



**Meeting Date:** May 3, 2023

**Submitted by:** Michael Di Lullo, CAO

**Report No:** CAO-12-2023

**Subject:** Less Red Tape, Stronger Economy Act, 2023

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**Recommendation:**

THAT Report CAO-12-2023 re: *Less Red Tape, Stronger Economy Act, 2023* be received for information.

**Purpose:**

To update Council on a new omnibus bill that has been proposed called the Less Red Tape, Stronger Economy Act, 2023. The aim of this legislation is to provide better services, help business grow and save people time as per the [Report](#).

**Background:**

On April 4, 2023, legislation was put forward as part of Ontario's Spring 2023 Red Tape Reduction Package. This package includes 42 new initiatives that, when fully implemented, are estimated to save businesses, not-for-profits, and the broader public sector \$119 million in net annual regulatory compliance costs.

There are seven principles behind the proposed legislation:

1. Recognized national and international standards should be adopted;
2. Less onerous compliance requirements should apply to small businesses than to larger businesses;
3. Digital services that are accessible to regulated entities should be provided;
4. Regulated entities that demonstrate excellent compliance should be recognized;
5. Unnecessary reporting should be reduced and steps should be taken to avoid requiring regulated entities to provide the same information to government repeatedly;
6. An instrument should focus on the user by communicating clearly, providing for reasonable response timelines and creating a single point of contact; and
7. An instrument should specify the desired result that regulated entities must meet, rather than the means by which the result must be achieved.

As the Ministry of Red Tape Reduction continues its work to develop future packages, people and businesses are encouraged to visit the Red Tape Portal at: [Ontario.ca/redtape](https://ontario.ca/redtape) and submit ideas on ways the Province can continue to make it easier to access services and do business in Ontario.

### **Analysis:**

The new red tape reduction package includes 42 new measures that pave the way for better services, help Ontario businesses grow, and save people time and money.

#### Ministry of Agriculture, Food and Rural Affairs (OMAFRA)

Amending the Financial Protection Program (FPP) Legislative Framework: Ontario is proposing to streamline the FPPs under one new Act, consolidating and updating provisions of the *Grains Act*, the *Livestock and Livestock Products Act* and the *Farm Products Payment Act*. The amendments would allow the ministry to ensure that FPPs continue to help mitigate the risk of non-payment and reflect modernized industry practices and approaches to the operation of financial protection schemes, including agency governance.

Amending Regulatory Requirements under the Milk Act: Ontario is proposing to amend Regulation 761: Milk and Milk Products under the *Milk Act*, which would reduce burden on the dairy processing industry while improving food safety.

Updating Nutrient Management Tables: Proposed updates to the Nutrient Management Tables 1 and 2 will ensure proper sizing of barns and manure storages to reduce the risk of negative environmental impacts from undersized storages. The updated tables will also provide more accurate estimates of the nutrient content, so the land application of manure and other nutrients can occur at optimum rates for both crop growth and to protect the environment.

#### Ministry of the Attorney General (MAG)

Amending the *Courts of Justice Act*: Each year, the Office of the Children's Lawyer's (OCL) financial position and records are reported in Public Accounts. Ontario is proposing changes to the *Courts of Justice Act* that would remove the requirement that the Auditor General (OAGO) also audit the OCL. This would save the OCL and OAGO time and resources.

Amending the *Substitute Decisions Act* and the *Succession Law Reform Act*: Proposed changes to the *Substitute Decisions Act* would clarify that an attorney has the power to access personal information about an incapable person. Proposed changes to the *Succession Law Reform Act* would allow substitute decision makers to designate a beneficiary. These amendments would provide clarity, simplify processes, and make it easier for substitute decision makers to do their job.

Modernizing the *Creditors Relief Act, 2010*: Ontario is proposing an update to the *Creditors Relief Act, 2010* to include an option for the sheriff's office to send enforcement documents by email. This would improve communications between sheriffs' offices and stakeholders.

