

Legislative  
Assembly  
of Ontario



Assemblée  
législative  
de l'Ontario

1ST SESSION, 43RD LEGISLATURE, ONTARIO  
3 CHARLES III, 2024

# Bill 212

*(Chapter 25 of the Statutes of Ontario, 2024)*

**An Act to enact two Acts and amend various Acts with respect to highways,  
broadband-related expropriation and other transportation-related matters**

**The Hon. P. Sarkaria**  
Minister of Transportation

1st Reading	October 21, 2024
2nd Reading	November 7, 2024
3rd Reading	November 25, 2024
Royal Assent	November 25, 2024





## EXPLANATORY NOTE

*This Explanatory Note was written as a reader's aid to Bill 212 and does not form part of the law.  
Bill 212 has been enacted as Chapter 25 of the Statutes of Ontario, 2024.*

### **SCHEDULE 1 BUILDING BROADBAND FASTER ACT, 2021**

The Schedule amends subsection 26 (6) of the *Building Broadband Faster Act, 2021* to provide that an expropriation made under section 10 of the *Ministry of Infrastructure Act, 2011* in respect of a designated broadband project constitutes an expropriation. Section 26.1 is added to exclude the application of certain provisions of the *Expropriations Act* to an expropriation made in respect of a designated broadband project.

Section 26.2 is added to the Act to enable the Minister to assign easements expropriated in respect of a designated broadband project to specified persons or entities in order to further the purpose of the Act. An assignee is required to reimburse the Crown for costs incurred by the Crown relating to the expropriation of the assigned easement.

The Schedule also amends subsection 9 (6) of the *Ministry of Infrastructure Act, 2011* to provide that a disposition made under section 26.2 of the *Building Broadband Faster Act, 2021* is not subject to the approval of the Lieutenant Governor in Council.

### **SCHEDULE 2 BUILDING HIGHWAYS FASTER ACT, 2024**

The Schedule enacts the *Building Highways Faster Act, 2024*. The purpose of the Act is to expedite the construction of priority highway projects, which, as defined in the Act, are the Highway 413 Project, the Bradford Bypass Project, the Garden City Skyway Bridge Twinning Project and any other projects that are prescribed by regulation.

A provision prohibits registered owners from applying under the *Expropriations Act* for the adjustment of the date of possession for land that was expropriated by the Minister for the purposes of a priority highway project.

The Act provides that a utility company may be required to take up, remove or change the location of utility infrastructure if, in the opinion of the Minister, it is for the purposes of a priority highway project. Notice to the utility company is required for such work and the utility company is permitted to make submissions respecting any difficulties with completing the work. If the utility company fails to do the work the Minister may cause it to be done. The Act addresses compensation for such work, whether it is done by the utility company or by the Minister.

The Act requires any person who owns or operates infrastructure that may be affected by a priority highway project to provide to the Minister the requested information. Provisions are included respecting the disclosure of such information.

Site inspections may be carried out under the Act to support the planning, design or construction of a priority highway project. The Act addresses the manner in which such inspections shall be carried out, including the provision of advance notice, and when a property owner may be compensated for damage resulting from a site inspection. The Act provides for various offences relating to site inspections and taking possession of land.

The Act provides that, in certain circumstances, a justice of the peace may issue an order authorizing a person to enter property to do certain things relating to a site inspection or to take possession of certain land for the purposes of a priority highway project. The Act includes provisions respecting how such orders may be carried out and the expiry or renewal of orders.

A provision states that if a priority highway project is designated by a regulation made under the Act, certain restrictions imposed by municipal by-law are inoperative to the extent that it would prevent or restrict the delivery of goods or services to the priority highway project. The Act also includes various other provisions relating to the provision of documents, the preclusion of certain causes of action and regulation-making powers.

### **SCHEDULE 3 HIGHWAY 413 ACT, 2024**

The Schedule enacts the *Highway 413 Act, 2024*. Section 2 of the Act provides an exemption from the *Environmental Assessment Act* for enterprises, activities, proposals, plans and programs for or related to Highway 413, including the Highway 413 Project and the Highway 413 early works projects. Section 3 prohibits a person from carrying out the Highway 413 Project except in accordance with the final environmental impact assessment report and any addenda to it, prepared as part of the environmental impact assessment process that applies to the Highway 413 Project under this Act. Sections 4 to 9 set out that process, including requirements for an Indigenous consultation plan and its implementation, as well as opportunities for persons to comment on the draft environmental impact assessment report and any draft addendum to the report. The Minister is required to publish draft and final environmental impact assessment reports and any final addendum under the Act.

### **SCHEDULE 4 HIGHWAY TRAFFIC ACT**

Part XII.1 is added to the *Highway Traffic Act* respecting bicycle lanes. Under the new Part,

- (a) municipalities are required, in certain circumstances, to obtain the Minister’s approval before constructing bicycle lanes or to provide the Minister with information relating to existing bicycle lanes;
- (b) the Minister is required to remove specific bicycle lanes in the City of Toronto; and
- (c) the Lieutenant Governor in Council may order the removal of other bicycle lanes in certain circumstances.

Other provisions address various matters relating to the removal of bicycle lanes, including the powers of the Minister or a person acting on the Minister’s behalf in removing such lanes, municipalities’ obligation to provide to support or information, the reimbursement of municipalities for certain costs, and the immunity from liability of the Crown, municipalities and other persons.

The Act is also amended to set out fees for driver’s licences and certain driver examinations and tests.

**SCHEDULE 5**  
**TOWING AND STORAGE SAFETY AND ENFORCEMENT ACT, 2021**

The *Towing and Storage Safety and Enforcement Act, 2021* is amended to provide that the sections relating to restricted towing zones also apply to “roadside assistance vehicles” and “roadside assistance services”. The Schedule also transfers certain regulation-making powers relating to restricted towing zones to the Minister from the Lieutenant Governor in Council.

**An Act to enact two Acts and amend various Acts with respect to highways,  
broadband-related expropriation and other transportation-related matters**

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**Preamble**

The Government of Ontario:

Recognizes the need to build priority highways faster as our province grows in order to get people and goods out of gridlock and save drivers and businesses time and money.

Recognizes that accidents and lane closures can worsen traffic congestion and impact the quality of life of Ontarians.

Is speeding up the delivery of broadband projects that will connect people in all parts of Ontario, including rural areas, with reliable internet access.

Is building Highway 413, recognizing the importance of this highway to millions of drivers from across Ontario.

Therefore, His 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) Except as otherwise provided in this section, 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 *Reducing Gridlock, Saving You Time Act, 2024*.**

**SCHEDULE 1**  
**BUILDING BROADBAND FASTER ACT, 2021**

**1** Subsection 26 (6) of the *Building Broadband Faster Act, 2021* is amended by adding “Other than an expropriation made under section 10 of the *Ministry of Infrastructure Act, 2011* in respect of a designated broadband project” at the beginning.

