Advisory Committee prior to Council; or
 - 1.3.2 Referring the matter for further recommendation from the Public Hearing Committee prior to Council, or
 - 1.3.3 Referring the matter for decision by the Planning Advisory Committee.

Part 2 – Implementation and General Provisions

- 2.1 Where authority is delegated to any person under this by-law, the Chief Administrative Officer or, the applicable General Manager or designate, in

consultation with the Chief Administrative Officer, may also exercise that authority.

- 2.2 Should any position identified in this by-law with delegated powers or duty be vacant, including approved leaves, or no longer exist, the powers and duties of that position may be exercised by a person deemed to have authority of the position until such time as the position is no longer vacant, or a new delegation for the corresponding power or duty is approved.
- 2.3 The Chief Administrative Officer may delegate authority in writing when positions identified in this by-law are vacant or duties are reassigned to other positions.
- 2.4 Despite any provision of this by-law, a delegate shall not approve any matter or execute any document if the transaction or activity to which the matter or document relates would have any budget impact or result in any program, project or activity which has not been approved by Council or is not of an administrative or operation nature related to the implementation of the matter which has been so delegated.
- 2.5 Notwithstanding the foregoing, Council retains the authority, at any time and without notice, to revoke any delegated power that has been delegated pursuant to this by-law or rescind this by-law.
- 2.6 All relevant by-laws and resolutions of the Corporation of Norfolk County shall apply to the exercise of delegated authority, as authorized by this by-law, or any associated standalone delegation of authority by-law.
- 2.7 Any reference to legislation, regulations or by-laws in this by-law shall be interpreted to include all amendments and any successor legislation thereof.
- 2.8 In the event that any provision or part of this by-law is found to be invalid for any reason whatsoever, then the particular provision or part thereof shall be deemed to be severed from the remainder of the by-law and all other provisions or parts thereof shall remain in full force and shall be valid.
- 2.9 In the event of any inconsistency between this by-law and any other by-law, the more restrictive provision shall prevail to the extent of the inconsistency.
- 2.10 An annual report be provided to Council documenting all minor zoning by-law matters decided under this by-law.
- 2.11 This by-law shall be known as the Minor Zoning Amendment Delegated Authority By-law.
- 2.12 The effective date of this By-Law shall be the date of passage thereof.

ENACTED AND PASSED this [redacted] day of [redacted], 2022.

Mayor

County Clerk