Amending the *Execution Act*: Ontario is fixing legislation under the *Execution Act* for collection of judgment awards (including seizure of debtors' property) to clarify when the principal residence exemption in forced sales can apply.

Updating the *Trustee Act*: Proposed changes to the *Trustee Act* would make it clear that investment managers of trust properties may invest in mutual funds, pooled funds or segregated funds on behalf of a trustee.

Amending the *Cannabis Licence Act, 2018*: Proposed amendments to the *Cannabis Licence Act, 2018* would reduce costs and red tape for retailers who wish to transfer their operating license, retail authorization and cannabis inventory to a new cannabis retail license holder. These changes would also apply to license holders who have changed their ownership structure.

Updating Hearings Before the Hearing and Appeal Divisions under the *Law Society Act*: Proposed amendments to a regulation under the *Law Society Act* would make the Law Society Tribunal function more effectively by recognizing the expertise of the chair and giving the chair the choice to assign either a one-member or a three-member panel in all motions where regulation states it must be heard by a three-member panel.

#### Ministry of Children, Community and Social Services (MCCSS)

Implementing the 2007 Hague Convention: The 2007 Hague Convention is an international treaty that applies to obtaining, changing, and enforcing spousal and child support orders when parents or spouses live in different countries. If legislation is passed to implement the Convention in the province, and the Government of Canada ratifies the Convention, current procedures would be streamlined and more cost-efficient. It would also make it easier to help families in Ontario who are owed support, as it would more than double the number of countries we work with to enforce child and spousal support orders to more than 55 countries.

Amending the *Services and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act, 2008*: Ontario is proposing legislative amendments to the coming-into-force date of unproclaimed provisions in the *Services and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act, 2008* (SIPDDA) to a date to be named by the Lieutenant Governor to allow better timing alignment between the coming into force of unproclaimed SIPDDA provisions and the path set out in *Journey to Belonging: Choice and Inclusion*. Ontario is also proposing to amend SIPDDA to add new regulation-making authority. These changes are needed to meet the government's commitment to develop a broader developmental services reform strategy through a measured, gradual approach that helps minimize disruption to individuals or sector stakeholders.

#### Ministry of Colleges and Universities (MCU)

Changing the name of *Private Career Colleges Act, 2005*: Career colleges play an important role in Ontario's postsecondary landscape, providing learners with the knowledge and skills they need to get a job in today's workplace. Ontario is proposing to change the name of the *Private Career Colleges Act, 2005* to the *Ontario Career Colleges Act, 2005*, to signal the importance of career colleges to our economy in preparing students for great careers and keeping Ontario open for business.

Enhancing Collection Tools under the *Private Career Colleges Act, 2005*: Under the *Private Career Colleges Act, 2005*, Ontario may issue monetary penalties to career colleges who are out of compliance with its regulation. Proposed amendments to the Act would enhance its tools for collecting outstanding monetary penalties to ensure the accountability of non-compliant training providers, protect students and promote a healthy and vibrant private training sector.

Reviewing the *Private Career Colleges Act, 2005*: Ontario is proposing formal legislated reviews of the *Private Career Colleges Act, 2005* every five years to support career colleges in staying responsive to the needs of the economy and employers in preparing students for great careers and keeping Ontario open for business.

Modernizing Regulatory Requirements for Private Career Colleges: Ontario is proposing to update the regulations under the *Private Career Colleges Act, 2005* to reflect recent improvements to virtual learning policies and introduce flexibility to program approvals. The changes would clarify virtual learning policies for students and reduce administrative burden for career colleges so unnecessary red tape does not interfere with their ability to deliver valuable training to students.

### Ministry of Energy (ENE)

Expanding the OEB's Authority to Enable Innovation: Proposed amendments to the *Ontario Energy Board Act, 1998* would allow the Ontario Energy Board (OEB) to enable innovative pilots and demonstration projects by exempting proponents from certain licensing requirements. With a growing population and economy, expanding the OEB's authority to grant temporary licensing exemptions to specific legislative requirements would better empower the OEB to facilitate innovation in the sector, supporting pilots and demonstrations that could reduce costs for Ontario ratepayers and the energy sector and stimulate economic development.