**2 (1)** The Act is amended by adding the following sections:

**Expropriations, no hearings of necessity**

**26.1** (1) Subsections 6 (2) to (5), section 7 and subsections 8 (1) and (2) of the *Expropriations Act* do not apply to an expropriation of land, within the meaning of that Act, if the expropriation is made under section 10 of the *Ministry of Infrastructure Act, 2011* in respect of a designated broadband project.

**Conflict**

(2) Subsection (1) applies despite subsection 2 (4) of the *Expropriations Act*.

**Process for comments**

(3) The Minister may, by direction, establish a process for receiving comments from property owners about a proposed expropriation and for considering those comments.

**Non-application of the *Legislation Act, 2006* Part III**

(4) Part III of the *Legislation Act, 2006* does not apply to a direction made under subsection (3).

***Statutory Powers Procedure Act***

(5) The *Statutory Powers Procedure Act* does not apply to a process for receiving and considering comments about a proposed expropriation established under subsection (3).

**Assignment of expropriated easements**

**26.2** (1) The Minister may assign any easement expropriated under section 10 of the *Ministry of Infrastructure Act, 2011* in respect of a designated broadband project to,

- (a) a distributor;
- (b) a proponent;
- (c) a telecommunications service provider, within the meaning of the *Telecommunications Act* (Canada); or
- (d) any other entity, if the assignment is necessary to further the purpose of this Act.

**Same, Minister’s designate**

(2) If the Minister’s authority under section 10 of the *Ministry of Infrastructure Act, 2011* has been delegated under subsection 19 (2) of that Act to a Crown agency, the Crown agency may assign an easement described in subsection (1) of this section in accordance with that subsection.

**Registration**

(3) An easement assigned under subsection (1) or (2) shall be registered against the real property affected in the appropriate land registry office.

**Validity**

(4) An easement including any covenant contained in the easement is valid whether or not the assignee owns appurtenant land or land capable of being accommodated or benefited by the easement or covenant and regardless of whether the easement or covenant is positive or negative in nature.

**Reimbursement of expropriation costs incurred by the Crown**

(5) An assignee shall reimburse the Crown for costs incurred by the Crown relating to the expropriation.

**Prescribed costs**

(6) The costs referred to in subsection (5) shall be determined by the Minister and shall include, but are not limited to, such costs as may be prescribed by regulation.

**Payment of reimbursement**

(7) An assignee shall make the reimbursement by making one or more payments in such amount or amounts at such time or times as may be determined by the Minister.

**(2) Subsection 26.1 (1) of the Act, as enacted by subsection (1), is amended by striking out “section 7 and subsections 8 (1) and (2)” and substituting “section 7, subsections 8 (1) and (2) and section 8.1”.**

*Ministry of Infrastructure Act, 2011*

**3** Subsection 9 (6) of the *Ministry of Infrastructure Act, 2011* is amended by striking out “or” at the end of clause (c), by adding “or” at the end of clause (d) and by adding the following clause:

- (e) a disposition made under section 26.2 of the *Building Broadband Faster Act, 2021*.

**Commencement**

**4 (1)** Except as otherwise provided in this section, this Schedule comes into force on the day the *Reducing Gridlock, Saving You Time Act, 2024* receives Royal Assent.

**(2)** Subsection 2 (2) comes into force on the later of the day section 2 of Schedule 5 to the *Accelerating Access to Justice Act, 2021* comes into force and the day the *Reducing Gridlock, Saving You Time Act, 2024* receives Royal Assent.

**SCHEDULE 2  
BUILDING HIGHWAYS FASTER ACT, 2024**

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PURPOSE AND INTERPRETATION

**Purpose**

**1** The purpose of this Act is to expedite the construction of priority highway projects by streamlining and supplementing existing processes in order to alleviate delays to the timely completion of such highway projects.

**Interpretation**

**2** In this Act,

“actual costs”, in respect of the costs of work carried out by a utility company to comply with a notice issued under section 4, means all costs properly attributed to the work, including,

- (a) the actual wages paid to all workers up to and including the supervisors for their time actually spent on the work and in travelling to and from the work, and the cost of food, lodging and transportation for such workers where necessary for the proper carrying out of the work,
- (b) the cost to the utility company of contributions related to such wages in respect of workplace safety and insurance premiums, vacation pay, employment insurance, pension or insurance benefits and other similar benefits,
- (c) the cost of using and transporting equipment and explosives used in the work,
- (d) the cost of planning, designing and engineering,
- (e) the cost of materials,
- (f) the cost of acquiring necessary permits, approvals and property rights, and
- (g) related administrative costs such as for project management; (“coût réel”)

“Bradford Bypass Project” means the project to construct a highway connecting Highway 400 in the Town of Bradford West Gwillimbury (County of Simcoe) to Highway 404 in the Town of East Gwillimbury (Regional Municipality of York), located north of and parallel to Simcoe County Road 88 in the Town of Bradford West Gwillimbury and Queensville Sideroad (York Road 77) in East Gwillimbury, with the route traversing a small segment of the Township of King in York Region and any related activities; (“projet de voie de contournement de Bradford”)



“business day” means a day from Monday to Friday, other than a holiday as defined in section 87 of the *Legislation Act, 2006*; (“jour ouvrable”)

“Garden City Skyway Bridge Twinning Project” means the project to construct a second Garden City Skyway bridge along the Queen Elizabeth Way and across the Welland Canal connecting the City of St. Catharines to the Town of Niagara-on-the-Lake and any related activities; (“projet de jumelage de ponts du Garden City Skyway”)

“highway” has the same meaning as in the *Public Transportation and Highway Improvement Act*; (“voie publique”)

“Highway 413 Project” means the project to do the following, and any related activities:

1. Construct a highway that connects Highway 400 in the Regional Municipality of York to Highway 401 and Highway 407 in the Regional Municipality of Halton and the Regional Municipality of Peel and includes related facilities and structures such as parking facilities, stormwater management ponds, commercial vehicle inspection facilities and maintenance yards.
2. Construct extensions of Highway 410 and Highway 427 to connect them to Highway 413; (“projet d’autoroute 413”)

“information concerning infrastructure” includes,

- (a) records of the infrastructure and associated rights of way,
- (b) records of communications and agreements related to the infrastructure,
- (c) information related to the location for the infrastructure, and
- (d) any other information the Minister considers necessary for the purposes of this Act; (“renseignements concernant l’infrastructure”)

“institution” has the same meaning as in the *Freedom of Information and Protection of Privacy Act*; (“institution”)

“land” includes any estate, term, easement, right or interest in, to, over or affecting land; (“bien-fonds”)

