

**SCHEDULE 20
ONTARIO HERITAGE ACT**

The Schedule amends section 10 of the *Ontario Heritage Act*. A new subsection 10 (2.1) sets out an exception to the rule in subsection 10 (2). Under subsection 10 (2.1), approval of the Minister is not required for the release of easements entered into by the Ontario Heritage Trust with owners of real property if the Trust has determined that such a release over the property or part of the property would not affect heritage attributes that are described in the easement.

**SCHEDULE 21
ONTARIO NEW HOME WARRANTIES PLAN ACT**

The Schedule amends the *Ontario New Home Warranties Plan Act*. Here are some highlights:

1. Various terminological changes are made, including adding new definitions of “purchase agreement” and “construction contract” and replacing those terms in places where “contract” is mentioned.
2. New clause 23 (1) (c) authorizes the Corporation to make by-laws requiring a purchaser of a specified type of home to notify the Corporation of a purchase agreement, as well as to make by-laws governing the timelines, manner and information in connection with such notice. New clause 23 (1) (d) adds similar authority with respect to requiring an owner of land to notify the Corporation of a construction contract.
3. Currently, clause 23 (1) (m.3) authorizes the Corporation to make by-laws governing the entitlement of an owner to payment out the guarantee fund, including interest, as compensation under section 14. The clause is re-enacted to apply to entitlements under subsection 14 (1) or (2), and to also provide that such authority includes, among other things, providing for the maximum amount of entitlements and different amounts of entitlements, depending on various specified circumstances, including whether a purchaser or owner of land has complied with a requirement set out in a by-law made under clause 23 (1) (c) or (d), as applicable.
4. A new clause 23 (1) (m.3.1) is added to authorize the Corporation to make by-laws governing the entitlement of a person to payment out of the guarantee fund, including interest, as compensation under subsections 14 (3), (4) and (5.0.3).
5. A new subsection 23 (3) provides that a by-law made under clause 23 (1) (m.3) may provide for, among other things, the establishment and maintenance of a special fund within the guarantee fund from which entitlements are to be paid in respect of claims where a purchaser or owner of land has not complied with a requirement set out in a by-law made under clause 23 (1) (c) or (d), as applicable.

**SCHEDULE 22
ONTARIO UNDERGROUND INFRASTRUCTURE NOTIFICATION SYSTEM ACT, 2012**

The Schedule amends section 7 of the *Ontario Underground Infrastructure Notification System Act, 2012*. Subsection 7 (6.1) is added to the Act to permit affected members to submit a request to the Corporation to be approved to respond to notifications respecting the member’s own underground infrastructure. New subsections 7 (6.2) and (6.3) of the Act provide for the determination and notification process for the Corporation in response to such a request and new subsection 7 (6.4) of the Act provides that such determinations are final. New subsection 7 (6.5) of the Act sets out the effects of various determinations made by the Corporation. Subsection 7 (7) of the Act is amended to reflect the request process set out in new subsections 7 (6.1) to (6.5) of the Act. Various other related amendments are made to section 7 of the Act.

**SCHEDULE 23
PROFESSIONAL ENGINEERS ACT**

The Schedule amends the *Professional Engineers Act*.

Section 12 is amended to add references to agricultural occupancy and to add a definition of “agricultural occupancy”.

Currently, section 48 of the Act provides that the Council of the Association of Professional Engineers of Ontario shall make a report annually to the Minister and that the Minister shall submit the report to the Lieutenant Governor in Council and lay the report before the Assembly. Section 48 is repealed and replaced to provide that, no later than 120 days after the end of each financial year of the Association, the Council shall provide the Minister with a copy of an annual report for that year, and to require the Association to make its annual report publicly accessible by publishing it on its website and by making it available as a document in paper format or in any other format, on request and at cost, to members of the public.

**SCHEDULE 24
RESIDENTIAL TENANCIES ACT, 2006**

Section 212 of the *Residential Tenancies Act, 2006* provides that substantial compliance with the Act respecting the contents of forms, notices or documents is sufficient. The Schedule amends section 212 to add a statement, for greater certainty, that an error in the contents of a form, notice or document still constitutes substantial compliance, as long as the error does not significantly prejudice a party’s ability to participate in a proceeding under this Act.

**SCHEDULE 20
ONTARIO HERITAGE ACT**

1 Section 10 of the *Ontario Heritage Act* is amended by adding the following subsections:

Exception

(2.1) Despite subsection (2), approval of the Minister is not required for the release of easements entered into by the Trust with owners of real property if the Trust has determined that such a release over the property or part of the property would not affect heritage attributes that are described in the easement.

Same

(2.2) For greater certainty, despite subsection (2.1), any other applicable requirements of the Act continue to apply to the property.

Commencement

2 This Schedule comes into force on the day the *Cutting Red Tape, Building Ontario Act, 2024* receives Royal Assent.