Keeping Administrative Monetary Penalties Off Rates: Ontario is proposing a legislative amendment to the *Ontario Energy Board Act, 1998* to prohibit penalties imposed as a result of a contravention under any Act and payable by electricity or gas transmitters and distributors from being recovered through electricity or gas rates. The amendments, if passed, would protect ratepayers from paying costs as a result of a utility's failure to comply with its statutory obligations.

### Ministry of the Environment, Conservation and Parks (MECP)

Repeal of Beverage Container Regulations: Ontario is proposing to repeal outdated recycling regulations related to soft drink containers. These changes would ensure producers are following a consistent approach to recycling soft drink containers and diverting these materials away from landfills, as required under the current blue box regulation.

### Ministry of Finance (MOF)

Modernizing Board Size Requirements for Mutual Insurers: Ontario is proposing amendments to continue modernizing provincially regulated financial services by allowing mutual insurers incorporated under the Corporations Act to decide the size of their boards of directors within a minimum and maximum limit. The proposed change would give these companies greater flexibility while saving money for them and likely for their insurance policy holders.

Amending the *Pension Benefits Act* to include Electronic Communications: Ontario is reducing administrative requirements for provincially regulated pension plans and keeping costs down by proposing changes to the *Pension Benefits Act* that would allow pension plan administrators to continue to send electronic communications to members who retire without the need for paper or electronic reminder notices.

Streamlining the Regulatory Process of Single Employer Pension Plan to a Jointly Sponsored Pension Plan: Ontario is making the process for single employer pension plans to convert into jointly sponsored pension plans easier. If the regulatory amendments are approved, pension plan administrators would have more time to file with the Financial Services Regulatory Authority of Ontario (FSRA) conversion actuarial cost certificates in certain circumstances and would only have to provide FSRA certification of how member consent conversion thresholds have been met, instead of copies of consent/objection forms.

#### Ministry of Infrastructure (MOI)

Amending the *Building Broadband Faster Act, 2021*: Ontario is proposing legislative amendments under the *Building Broadband Faster Act, 2021* that would ensure internet service providers (ISPs) can plan, design, and build high-speed internet projects as quickly as possible. This includes enabling more efficient collection of utility infrastructure data to optimize routing for projects, to plan networks, and prevent delays in the permitting process between municipalities and ISPs.

Updating the Building Broadband Faster Act Guideline: Ontario is updating the *Building Broadband Faster Act, 2021* Guideline to provide greater clarity and improved guidance to high-speed internet stakeholders on processes and timelines. A major component of the update is a new process to help resolve disputes between parties and work with sectors to ensure that they comply with the laws and regulations that are helping to build broadband across the province faster. The updated Guideline will also provide more clarity on the Ministry of Transportation's efforts to speed up their permit process for provincially funded broadband projects and will provide additional guidance on cost sharing for using electric infrastructure to build these projects.

#### Ministry of Labour, Immigration, Training and Skills Development (MLITSD)

Expanding and clarifying written record to include electronic documentation: Ontario is reviewing the *Occupational Health and Safety Act* (OHSA) and evaluating whether the definition of written records can be clarified to include electronic documentation. Current employer systems are modernized, and most employers conduct their businesses electronically. This change will make it easier for employers to comply with OHSA guidelines

Updating "Survivors" Definition: The *Workplace Safety and Insurance Act* is being updated to align with modern relationships and family structures. Changing the definition of "survivor" will allow the Workplace Safety and Insurance Board to process claims faster. This will better serve workers, their families, and employers by providing clarity and consistency.

Modernizing Ontario Immigrant Nominee Program NOC Codes: Ontario is proposing to modernize the Ontario Immigrant Nominee Program (OINP) National Occupational Classification (NOC) codes to be in line with federal NOC codes and to reflect the evolving nature of work and jobs.