“Minister” means the Minister of Transportation or any other member of the Executive Council to whom responsibility for the administration of this Act is assigned or transferred under the *Executive Council Act*; (“ministre”)

“Ministry” means the ministry of the Minister; (“ministère”)

“prescribed” means prescribed by a regulation made under this Act; (“prescrit”)

“priority highway project” means,

- (a) the Highway 413 Project,
- (b) the Bradford Bypass Project,
- (c) the Garden City Skyway Twinning Project, or
- (d) any other prescribed highway project; (“chantier routier prioritaire”)

“property owner” includes a mortgagee, lessee, tenant, occupant, person entitled to a limited estate or interest, and a guardian, executor, administrator or trustee in whom land or any interest therein is vested; (“propriétaire du bien”)

“registered owner” has the same meaning as in the *Expropriations Act*; (“propriétaire enregistré”)

“regulation” means a regulation made under this Act; (“règlement”)

“related activities”, in respect of priority highway projects, includes activities to change existing infrastructure such as sewage works, rail lines, highways, municipal and private roads and utility infrastructure; (“activités connexes”)

“utility company” means a municipal corporation or commission or a company or individual operating or using communications services, water services or sewage services, or transmitting, distributing or supplying any substance or form of energy for light, heat or power; (“entreprise de services publics”)

“utility infrastructure” means poles, wires, cables including fibre-optic cables, conduits, towers, transformers, pipes, pipe lines or any other works, structures or appliances placed over, on or under land or water by a utility company. (“infrastructure de services publics”)

## EXPROPRIATIONS

### No adjustment of date of possession

**3** (1) Despite subsection 39 (3) of the *Expropriations Act*, a registered owner may not apply under that provision for an adjustment of the date of possession specified in a notice of possession if the Minister expropriated the land under the *Public Transportation and Highway Improvement Act* for the purposes of a priority highway project.

## **Transition**

(2) An application referred to in subsection (1) that was made by a registered owner on or after the day the *Reducing Gridlock, Saving You Time Act, 2024* received first reading but before the day this Act came into force is terminated on the day this Act came into force if the application was not disposed of before that day.

## UTILITIES AND OTHER INFRASTRUCTURE

### **Notice to take up, remove or change location of utility infrastructure**

4 (1) The Minister may by notice require a utility company to take up, remove or change the location of utility infrastructure if, in the opinion of the Minister, the taking up, removing or changing in location is for the purposes of a priority highway project.

### **Requirements for notice**

(2) The notice issued under subsection (1) shall be in writing and include the following information:

1. The name of the priority highway project for which the notice is being given.
2. A description of the utility infrastructure that needs to be taken up, removed or changed in location.
3. The date by which the work must be completed.
4. A statement that written submissions may be made to the Minister within 15 days after receiving the notice or by such later date as is specified in the notice, and instructions on how to submit written submissions.
5. A statement that the notice is issued pursuant to this section of this Act.
6. Contact information for further information about the notice.

### **Submissions**

(3) The utility company to which the notice is issued under subsection (1) may make submissions in writing to the Minister by the date specified in the notice, including submissions in respect of any technical or other difficulties with completing the work by the date referred to in paragraph 3 of subsection (2).

### **Minister's decision**

(4) After considering any submissions made under subsection (3), the Minister may, in writing,

- (a) confirm the notice;
- (b) issue an amended notice; or
- (c) revoke the notice.

### **Date in amended notice**

(5) If an amended notice is issued under subsection (4), the notice shall not specify a date for completion of the work that is earlier than the date specified in the notice issued under subsection (1).

### **Minister may cause work to be done**

5 (1) Where a notice is issued under subsection 4 (1) or amended under subsection 4 (4), the Minister may cause any work required by the notice to be done if the utility company fails to do the work by the date specified in the notice or amended notice.

### **Notice of intent to cause work to be done**

(2) The Minister shall provide notice, in advance of any work to be done pursuant to subsection (1), to the utility company to whom the notice was issued and to the property owner.

### **Contents**

(3) A notice under subsection (2) shall be in writing and include the date and approximate time of the work.

### **Compensation by Minister**

6 If the utility company completes the work required by the notice issued under subsection 4 (1) or amended under subsection 4 (4), the Minister shall compensate the utility company for the actual costs of doing the work.

### **Compensation by company**

7 (1) If the Minister causes any work to be done pursuant to subsection 5 (1), the utility company shall compensate the Minister for the value of any loss or expense incurred by the Minister resulting from the failure of the utility company to comply with the notice.

**Actual cost of work not included**

(2) For greater certainty, the value referred to in subsection (1) does not include the actual cost of doing the work required by the notice.

**Supplying information re infrastructure**

**8** (1) The Minister may make a request to a person for information concerning infrastructure that the person owns or operates that may be affected by a priority highway project.

**Disclosing information**

(2) A person who receives a request under subsection (1) shall supply the information no later than 15 days after receiving the request or at such later time as may be specified in the request.

**Information maintained in confidence**

(3) The Minister and every person employed in the Ministry that has access to information supplied under this section shall maintain it in confidence.

**Exception**

(4) Despite subsection (3), the Minister or a person employed in the Ministry that has access to information supplied under this section may disclose it,

- (a) if the person who supplied the information consents to its disclosure;
- (b) if the disclosure is necessary for the purposes of the planning, design or construction of a priority highway project;
- (c) if the disclosure is necessary for the purposes of other infrastructure that is planned, designed or constructed to be adjacent to or in connection with a priority highway project;
- (d) to counsel or to an advisor to the Minister or Ministry;
- (e) for the purposes of complying with an Act of the Legislature or an Act of Parliament;
- (f) where disclosure is to an institution or a law enforcement agency in Canada to aid a law enforcement investigation; or
- (g) where disclosure is further to an order of a court or tribunal.

**Information deemed to have been supplied to Minister in confidence**

(5) A record that contains information received in accordance with this section is deemed for the purposes of section 17 of the *Freedom of Information and Protection of Privacy Act* to have been supplied to the Minister by the person in confidence, and the information is deemed to be information that, if disclosed, could reasonably be expected to result in undue loss or gain to any person, group, committee or financial institution or agency.

**Information deemed to have been supplied by Minister in confidence**

(6) Information received in accordance with this section that the Minister discloses to another institution is deemed, for the purposes of section 17 of the *Freedom of Information and Protection of Privacy Act*, to have been supplied in confidence to that institution, and the information is deemed to be information that, if disclosed, could reasonably be expected to result in undue loss or gain to any person, group, committee or financial institution or agency.

## SITE INSPECTIONS

**Site inspection**

**9** (1) Subject to subsection (2), the Minister or any person authorized by him or her may enter any property for the purposes of carrying out a site inspection to support the planning, design or construction of a priority highway project, and for this purpose may,

- (a) make records of the property and surrounding area;
- (b) take samples;
- (c) conduct tests or surveys;
- (d) assemble, install, place or leave monitoring equipment on the property to collect information or make records; and
- (e) alter in any manner any natural or artificial feature of the property to carry out the activities in clauses (a) to (d).

