

Government announces new setbacks and approval system for wind turbines and green energy

Contents

HST locked in until 2012
page 2

OREA responds to
government review of
accessibility standards
page 2

Ontario housing conditions
will stabilize
page 3

OREA Political Affairs
Conference fast approaching
page 3

The Government of Ontario introduced new regulations to implement major components of the Green Energy Act relating to wind turbines and the development of green energy.

The new regulations have taken the form of provincial standards for renewable projects outlined in a new approvals process called a Renewable Energy Approval (REA). The new approval process applies to the development of wind, solar, biomass and water energy projects. The regulation became law on September 24, 2009.

Wind facilities generating over 3 kilowatt hours (kW) but less than 50 kW require an REA; however, the requirements are simplified and there are no mandatory setbacks.

Wind facilities generating 50 kW and over require an REA. Wind facilities over 50 kW generating a noise level of 102 decibels or louder must also meet a minimum 550 metre setback from buildings used by people, such as a residence.

All turbines over 50kW must be set back the height of the tower from properties where the land owner is not involved in the project. This can be reduced to a distance equal to the blade length plus 10 metres where there are no surrounding land use concerns. These facilities must also be set back a distance equal to blade length plus 10 metres from the right of way for roads and railways.

To learn more click [here](#).

Join us on:

twitter

facebook

YouTube

Ontario's ban on handheld devices takes effect October 26

Ontario's ban on hand-held devices while driving will take effect on October 26, 2009. The new law will make it illegal for drivers to talk, text, type, dial or email using hand-held cell phones and other hand-held communications and entertainment devices.

Following a three-month period that begins October 26, where the focus will be on educating drivers, police will start issuing tickets on February 1, 2010.

Police, paramedics and firefighters will continue to be allowed to use hand-held devices when performing their duties. All drivers may use hand-held devices to call 9-1-1 or make calls while the car is off a roadway, legally parked.

Under Ontario's new law, fines of up to \$500 can be levied against distracted drivers who text, type, email, dial, or chat using a prohibited hand-held device.

The new law applies only to hand-held wireless communications and hand-held electronic entertainment devices. This means drivers must only use wireless devices that can be used in a "hands-free" manner:

- A cell phone with an earpiece or headset using voice dialing, or plugged into the vehicle's sound system
- A global positioning system (GPS) device that is properly secured to the dashboard or another accessible place in the vehicle
- A portable audio player that has been plugged into the vehicle's sound system.

Some wireless devices require that users push a button to activate and/or deactivate the device's "hands-free" function. This activity is permitted under the law.

For more information click [here](#).

HST locked in until 2012

According to the fine print of an agreement between the Government of Ontario and the Government of Canada the 13 per cent harmonized sales (HST) which takes effect July 1, 2010, will remain at that rate until at least 2012 no matter who wins the next federal or provincial elections.

The HST will reduce the affordability of homeownership by adding 8 per cent more tax on services related to a real estate transaction. The HST will also apply to electricity, gas and water bills, making owning a home more expensive.

Federal Liberal Leader Michael Ignatieff also announced recently that he would not repeal the HST if his party defeats Prime Minister Stephen Harper's Tories.

OREA will be lobbying on the issue of HST at Queen's Park during its Political Affairs Conference October 27th-29th.

To learn more about the impact of the HST on real estate click [here](#).

OREA responds to government review of accessibility standards

The Government of Ontario has appointed Charles Beer to conduct a mandatory independent review of the Accessibility for Ontarians with Disabilities Act.

Under the act, Ontario is making the province accessible for people with disabilities by 2025 through standards, which will break down barriers in key areas of everyday life. Mr. Beer will evaluate how these accessibility standards are being developed ensuring that the standards makes sense for people with disabilities, businesses and organizations.

OREA is writing to Mr. Beer to support the development of accessibility standards, but is concerned that implementing some standards could be financially onerous for both public and private

sector organizations. OREA recommended to Mr. Beer that the government conduct an economic analysis of any proposed accessibility standard to ensure that the requirements on public and private sector organizations are not financially onerous.

Ontario housing conditions will stabilize

Stable economic conditions across the province will help stabilize housing demand in 2010 according to the 2009 Third Quarter CMHC Housing Market Outlook - Canada Edition.

Highlights of the Ontario forecast include:

- The Ontario economy will stabilize at year end before gradually recovering in 2010
- Ontario resale volumes will stabilize and range between 160,000 and 190,000 unit sales this year and next - reaching 174,000 units in 2009, and 166,750 units in 2010.
- Resale volumes will be down from the peak in 2007 but will be in line with volumes earlier this decade.
- After experiencing buyers market conditions early this year, balanced market conditions will be sustained through 2010 – prices will rise by 1.6 per cent and 0.8 per cent this year and next respectively.
- After declining in 2009, new home starts will edge up and reach 50,000 units in 2010 but owing to economic uncertainty will range between 45,800 and 60,000.
- High levels of affordability will support demand for detached housing in the immediate term but a shift to more inexpensive multi-family housing will occur as affordability erodes in late 2010.

For more information click [here](#).

OREA Political Affairs Conference fast approaching

REALTORS® active in political affairs at their local real estate board and in their communities will converge on Toronto from October 27th – 29th for the annual OREA Political Affairs Conference.

This year's conference features a number of business sessions on government related issues important to REALTORS® and Ontario's real estate market as well as visits between delegates and their local MPP at Queen's Park.

Issues that delegates will be discussing with their MPP include the Harmonized Sales Tax (HST) and a Marijuana Grow Operations registry.

The conference is held at the Sutton Place Hotel in downtown Toronto and is expected to attract approximately 150 delegates.