Modernizing Mining Health and Safety Requirements: Ontario is amending various provisions in Regulation 854 (Mines and Mining Plants) under the *Occupational Health and Safety Act* to reflect current practice and technology, keep the regulation up-to-date and increase flexibility and reduce regulatory burden while maintaining worker health and safety protections. The changes include amendments to requirements for ventilation systems and equipment, management of change procedures, ground control and seismic risk, hoisting, and explosives.

#### Ministry of Natural Resources and Forestry (MNRF)

Enabling Innovation with Geologic Carbon Storage – Phase 2: As part of a phased approach in creating a framework to regulate carbon storage in the province, Ontario is proposing changes that protect public safety and allow approval to be sought for testing and demonstration projects once future regulations are in place. Projects involving permanent carbon storage would initially only be permitted on private land; further changes would be required under other legislation before access to Crown land could be granted for carbon storage projects. Through future phases, the regulatory framework will be created to advance these projects and allow businesses to take advantage of federal funding opportunities, providing greater investment certainty, and create a new tool to help manage Ontario's emissions.

Providing Flexibility for Dog Train and Trial Facilities: Train and trial facilities are used to prepare hunting dogs and their handlers for activities, such as tracking and hunting small game, safely and responsibly. Proposed legislative changes would provide flexibility for existing licensed train and trial facilities to operate under new ownership as well as providing an opportunity to add new train and trial facilities in our province for a time-limited period.

#### Ministry of Public and Business Service Delivery (MPBSD)

Making Corporate Virtual Processes Permanent: In the early days of the COVID-19 pandemic, temporary legislative amendments were made to several business law statutes and the *Condominium Act, 1998* to generally allow corporations governed under those statutes to hold virtual meetings, regardless of requirements in their governing documents or the legislation. Ontario is proposing to implement permanent changes that would replicate the purpose of the temporary measures with respect to virtual meetings and enhance additional virtual processes related to notices and records.

Amending the *Motor Vehicle Accident Claims Act*: The Motor Vehicle Accident Claim Fund is the “payer of last resort” to compensate people injured in automobile accidents in Ontario involving an uninsured or unidentified vehicle, where no other automobile or liability insurance is available. Proposed amendments to the *Motor Vehicle Accident Claims Act* would authorize the Fund to make statutory payments from a designated purpose account, consistent with a recommendation by the Auditor General. There would be no change to the delivery of this program to the public.

#### Ministry of Tourism, Culture and Sport (MTCS)

Strengthening Board Governance for Ontario’s Tourism & Culture Agencies: Proposed amendments would modernize agency legislation and strengthen board governance, transparency and decision-making by reducing unnecessary red tape and delays in appointments processes, supporting continuity of business operations; increasing flexibility in appointments to support strengthened agency oversight; and clarifying board governance rules to reduce confusion and support business success.

Modernizing Agency Governance and Clarifying Rules for Ontario’s Public Appointees: Ontario is proposing to modernize legislation for eight public agencies and a publicly funded organization to follow the best practices of other provincial agencies by incorporating a “protection from personal liability” provision for board members. The proposed changes would clarify rules for public appointees and align these agencies with governance best practices, modernizing the governance framework for these organizations and making it easier and more attractive to serve on their boards.

Streamlining Approvals for Ontario’s People, Businesses and Agencies: Proposed changes to the *Niagara Parks Act* would make it easier and faster for routine land easements to be granted on the Niagara Parks Commission’s properties. This change would allow for routine utility work to take place quicker, giving the residents of Niagara much-needed access to things such as cable, natural gas and water systems. Ontario is also proposing changes to the *Art Gallery of Ontario Act* that would support the government’s and AGO’s commitment to transparency by getting annual reporting information to the public faster.