**Dwelling**

(2) A site inspection shall not take place in a dwelling.

### **Compensation and restoration**

(3) If the Minister or any person authorized by him or her does one or more of the things mentioned in clause (1) (b), (c), (d) or (e), after doing so the Minister shall,

- (a) compensate the property owner for any damages resulting from the work, and the procedure for obtaining compensation set out in section 11 applies; and
- (b) make reasonable efforts to restore the property to its condition prior to the work.

### **Manner of carrying out site inspection**

#### **Advance notice**

**10** (1) The Minister shall provide advance notice of a site inspection to the property owner at least 15 days before the site inspection.

#### **Contents**

(2) The advance notice shall be in writing and include the following information:

- 1. The intended date and approximate time of the site inspection, with a statement that reasonable efforts will be made to have the site inspection at a date and time that is mutually convenient.
- 2. The approximate duration of the site inspection.
- 3. The purpose of the site inspection.
- 4. That the property owner may be entitled to compensation and the procedure for determining compensation.
- 5. That obstructing a site inspection or interfering with any equipment used for a site inspection is an offence under this Act.
- 6. Contact information for further information.

#### **Date and time**

(3) The Minister shall make reasonable efforts to have a site inspection take place at a date and time that is mutually convenient to the Minister and the property owner.

#### **If no agreement**

(4) If no mutually convenient time is identified, a site inspection shall be carried out,

- (a) during the regular business hours of the place;
- (b) if the place does not have regular business hours, at any time the place is open for business;
- (c) if the place is not a business or if clauses (a) and (b) are otherwise not applicable, at any time during daylight hours; or
- (d) if the nature of the site inspection is such that it must be carried out at a specific time of day, that time of the day, whether or not it is during daylight hours.

#### **Identification**

(5) A person authorized by the Minister to carry out a site inspection shall produce, on request, evidence of being authorized to do so.

#### **Accompaniment**

(6) A person authorized by the Minister to carry out a site inspection may be accompanied by one or more individuals under the person's direction to assist with the site inspection.

#### **Use of force**

(7) A person carrying out a site inspection is not entitled to use force to enter the property.

#### **Compensation**

**11** (1) This section sets out procedures in respect of obtaining compensation in relation to a site inspection.

#### **Notice to property owner**

(2) Where a site inspection was carried out under section 9, the Minister shall, within 60 days after its conclusion, give notice to the property owner describing the site inspection that was carried out, the land affected by it and the efforts made to restore the property, and stating that the property owner may file a claim for compensation with the Ministry within six months after the date of the notice.

### **Particulars**

(3) The Minister may require a property owner who claims compensation to provide the Minister with a true statement showing the particulars of the property owner's interest in the property and of the claim.

### **No compensation**

(4) There is no obligation to compensate the property owner for any damages resulting from a site inspection where notice has been given under subsection (2) and a claim for compensation is not made within six months after the date of the notice.

### **Compensation dispute**

(5) If the Minister and the property owner do not agree on compensation, either of them may apply to the Ontario Land Tribunal to determine compensation.

### **Interest**

(6) The Tribunal may order interest on the compensation from when the work began at the prescribed rate, if there is a prescribed rate.

### **Exception to interest**

(7) Despite subsection (6),

- (a) if the property owner was offered, in writing, compensation greater than the amount determined by the Tribunal, no interest may be ordered in respect of any period after the date of the offer; and
- (b) if the Tribunal is of the opinion that any delay in determining the compensation is attributable in whole or in part to the property owner, the Tribunal may refuse to order interest for the whole or any part of the time for which the property owner might otherwise be entitled to interest, or may order interest at such rate less than the prescribed rate as appears just.

### **Municipality or local board**

(8) If the property owner is a municipality or a local board within the meaning of the *Municipal Act, 2001* or the *City of Toronto Act, 2006*, then despite subsections (1) to (5),

- (a) the Minister may compensate the property owner for any damages resulting from the site inspection, but does not have to;
- (b) if the Minister compensates the property owner, the Minister shall decide the quantum of compensation and may provide only partial compensation; and
- (c) for greater certainty, the Minister is not required to compensate the property owner for anything done under subsection 9 (1), and the procedure for determining compensation set out in subsections (1) to (5) of this section does not apply.

### **Offence**

**12** (1) Every person is guilty of an offence who hinders, obstructs or interferes with the Minister, any person authorized by the Minister or any person described in subsection 10 (6) from carrying out a site inspection under section 9.

#### **Same**

(2) Every person is guilty of an offence who hinders, obstructs or interferes with the Minister, any employee in the Ministry or a person acting on behalf of any of them in taking possession of land that is vested in the Crown and which the Minister has the right to possess for the purposes of a priority highway project.

#### **Same**

(3) Every person is guilty of an offence who damages, alters, tampers with, removes or destroys any equipment installed, placed or left upon land under clause 9 (1) (d).

### **Penalties**

(4) A person who is guilty of an offence under subsection (1), (2) or (3) is liable on conviction,

- (a) in the case of an individual,
  - (i) for a first offence, to a fine of not more than \$50,000 plus not more than an additional \$10,000 for each day on which the offence continues after the day it commences, or
  - (ii) for a second or subsequent conviction for that offence, to a fine of not more than \$100,000 plus not more than an additional \$10,000 for each day on which the offence continues after the day it commences; or
- (b) in the case of a corporation,
  - (i) for a first offence, to a fine of not more than \$500,000 plus not more than an additional \$10,000 for each day on which the offence continues after the day it commences, or

- (ii) for a second or subsequent conviction for that offence, to a fine of not more than \$1,000,000 plus not more than an additional \$10,000 for each day on which the offence continues after the day it commences.

### **Order for entry or possession**

**13** (1) A justice of the peace may issue an order authorizing a person named in the order to enter property specified in the order to do anything authorized under subsection 9 (1) or to take possession of land that is vested in the Crown and that the Minister has the right to possess for the purposes of a priority highway project if the justice is satisfied, on information under oath, that there are reasonable grounds to believe that,

- (a) it is appropriate for a person to do the things authorized under subsection 9 (1) or the Minister is entitled to take possession of the land, as the case may be; and
- (b) the person may not be able to carry out his or her duties effectively without an order under this section because,
  - (i) no occupier is present to grant access to a place that is locked or otherwise inaccessible,
  - (ii) another person has prevented or may prevent the person from doing the things authorized under subsection 9 (1) or from taking possession of the land,
  - (iii) it is impractical, due to timing restrictions related to the planning, design and construction of a priority highway project or because of any other reason, for a person to obtain an order under this subsection without delay if access is denied, or
  - (iv) an attempt by a person to do the things authorized under subsection 9 (1) or to take possession of land without the order might not achieve its purpose without the order.

