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Bill 215

An Act to amend various statutes with respect to the economic recovery of Ontario and to make other amendments

The Hon. P. Sarkaria

Associate Minister of Small Business and Red Tape Reduction

Government Bill

1st Reading October 7, 2020

2nd Reading October 29, 2020

3rd Reading

Royal Assent

*(Reprinted as amended by the Standing Committee on Finance and Economic Affairs
and as reported to the Legislative Assembly November 25, 2020)*

(The provisions in this Bill will be renumbered after 3rd Reading)



This reprint of the Bill is marked to indicate the changes that were made in Committee.
The changes are indicated by underlines for new text and a ~~striethrough~~ for deleted text.

EXPLANATORY NOTE

SCHEDULE 1 CITY OF TORONTO ACT, 2006

A new section 115.1 is added to the *City of Toronto Act, 2006* to provide that the City does not have the power to prohibit and regulate with respect to noise made in the City in connection with the delivery of goods to specified places, except as otherwise authorized by regulation.

SCHEDULE 2 HIGHWAY TRAFFIC ACT

The *Highway Traffic Act* currently provides that a driver of a motor vehicle other than a bus must have a licence, permit or authorization in order to pick up a passenger for the purpose of transporting him or her for compensation, if such licence, permit or authorization is required by the *Public Vehicles Act*, a by-law passed under the *Municipal Act, 2001*, a regulation made under the *Department of Transport Act (Canada)* or an airport or airport authority. The Schedule adds to that list a by-law passed under the *City of Toronto Act, 2006*.

Currently, the fine for offences related to picking up a passenger for the purpose of transporting him or her for compensation without the required licence, permit or authorization is between \$300 and \$20,000. The Schedule changes the fine to between \$500 and \$30,000.

SCHEDULE 3 MUNICIPAL ACT, 2001

A new section 130 is added to the *Municipal Act, 2001* to provide that municipalities do not have the power to prohibit and regulate with respect to noise made in the municipality in connection with the delivery of goods to specified places, except as otherwise authorized by regulation.

SCHEDULE 4 ONTARIO FOOD TERMINAL ACT

The Schedule amends the *Ontario Food Terminal Act*. The composition of the Ontario Food Terminal Board is changed so that the Board consists of at least five and not more than 13 persons appointed by the Lieutenant Governor in Council. The appointment of the Terminal manager is changed so that it is subject to the approval of the Minister rather than of the Lieutenant Governor in Council.

Currently, the Board's objects include activities related to the operation of a wholesale fruit and produce market. The Schedule expands the Board's objects so they relate to agricultural products and other products. An object is added relating to the promotion of local food within the meaning of the *Local Food Act, 2013*. The Schedule adds a definition of "agricultural product" to the Act and provides that the Board may make rules limiting what constitutes an agricultural product or designating products as agricultural products.

The Board is permitted to establish committees to provide advice or recommendations to the Board in respect of its objects.

**An Act to amend various statutes with respect to the economic recovery of Ontario
and to make other amendments**

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Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Contents of this Act

1 This Act consists of this section, sections 2 and 3 and the Schedules to this Act.

Commencement

2 (1) Subject to subsections (2) and (3), this Act comes into force on the day it receives Royal Assent.

(2) The Schedules to this Act come into force as provided in each Schedule.

(3) If a Schedule to this Act provides that any provisions are to come into force on a day to be named by proclamation of the Lieutenant Governor, a proclamation may apply to one or more of those provisions, and proclamations may be issued at different times with respect to any of those provisions.

Short title

3 The short title of this Act is the *Main Street Recovery Act, 2020*.

**SCHEDULE 1
CITY OF TORONTO ACT, 2006**

1 The *City of Toronto Act, 2006* is amended by adding the following section:

DELIVERY NOISE

Powers re delivery noise

115.1 (1) Despite sections 7 and 8, the City does not have the power to prohibit and regulate with respect to noise made in the City in connection with the delivery of goods to any of the following, except as otherwise authorized by regulation:

1. Retail business establishments.
2. Restaurants, including cafes and bars.
3. Hotels and motels.
4. Goods distribution facilities.