#### Ministry of Transportation (MTO)

Prohibiting Overtaking Working Snow Plows: Ontario is proposing to amend the *Highway Traffic Act* by adding clauses that will prohibit drivers from overtaking snow plows working in a staggered formation across highway lanes. The proposed amendments intend to reduce motor vehicle collisions with snow plows on higher-speed, multi-lane highways. This will make the public safer and reduce burden on emergency responders, health care services, the insurance sector, and the legal system.



Removing Duplicative Requirements for the Towing and Vehicle Storage Sector: To improve safety for people needing a tow and those working in the towing industry, Ontario is taking steps to implement a certification program that will require tow operators, tow truck drivers and vehicle storage operators meet certain requirements to operate in Ontario. Amendments to the *Municipal Act* and *City of Toronto Act* will ensure operators and drivers in the towing and vehicle storage industry are not required to pay multiple licensing or certificate fees or adhere to different municipal requirements when the provincial certification program is in effect.

Mandating Pre-Consultation for Planning Act Submissions: Ontario is proposing to leverage non-legislative measures to encourage and reinforce the need for pre-consultation with the Ministry of Transportation (MTO) for any *Planning Act* submissions (e.g., official plans, development proposals, housing proposals, etc.) that include work adjacent (up to 800 metres) to provincial highways. Pre-consultation with MTO will help streamline and ensure timely comments, approvals and permits by ensuring proponents and municipalities are aware of MTO requirements before starting significant work.

Agency Governance and Oversight: Ontario is proposing to strengthen and enhance oversight and governance of the Ontario Northland Transportation Commission (ONTC) by modernizing the agency's legislation to better position the ONTC to respond to transportation user service needs, improve the efficient movement of people and goods across Ontario, and to support a strong Ontario economy. Modernizing the agency's statutory framework will enable the agency to focus on the delivery of reliable and effective transportation services in Northern Ontario.

Providing Flexibility for Emergency Lift Axle Override Switches: Ontario is proposing a change to legislation to ensure commercial vehicle operators who purchased equipment between 2020 and 2023 will not have to undergo a costly retrofit. In emergency driving situations (mainly on icy or wet roads), truck drivers can lift a piece of equipment called a lift axle to make driving safer. Since 2018–19, the law required lift axles to work in a specific way that the Ontario-based company making lift axles for 70 per cent of the market was not able to manufacture. The company told the government they were able to provide another solution that meets the needs of trucking companies and the intent of the law. The proposed change would provide more flexibility to companies that manufacture the equipment (steerable lift axle controls) while continuing to support road safety and saving trucking businesses time and money.

#### Treasury Board Secretariat (TBS)

Implementing the Building Ontario Business Initiative: The Building Ontario Businesses Initiative, announced in 2022, is expected to reduce barriers and provide companies in Ontario with greater access to public procurement opportunities, helping them to sell more goods and services and create jobs in their local communities. The implementation of the initiative will help Ontario's economic growth and build businesses and communities across the province while ensuring greater security of the province's supply chain.

Updating Annual Emergency Exercise Requirements: Ontario has reduced red tape by increasing the flexibility for municipalities and provincial ministries to test emergency management plans annually through an annual practice exercise or responding to an emergency. As part of the first Provincial Emergency Management Strategy and Action Plan released in February 2023, the province will continue to engage municipalities, Indigenous partners and provincial ministries to further reduce administration burden for emergency management partners.

### 2022 Burden Reduction Report

The information put together to justify the proposed amendments in the omnibus bill were done through the [2022 Burden Reduction Report](#) which outlines the ongoing work to modernize and streamline Ontario's regulatory system and transform our services to make it easier to interact with government. For more information, please refer to the link [2022 Burden Reduction Report](#).

### **Financial Implications:**

N/A

### **Strategic Plan:**

This matter aligns with following strategic priorities:

- Responsive Municipal Government

These proposed amendments are aimed to make government efficient and will serve those in a timelier manner. The primary focus is about efficiency and many of the proposed updates will aim to achieve by making processes more streamlines and less complicated.

### **Attachments:**

N/A