### **Expiry**

(2) Unless renewed, an order under this section expires on the earlier of the day specified in the order and the 30th day after the day the order is issued.

### **Renewal**

(3) An order under this section may be renewed in the circumstances in which an order may be issued under subsection (1), before or after expiry, for one or more periods, each of which is not more than 30 days.

### **Application without notice**

(4) An order under this section may be issued or renewed on application without notice.

### **When to be executed**

(5) Unless the order provides otherwise, everything that an order under this section authorizes must be done between 6 a.m. and 9 p.m.

### **Application for dwelling**

(6) An application for an order under this section authorizing entry to a dwelling shall specifically indicate that the application relates to a dwelling, and the order may authorize such entry.

### **Identification**

(7) A person authorized to carry out the things specified in the order issued under subsection (1) shall produce, on request, a copy of the order.

### **Accompaniment**

(8) Unless the order specifies otherwise, the person named in the order may be accompanied by one or more persons under their direction to assist in carrying out the things specified in the order.

### **Use of force**

(9) An application for an order under this section authorizing the use of force shall specify the nature of the force that may be needed to be used to do the things authorized under subsection 9 (1) or to take possession of the land, as the case may be, and the order may authorize such use of force.

### **Other terms and conditions**

(10) An order may contain terms and conditions that the justice considers advisable in the circumstances, and a renewed order may contain additional or amended terms and conditions.

### **Calling for assistance of member of police service**

(11) A person authorized by an order issued under subsection (1) may take such steps and employ such assistance as is necessary to accomplish what is required in the order, and may call for the assistance of any member of the police service in the area where the assistance is required, and it is the duty of every member of a police service to render such assistance.

## DESIGNATION OF PRIORITY HIGHWAY PROJECTS

### **Delivery of goods and services to facilitate 24 hour construction**

**14** (1) If a priority highway project is designated by a regulation for the purposes of this section, a restriction imposed in a municipal by-law that prevents or restricts a person from delivering goods or services to the priority highway project, including a restriction relating to noise or the use of highways under the jurisdiction of the municipality, is inoperative to the extent that it would prevent or restrict the delivery of the goods or services.

### **Same**

(2) Despite subsection (1), the following restrictions continue to apply in respect of the delivery of goods and services to the designated priority highway project:

1. A restriction that establishes a weight restriction on a bridge, culvert or other similar structure.
2. A restriction that establishes a speed limit.
3. A restriction that prohibits the use of a highway under the jurisdiction of the municipality by vehicular traffic due to maintenance or construction.
4. A restriction that prohibits the use of a highway under the jurisdiction of the municipality for three days or less due to the holding of a street or special event on the highway.
5. A prescribed restriction.

## MISCELLANEOUS

### **Providing a document**

**15** (1) A notice or request provided or made by the Minister under section 4, 5, 8, 10 or 11 is sufficiently provided or made if it is,

- (a) delivered directly to the person;
- (b) left at the person's last known address, in a place that appears to be for incoming mail or with an individual who appears to be 16 years old or older;
- (c) sent by regular mail to the person's last known address;
- (d) sent by commercial courier to the person's last known address; or
- (e) provided by other prescribed means.

### **Deemed receipt**

(2) For the purposes of subsection (1),

- (a) a document left under clause (1) (a) or (b) is deemed to have been received on the first business day after it was left;
- (b) a document sent under clause (1) (c) is deemed to have been received on the fifth business day after the day it was mailed;
- (c) a document sent under clause (1) (d) is deemed to have been received on the second business day after the day the commercial courier received it; and
- (d) a document given under clause (1) (e) is deemed to have been received on the day specified by the regulations.

### **No expropriation, injurious affection**

**16** Nothing referred to in section 3, 4, 5, 9 or 18 constitutes an expropriation or injurious affection for the purposes of the *Expropriations Act* or otherwise at law.

### **No personal liability**

**17** (1) No cause of action arises against any person referred to in subsection (2) for any act done in good faith in the exercise or performance, or intended exercise or performance, of the person's powers, duties or functions under this Act or for any alleged neglect, default or other omission in the exercise or performance in good faith of those powers, duties or functions.

### **Same**

(2) The persons for the purposes of subsection (1) are,

- (a) any current or former,
  - (i) member of the Executive Council;
  - (ii) Deputy Minister of the Ministry;

(iii) employee, officer or agent of the Crown; and

- (b) any current or former employee, officer or director of an independent contractor providing services to the Crown for the purposes of this Act, including services to assist with work caused to be done under section 5 or with a site inspection under section 9.

**Crown remains vicariously liable**

(3) Despite subsection 8 (3) of the *Crown Liability and Proceedings Act, 2019*, subsection (1) does not relieve the Crown of liability to which it would otherwise be subject as a result of the acts or omissions of a person specified in clause (2) (a).

**Independent contractor remains vicariously liable**

(4) Subsection (1) does not relieve an independent contractor of liability to which it would otherwise be subject as a result of the acts or omissions of a person specified in clause (2) (b).

**Proceedings barred**

(5) No proceeding shall be commenced against any person specified in subsection (2) in respect of a matter referred to in subsection (1).

**Same**

(6) Subsection (5) does not apply with respect to an application for judicial review or any proceeding that is specifically provided for under this Act, but does apply with respect to any other court, administrative or arbitral proceeding claiming any remedy or relief, including specific performance, an injunction, declaratory relief, a remedy in contract, restitution, unjust enrichment or tort, a remedy for breach of trust or fiduciary obligation or any equitable remedy, enforcement of a judgment, order or award made outside Ontario or any form of compensation or damages including loss of revenue or profit.

**Certain proceedings not prevented**

(7) This section does not apply with respect to proceedings,

- (a) brought by the Crown against any person; or
- (b) brought by an independent contractor who provides services to the Crown for the purposes of this Act against a current or former employee, director or officer of that independent contractor.

**Regulations, Lieutenant Governor in Council**

**18** The Lieutenant Governor in Council may make regulations prescribing highway projects for the purposes of the definition of “priority highway project” in section 2.

**Regulations, Minister**

**19** The Minister may make regulations,

- (a) prescribing a rate for the purposes of subsection 11 (6);
- (b) designating priority highway projects or parts of priority highway projects for the purposes of subsection 14 (1);
- (c) prescribing restrictions for the purposes of paragraph 5 of subsection 14 (2);
- (d) prescribing other means of providing notice for the purposes of clause 15 (1) (e) and the day of deemed receipt for the purposes of clause 15 (2) (d).

**COMMENCEMENT AND SHORT TITLE**

**Commencement**

**20** The Act set out in this Schedule comes into force on the day the *Reducing Gridlock, Saving You Time Act, 2024* receives Royal Assent.

