



April 23, 2020
Box 75, 75 Edmond Road
Astorville ON P0H 1B0

North Bay Home Builders' Association
Open for "Remote" Business - Planning Applications During COVID-19:

The North Bay Home Builders' Association is writing to thank you for your support in protecting North Bay and District from COVID-19 while balancing the needs of the community's economic recovery. This is an unprecedented event and your leadership is appreciated and to be commended during these difficult days.

We respect that during the current state of emergency it is not "business as usual" and that the health and safety of our broader community, of your staff and our members should be our top shared priority. Under the current State of Emergency, it is important that we work together to carefully consider all opportunities for our community and businesses to remain open for essential services and for "remote" business. We want to work with you to lay the foundation towards economic recovery. It is therefore critical that the municipalities Planning Departments remain open for "remote" business, to continue processing planning applications and that council continue to make decisions on planning matters so that our industry has the necessary approvals in place over the coming weeks and months to enable a rapid economic recovery following the COVID-19 pandemic.

The province has provided municipalities through amendments to the *Municipal Act* (under the *Emergency Management and Civil Protection Act*) with the tools they need to ensure local decision making by municipal councils is not adversely affected during emergency situations. Furthermore, as a result of legislation passed by the Province of Ontario (*Bill 189, Coronavirus Support and Protection Act, 2020*) on April 14th in response to the State of Emergency, municipal councils and committees have been given all of the tools they require for the duration of the state of emergency, to effectively control the decision-making and appeals process under the *Planning Act*. This includes the ability to make planning decisions and to issue decision notices.

In an effort to mitigate the negative impacts of COVID-19, the provincial government has undertaken a series of temporary measures that make it crystal clear that if municipalities wish to make decisions on applications during this time, they are free to do so. The North Bay Home Builders' Association strongly encourages the municipalities to continue to review and issue notices of decision on planning applications during the current state of emergency.

The North Bay Home Builders' Association understands and agrees with the advice of Ontario's Chief Medical Officer of Health that municipal councils should not hold "in person" statutory public meetings to maintain physical distancing during the COVID-19 outbreak. On April 15th the Province published Regulation 149/20 to establish special rules for *Planning Act* applications. The Regulation doesn't prohibit public meetings or decisions under the *Planning Act*; municipalities may still hold public meetings if they conform to the prohibition on public gatherings and comply with the requirement to afford people an opportunity to make representations at the public meeting.

The Ministry of Municipal Affairs and Housing has provided the necessary tools for municipalities to meet the *Planning Act's* requirements using electronic and virtual channels to engage and solicit necessary feedback from the public on land use planning matters while maintaining physical distancing. The Ministry has publicly stated that, "this may include a mixture of technologies to meet local public needs (e.g., WebEx with instant messenger, Adobe Connect, Skype, Zoom, moderated teleconference lines, voicemail systems, etc.) in combination with traditional forms, like written submissions (email or paper copy) and posting documents online."

Supporting Materials from the Ministry of Municipal Affairs and Housing:

- Amendments to the Planning Act and O. Reg 149/20 Special Rules Relating to Declared Emergency (plain language explanation)
- Ontario Regulation 149/20, Special Rules Relating to Declared Emergency
- Bill 189, Coronavirus (COVID-19) Support and Protection Act, 2020
- Providing Flexibility for Municipalities to Hold Local Meetings During Emergencies

The North Bay Home Builders' Association recognizes that these are unusual and unprecedented times. We support the measures taken by the provincial government and the North Bay and District municipalities to protect human health during the COVID-19 pandemic. We look forward to working with the municipalities to open the Planning Department for remote business, to hold virtual statutory public meetings and to remotely make decisions on planning applications. We want to work with you on these critical steps, and we emphasize that these steps are necessary **temporary** measures during the current state of emergency so that our community lays the groundwork towards a rapid economic recovery.

Sincerely,



Rick Miller
Director
North Bay Home Builders' Association

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