

## CONSTRUCTION LAW CHANGES IN ONTARIO

As of Jun 12, 2022

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### Provincial Government Bills

1st Session, ***43rd Parliament*** - ***There have been no bills or sittings yet of the 43<sup>rd</sup> Parliament since the June 2, 2022 majority win by the Progressive Conservative Party. First sittings have not yet been announced.***

### Private Members' Bills

***1st Session, 43rd Parliament*** - ***There have been no bills the June 2, 2022 majority win by the Progressive Conservative Party.***

### Pending Proclamations of Bills

#### Not-for-Profit Corporations Act, 2010

This Act's in-force date was October 19, 2021 (the "Proclamation Date"). The Ontario Not-for-Profit Corporations Act, 2010 applies to all Ontario non-profit corporations. Current Ontario non-share capital corporations, such as the OGCA, have until October 2024 to review and amend their documents to conform with the new statute.

#### Moving Ontarians More Safely Act, 2021

Most of this Act has not, ***as of Jun 12, 2022,*** been proclaimed in force.

### Regulations

(reflects contents of the Ontario Gazette through to ***Jun 11, 2022***)

#### Ontario Regulation 837/21

##### PROFESSIONAL ENGINEERS ACT

This regulation, which was published in the December 25, 2021 issue of the Ontario Gazette, amends O. Reg 941 (General Regulation) by setting out requirements for affixing an electronic seal and signature to certain engineering documents. The Regulation will come into force on July 31, 2022.

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### **Ontario Regulation 174/22**

#### **HIGHWAY TRAFFIC ACT**

This regulation, which was published in the March 25, 2022 issue of the Ontario Gazette, provides a new regulation, the Classes of Vehicles Requiring Annual and Semi-Annual Inspections Regulation. Under the new regulation, most commercial pick-up trucks would require annual inspections. This Regulation comes into effect on January 1, 2024.

### **Ontario Regulation 183/22**

#### **ENVIRONMENTAL PROTECTION ACT**

This regulation, which was published in the March 25, 2022 issue of the Ontario Gazette, amends O.Reg 457/19 to modify emission standards for certain heavy diesel vehicles. Most of the regulation comes into force on April 1, 2022 and O.Reg 457/19 will be revoked as of July 1, 2022.

### **Ontario Regulation 185/22**

#### **HIGHWAY TRAFFIC ACT**

This regulation, which was published in the March 25, 2022 issue of the Ontario Gazette, establishes a new regulation for Portable Traffic Control Systems, which deal with traffic lane closures and automated flagger assistances devices. The Regulation will also revoke Ontario Regulation 606. This Regulation comes into effect on the day when Schedule 1 of the Moving Ontarians More Safely Act, 2021 comes into force.

### **Ontario Regulation 217/22**

#### **BUILDING CODE ACT, 1992**

This regulation, which was published in the April 1, 2022 issue of the Ontario Gazette, amends O. Reg 332/12 (Building Code) about information disclosure requirements among the chief building official, the clerk of the municipality and the fire chief of each municipality. The Regulation will come into force on July 1, 2022.

### **Ontario Regulation 261/22**

#### **FAIR ACCESS TO REGULATED PROFESSIONS AND COMPULSORY TRADES ACT, 2006**

This regulation, which was published in the April 23, 2022 issue of the Ontario Gazette, outlines procedures for applying for an exemption for Canadian experience requirements and sets out testing requirements for English language proficiency. Most of the Regulation will come into force on July 1, 2022, whereas sections 5 and 6 dealing with decisions by professional regulators, will come into force on July 1, 2023.

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### **Ontario Regulation 434/22**

#### **BUILDING CODE ACT, 1992**

This regulation, which was published in the May 14, 2022 issue of the Ontario Gazette, amends O. Reg 332/12 (Building Code) provides certain exemptions for obtaining a permit under section 8 or 10 of the Act, for the construction of temporary Health or Residential facilities. The amendments, which came into effect on April 26, 2022, will be revoked as of March 31, 2023.

### **Ontario Regulation 443/22**

#### **NEW HOME CONSTRUCTION LICENSING ACT, 2017**

This regulation, which was published in the May 14, 2022 issue of the Ontario Gazette, amends O. Reg 625/20 (Delegation of Regulation Making Authorities) to address certain tax law requirements. The amendments came into effect on April 28, 2022.

### **Ontario Regulation 451/22**

#### **BUILDING CODE ACT, 1992**

This regulation, which was published in the May 14, 2022 issue of the Ontario Gazette, amends portions of O. Reg 332/12 (Building Code), including, but not limited to: the definition of 'Combustible construction' to include encapsulated mass timber construction; requirements for combustible flooring elements, combustible stairs and combustible interior finishes; certain minimum required fire resistance ratings; and various requirements for site assembled and factory-built buildings. It also provides requirements to allow for partial occupancy of super tall buildings. Most of the amendments come into force on July 1, 2022 and all requirements will be in force as of Nov 1, 2022.

### **Ontario Regulation 453/22**

#### **NEW HOME CONSTRUCTION LICENSING ACT, 2017**

This regulation, which was published in the May 14, 2022 issue of the Ontario Gazette, amends O. Reg 631/20 (Applications for Licenses) by prescribing legislation which if contravened would impact the status of a **license under the Act**. The amendments come into force on July 1, 2022.

### **Ontario Regulation 459/22**

#### **BUILDING OPPORTUNITIES IN THE SKILLED TRADES ACT, 2021**

This regulation, which was published in the May 21, 2022 issue of the Ontario Gazette, amends O. Reg 877/21 (General) by prescribing information about persons who hold a certificate of qualification that must be kept in the public register. The amendments came into force on May 3, 2022.

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**Current Proposals Posted on Ontario's Regulatory Registry**

(A listing of regulatory proposals, as of **Jun 12, 2022**, that may affect OGCA member businesses, which are open for public comment)

**There are no relevant proposals at this time**

End of Report