**Short title**

**21** The short title of the Act set out in this Schedule is the *Building Highways Faster Act, 2024*.



**SCHEDULE 3  
HIGHWAY 413 ACT, 2024**

**CONTENTS**

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**Definitions**

**1** In this Act,

“change to the Highway 413 Project” means,

- (a) a change to the Highway 413 Project as the project is described in the final environmental impact assessment report published under subsection 8 (4), as amended by any final addendum published under subsection 9 (8),
- (b) a change to the manner in which the Highway 413 Project is carried out, including a change to how the Ministry will mitigate negative impacts on the environment and monitor and verify the effectiveness of its mitigation, as described in the final environmental impact assessment report published under subsection 8 (4), as amended by any final addendum published under subsection 9 (8), and
- (c) a prescribed type of change; (“modification du projet d’autoroute 413”, “modification du projet”)

“environment” has the same meaning as in the *Environmental Assessment Act*; (“environnement”)

“highway” has the same meaning as in the *Public Transportation and Highway Improvement Act*; (“voie publique”)

“Highway 413” means a highway that connects Highway 400 in the Regional Municipality of York to Highway 401 and Highway 407 in the Regional Municipality of Halton and the Regional Municipality of Peel and includes related facilities and structures such as parking facilities, stormwater management ponds, commercial vehicle inspection facilities and maintenance yards; (“autoroute 413”)

“Highway 413 early works projects” means the following activities carried out by or on behalf of the Minister,

- (a) constructing an embankment for a ramp near the existing ramp that starts at Exit 330 on westbound Highway 401 and connects westbound Highway 401 to westbound Highway 407 in the Regional Municipality of Halton,
- (b) constructing a bridge within the Highway 413 route that is within or near the right of way for Highway 10 within the Regional Municipality of Peel,
- (c) constructing a bridge within the Highway 413 route that is within or near the right of way for Bovaird Drive West within the Regional Municipality of Peel,
- (d) any activities for or related to the activities described in clauses (a) to (c),
- (e) constructing fencing for or related to any of the activities described in clauses (a) to (d) or clause (f), or otherwise constructing fencing for or related to Highway 413 or extensions of Highway 410 and Highway 427 to connect them to Highway 413, and any activities required for constructing such fencing, and
- (f) such other activities for or related to Highway 413 or extensions of Highway 410 and Highway 427 to connect them to Highway 413 as may be prescribed; (“projets de travaux préliminaires de l’autoroute 413”)

“Highway 413 Project” means the following activities carried out by or on behalf of the Minister, other than the Highway 413 early works projects,

- (a) constructing Highway 413,
- (b) constructing extensions of Highway 410 and Highway 427 to connect them to Highway 413,
- (c) changing any,
  - (i) existing sewage works, rail lines or highways for or related to the activities set out in clause (a) or (b), or
  - (ii) any prescribed thing related to the activities referred to in clause (a) or (b), and
- (d) such other activities related to an activity referred to in (a), (b) or (c) as may be prescribed; (“projet d’autoroute 413”)

“Highway 413 route” means the area identified as the Preliminary Route Planning Study Area in Exhibit 6-20 of the GTA West Corridor Environmental Assessment Study: Transportation Development Study Report, dated November 2012, a copy of which is available on the Project website, as may be altered by the regulations; (“tracé de l’autoroute 413”)

“Minister” means the Minister of Transportation or such other member of the Executive Council to whom responsibility for the administration of this Act is assigned or transferred under the *Executive Council Act*; (“ministre”)

“Ministry” means the ministry of the Minister; (“ministère”)

“person” includes a municipality, the Crown and a Crown agency within the meaning of the *Crown Agency Act*; (“personne”)

“prescribed” means prescribed by the regulations; (“prescrit”)

“Project website” means a website maintained by or on behalf of the Minister on which information on the Highway 413 Project is publicly shared; (“site Web du projet”)

“regulations” means the regulations made under this Act; (“règlements”)

“significant change” means a change to the Highway 413 Project that is,

- (a) a change to the alignment for Highway 413 and extensions of Highway 410 and Highway 427 to connect them to Highway 413, as shown on the maps and drawings of the Ministry’s preliminary design in the final environmental impact assessment report published under subsection 8 (4), as may be amended by any final addendum published under subsection 9 (8),
- (b) the addition of or a change to the location of a parking facility, stormwater management pond, commercial vehicle inspection facility or maintenance yard,
- (c) the addition of a bridge, interchange, intersection or roundabout,
- (d) the addition of one or more lanes,
- (e) a change to how or whether the Ministry will mitigate impacts on the environment, except,
  - (i) where the change is required to comply with a provincial or federal Act, a regulation made under such an Act or an order, permit, approval or other instrument issued under such an Act, or
  - (ii) as prescribed, or
- (f) a prescribed type of change. (“modification importante”)

#### **Exemptions from *Environmental Assessment Act***

**2** (1) The following are exempt from the *Environmental Assessment Act*:

1. The Highway 413 Project, including any change to the Highway 413 Project.
2. The Highway 413 early works projects.
3. Any enterprise or activity other than an enterprise or activity referred to in paragraph 1 or 2 that,
  - i. is carried out by or on behalf of the Minister, and
  - ii. is for or related to Highway 413 or extensions of Highway 410 and 427 to connect them to Highway 413, including establishing Highway 413 and the extensions.
4. Any enterprise or activity to which the terms of reference for the GTA West Corridor, approved on March 4, 2008 under the *Environmental Assessment Act* with file number EA-02-07, apply.
5. Any proposal, plan or program in respect of an enterprise or activity referred to in paragraphs 1 to 4.
6. Any prescribed enterprise or activity or proposal, plan or program in respect of an enterprise or activity that is for or related to Highway 413 or extensions of Highway 410 and Highway 427 to connect them to Highway 413.

**Exemptions cease to apply**

(2) The exemptions set out in subsection (1) cease to apply once the notice of completion is given under section 10.

**Non-application**

(3) An exemption set out in subsection (1) does not apply to any enterprise or activity or proposal, plan or program in respect of any enterprise or activity that may be prescribed.

**Prohibition re carrying out Highway 413 Project**

**3** (1) Subject to subsection (2), no person shall carry out the Highway 413 Project except in accordance with the final environmental impact assessment report published under subsection 8 (4) as amended by any final addendum published under subsection 9 (8).

**Non-application — change**

(2) If the Minister makes a change to the Highway 413 Project that is not a significant change, subsection (1) does not apply to the extent that carrying out the change does not accord with the final environmental impact assessment report published under 8 (4), as amended by any final addendum published under subsection 9 (8).