Regulations

(2) The Minister may make regulations,

- (a) authorizing the City to prohibit and regulate with respect to noise made in the City in connection with the delivery of goods to any of the places described in subsection (1);
- (b) governing the powers of the City under clause (a), including authorizing the City to exercise those powers in specified parts of the City;
- (c) defining any word or expression referred to in paragraph 1, 2, 3 or 4 of subsection (1).

Commencement

2 This Schedule comes into force on a day to be named by proclamation of the Lieutenant Governor.

**SCHEDULE 2
HIGHWAY TRAFFIC ACT**

1 (1) Subsection 39.1 (1) of the *Highway Traffic Act* is amended by adding the following clause:

(b.1) a city by-law passed under paragraph 11 of subsection 8 (2) of the *City of Toronto Act, 2006*;

(2) Subsection 39.1 (8) of the Act is repealed and the following substituted:

(3) Subsection 39.1 (11) of the Act is amended by adding the following definition:

“driver” includes a person who has care or control of a motor vehicle; (“conducteur”)

Offence

(8) Every person who contravenes subsection (1), (2), (3), (4) or (6) is guilty of an offence and on conviction is liable to a fine of not less than \$500 and not more than \$30,000.

Commencement

2 This Schedule comes into force on the day the *Main Street Recovery Act, 2020* receives Royal Assent.

**SCHEDULE 3
MUNICIPAL ACT, 2001**

1 The *Municipal Act, 2001* is amended by adding the following section:

Noise re delivery of goods

130 (1) Despite sections 9, 10, 11 and 129, a municipality does not have the power to prohibit and regulate with respect to noise made in the municipality in connection with the delivery of goods to any of the following, except as otherwise authorized by regulation:

1. Retail business establishments.
2. Restaurants, including cafes and bars.
3. Hotels and motels.
4. Goods distribution facilities.

Regulations

(2) The Minister may make regulations,

- (a) authorizing municipalities to prohibit and regulate with respect to noise made in the municipality in connection with the delivery of goods to any of the places described in subsection (1);
- (b) governing the powers of a municipality under clause (a), including authorizing municipalities to exercise those powers in specified parts of the municipality;
- (c) defining any word or expression referred to in paragraph 1, 2, 3 or 4 of subsection (1).

Commencement

2 This Schedule comes into force on a day to be named by proclamation of the Lieutenant Governor.

**SCHEDULE 4
ONTARIO FOOD TERMINAL ACT**

1 (1) Section 1 of the *Ontario Food Terminal Act* is amended by adding the following definition:

“agricultural product” includes, subject to the rules made under section 13, dairy products, edible fungi, eggs, fish, flowers, fruit, honey, living and decorative horticultural products, nuts, maple products, plants, poultry, vegetables and other products designated in the rules made under section 13; (“produit agricole”)

(2) The definition of “fruit and produce” in section 1 of the Act is repealed.

(3) Section 1 of the Act is amended by adding the following subsection:

Agricultural product

(2) A product is considered to be an agricultural product whether or not it is wrapped, packaged or minimally processed.

2 Subsection 2 (2) of the Act is repealed and the following substituted:

Board composition

(2) The Board shall consist of at least five and not more than 13 persons appointed by the Lieutenant Governor in Council.

3 Subsection 3 (1) of the Act is repealed and the following substituted:

Appointment of officers, employees

(1) Subject to the approval of the Minister, the Board may appoint a manager of the Terminal.

Clarification

(1.1) The appointment of any person as a manager or other officer does not disqualify that person from acting as chair, vice-chair or a member of the Board.

4 (1) Clause 4 (1) (a) of the Act is amended by,

(a) striking out “a wholesale fruit and produce market” and substituting “a wholesale market primarily for agricultural products”; and

(b) striking out “handling of fruit and produce” and substituting “handling of agricultural products”.

(2) Subsection 4 (1) of the Act is amended by adding the following clause:

(a.1) to promote local food within the meaning of the *Local Food Act, 2013*;

5 The Act is amended by adding the following section:

Committees

11.2 The Board may establish one or more committees to provide advice or recommendations to the Board in respect of its objects.

6 Subsection 13 (1) of the Act is amended by adding the following clauses:

(0.a) limiting what constitutes an agricultural product for the purposes of this Act;

(0.b) designating products as agricultural products for the purposes of this Act;

Commencement

7 This Schedule comes into force on a day to be named by proclamation of the Lieutenant Governor.