**Activities before process completed**

(3) For greater certainty, nothing in this Act prevents a person from carrying out the following activities before the requirements set out in sections 4 to 9 are fulfilled:

1. The Highway 413 early works projects.
2. Acquiring land or interests in land, including by expropriation, for the Highway 413 Project, including any change to the Highway 413 Project, and the Highway 413 early works projects.
3. Entering into contracts for the Highway 413 Project, including any change to the Highway 413 Project, and the Highway 413 early works projects.
4. Issuing an authorization required for the Highway 413 Project, including any change to the Highway 413 Project, and the Highway 413 early works projects.

**Indigenous consultation plan**

**4** (1) The Minister shall prepare an Indigenous consultation plan that includes,

- (a) a list of Indigenous communities that have or may have existing Aboriginal or treaty rights, as recognized and affirmed in section 35 of the *Constitution Act, 1982*, that may be impacted by the Highway 413 Project;
- (b) a list of any Indigenous communities that may otherwise be interested in the Highway 413 Project; and
- (c) the plan for,
  - (i) consulting with Indigenous communities referred to in clause (a) in respect of the impacts of the Highway 413 Project, including any significant change, on existing Aboriginal or treaty rights, as recognized and affirmed in section 35 of the *Constitution Act, 1982*, and
  - (ii) consulting with Indigenous communities referred to in clauses (a) and (b) in respect of the assessment of the impacts of the Highway 413 Project and identification of mitigation required by section 5, the draft environmental impact assessment report prepared under section 6, any significant change and any draft addenda prepared under section 9.

**Circulation of plan**

(2) The Minister shall circulate the Indigenous consultation plan to the communities referred to in subsection (1).

**Circulation of changes**

(3) If the Minister makes any changes to the Indigenous consultation plan, the Minister shall circulate the changes to the communities referred to in subsection (1).

**Implementation**

(4) The Minister shall implement the Indigenous consultation plan, including any changes to the plan.

**Assessment of impacts on environment**

**5** (1) Before completing the draft environmental impact assessment report under section 6, the Minister shall,

- (a) assess the impacts of the Highway 413 Project on the environment; and
- (b) identify how the Ministry will mitigate negative impacts identified in the assessment under clause (a).

### **Assessment based on preliminary design**

(2) The assessment of impacts and identification of mitigation under subsection (1) shall be based on the Ministry's preliminary design for the Highway 413 Project.

### **Use of studies, etc.**

(3) For greater certainty, in fulfilling the requirements of subsection (1), the Minister may use studies, research, evaluations or other work carried out before or after this Act came into force in respect of the Highway 413 Project.

### **Draft environmental impact assessment report**

**6** (1) The Minister shall prepare a draft environmental impact assessment report in accordance with subsection (2).

### **Contents**

(2) The draft environmental impact assessment report shall contain the following:

1. A statement of the purpose of the Highway 413 Project.
2. A description of the Highway 413 Project based on the Ministry's preliminary design for the Highway 413 Project.
3. A map showing the location of Highway 413 and extensions of Highway 410 and Highway 427 to connect them to Highway 413.
4. One or more maps and drawings showing the Ministry's preliminary design for the Highway 413 Project, including the alignment for Highway 413 and extensions of Highway 410 and Highway 427 to connect them to Highway 413.
5. A description of the other alignments for Highway 413 and extensions of Highway 410 and Highway 427 to connect them to Highway 413 that were considered by the Ministry since November 1, 2012.
6. The rationale for selecting the alignment for Highway 413 and extensions of Highway 410 and Highway 427 to connect them to Highway 413.
7. A summary of the local environmental conditions of the Highway 413 route identified by the Ministry.
8. A description of studies of the environment completed or updated by the Ministry after November 1, 2012 in respect of the Highway 413 Project.
9. The Minister's assessment under clause 5 (1) (a) of the impacts of the Highway 413 Project on the environment.
10. The Minister's criteria for the assessment of impacts referred to in paragraph 9.
11. A description of how the Ministry will mitigate negative impacts of the Highway 413 Project on the environment as identified under clause 5 (1) (b).
12. A description of how the Ministry will monitor and verify the effectiveness of its mitigation referred to in paragraph 11.
13. A list of any provincial, federal or other authorizations that may be required for the Highway 413 Project based on the Ministry's preliminary design for the Highway 413 Project.
14. A consultation record, including,
  - i. a summary of consultation carried out with Indigenous communities in respect of the Highway 413 Project after November 1, 2012, including a summary of,
    - A. comments submitted and concerns raised by Indigenous communities, and
    - B. discussions that the Ministry had with Indigenous communities,
  - ii. a summary of consultation carried out with the public in respect of the Highway 413 Project after November 1, 2012, including a summary of written comments and concerns submitted by members of the public, and
  - iii. a description of what the Ministry did to respond to concerns referred to in subparagraphs i and ii.

### **Studies, para. 8 of subs. (2)**

(3) The studies referred to in paragraph 8 of subsection (2) includes studies related to,

- (a) fish and fish habitat;
- (b) terrestrial ecosystems;
- (c) archaeological resources;
- (d) air quality;
- (e) agriculture;
- (f) noise;

- (g) socio-economic conditions; and
- (h) drainage and stormwater management.

#### **Publication of studies**

(4) The Minister shall publish the studies and updates of studies described in the draft environmental impact assessment report on the Project website, except where, in the opinion of the Minister, the studies or updates of studies contain information about sensitive natural or cultural heritage matters.

#### **Notice of draft environmental impact assessment report**

7 (1) The Minister shall prepare and distribute a notice of draft environmental impact assessment report.

#### **Contents**

(2) The notice shall include the following information:

1. The Project website's address.
2. A map showing the location of Highway 413 and extensions of Highway 410 and Highway 427 to connect them to Highway 413.
3. A statement that the draft environmental impact assessment report is available for comment.
4. Information on how to access a copy of the draft environmental impact assessment report.
5. The name, phone number and email address of a person who may be contacted on behalf of the Ministry.
6. Information about the opportunity to submit written comments on the draft environmental impact assessment report, including the date by which any comments must be submitted.

#### **Distribution**

(3) The Minister shall distribute the notice by,

- (a) giving a copy of the notice to,
  - (i) every Indigenous community that is listed in the Indigenous consultation plan prepared under section 4,
  - (ii) the clerk of every municipality that is within the alignment for Highway 413 and extensions of Highway 410 and Highway 427 to connect them to Highway 413, as shown on the maps and drawings of the Ministry's preliminary design in the draft environmental impact assessment report prepared under section 6,
  - (iii) every person on any list maintained by the Ministry of persons who have expressed interest in the Highway 413 Project, and
  - (iv) any federal department or agency who, in the opinion of the Minister, may be interested in the Highway 413 Project; and
- (b) publishing the notice,
  - (i) in one or more newspapers having general circulation in the municipalities that are within the alignment for Highway 413 and extensions of Highway 410 and Highway 427 to connect them to Highway 413, as shown on the maps and drawings of the Ministry's preliminary design in the draft environmental impact assessment report prepared under section 6, and
  - (ii) on the Project website.

#### **Final environmental impact assessment report**

8 (1) After publishing the notice of draft environmental impact assessment report under clause 7 (3) (b), the Minister shall do the following:

1. Provide the Indigenous communities and persons to whom a copy of the notice under clause 7 (3) (a) is required to be given and the public an opportunity to submit written comments on the draft environmental impact assessment report.
2. Provide access to a copy of the draft environmental impact assessment report to the Indigenous communities and persons to whom a copy of the notice under clause 7 (3) (a) is required to be given and to the public by publishing a copy on the Project website or by such other means as the Minister considers appropriate.
3. Prepare the final environmental impact assessment report in accordance with subsections (2) and (3).

#### **Preparation of final environmental impact assessment report**

(2) In preparing the final environmental impact assessment report, the Minister shall do the following:

1. Consider any concerns that were raised regarding the draft environmental impact assessment report in comments provided by the Indigenous communities referred to in paragraph 1 of subsection (1).

2. Consider any concerns that were raised regarding the draft environmental impact assessment report in written comments submitted by the following persons by the date set out in the notice of draft environmental impact assessment report distributed under section 7 by which written comments must be submitted:
  - i. Persons to whom a copy of the notice under subclauses 7 (3) (a) (ii) to (iv) is required to be given.
  - ii. Members of the public.

#### **Contents of final environmental impact assessment report**

(3) The final environmental impact assessment report shall include the following:

1. A description of the concerns regarding the draft environmental impact assessment report raised by the Indigenous communities referred to in paragraph 1 of subsection (1) and of what the Ministry did to respond to these concerns.
2. A description of the concerns regarding the draft environmental impact assessment report raised by the persons referred to paragraph 2 of subsection (1) in written comments submitted by the date set out in the notice of draft environmental impact assessment report distributed under section 7 by which written comments must be submitted, and of what the Ministry did to respond to these concerns.
3. A description of any changes to,
  - i. the Ministry's preliminary design for the Highway 413 Project that was identified in the draft environmental impact assessment report published under clause 7 (3) (b), and
  - ii. the manner in which the Highway 413 Project is to be carried out that was described in the draft environmental impact assessment report.
4. If a change described in subparagraph 3 i has been made and the Minister considers it appropriate, a map or drawings showing the change.

#### **Publication of final environmental impact assessment report**

(4) The Minister shall publish the final environmental impact assessment report on the Project website.

#### **Notice of publication**

(5) The Minister shall notify the Indigenous communities and the persons to whom a copy of the notice under clause 7 (3) (a) is required to be given of the publication of the final environmental impact assessment report and provide them with access to a copy of it.

#### **Significant change — process**

9 (1) The Minister shall carry out the following steps with respect to a significant change:

1. Undertake any studies of the environment in relation to the significant change that the Minister considers appropriate.
2. Assess any impacts of the significant change on the environment.
3. Identify how the Ministry will mitigate any negative impacts identified in the assessment under paragraph 2.
4. Prepare a draft addendum to the final environmental impact assessment report and a final addendum in accordance with this section.

#### **Draft addendum — contents**

(2) A draft addendum to the final environmental impact assessment report shall include the following information:

1. A description of the significant change.
2. The reasons for the significant change.
3. A description of any studies of the environment undertaken by the Minister in relation to the significant change and identification of the area studied.
4. The Minister's assessment and comparison of any alternative to the significant change considered by the Minister.
5. The Minister's assessment of any impacts of the significant change on the environment.
6. A description of how the Ministry will mitigate any negative impacts of the significant change on the environment.
7. A description of how the Ministry will monitor and verify the effectiveness of the mitigation measures proposed under paragraph 6.
8. A consultation record that includes,
  - i. a summary of consultation carried out with Indigenous communities in respect of the significant change, including a summary of,

- A. comments submitted and concerns raised by Indigenous communities, and
- B. discussions that the Ministry had with Indigenous communities,
- ii. a summary of consultation carried out with the public in respect of the significant change, including a summary of written comments and concerns submitted by members of the public, and
- iii. a description of what the Ministry did to respond to concerns referred to in subparagraphs i and ii.

**Notice of draft addendum — contents**

(3) If a draft addendum is required to be prepared under paragraph 4 of subsection (1), the Minister shall prepare a notice of draft addendum that contains the following:

1. The Project website's address.
2. A description of the significant change.
3. The reason for the significant change.
4. A map showing the location of the significant change.
5. A statement that the draft addendum is available for comment.
6. Information on how to access a copy of the draft addendum.
7. The name, phone number and email address of a person who may be contacted on behalf of the Ministry.
8. Information about the opportunity to provide written comments on the draft addendum, including the date by which written comments must be submitted.

**Notice of draft addendum — distribution**

(4) The Minister shall distribute the notice of draft addendum by,

- (a) giving a copy of the notice to,
  - (i) every Indigenous community that is listed in the Indigenous consultation plan prepared under section 4,
  - (ii) the clerk of every municipality within which the significant change is located, and
  - (iii) any federal department and agency or other person who, in the opinion of the Minister, may be interested in the significant change; and
- (b) publishing the notice,
  - (i) in one or more newspapers having general circulation in any municipality within which the significant change is located, and
  - (ii) on the Project website.

**After notice published**

(5) After publishing the notice of draft addendum under clause (4) (b), the Minister shall do the following:

1. Provide the Indigenous communities and persons to whom a copy of the notice under clause (4) (a) is required to be given and the public an opportunity to submit written comments on the draft addendum.
2. Provide access to a copy of the draft addendum to the Indigenous communities and persons to whom a copy of the notice under clause (4) (a) is required to be given and to the public by publishing a copy on the Project website or by such other means as the Minister considers appropriate.
3. Prepare the final addendum in accordance with subsections (6) and (7).

**Preparation of final addendum**

(6) In preparing the final addendum, the Minister shall do the following:

1. Consider any concerns that were raised regarding the draft addendum in comments provided by the Indigenous communities referred to in paragraph 1 of subsection (5).
2. Consider any concerns that were raised regarding the draft addendum in written comments submitted by the following persons by the date set out in the notice of draft addendum distributed under subsection (4) by which written comments must be submitted:
  - i. Persons to whom a copy of the notice under subclauses (4) (a) (ii) and (iii) is required to be given.
  - ii. Members of the public.

**Contents of final addendum**

(7) The final addendum shall include the following:

1. A description of the concerns regarding the draft addendum raised by the Indigenous communities referred to in paragraph 1 of subsection (6) and of what the Ministry did to respond to these concerns.
2. A description of the concerns regarding the draft addendum submitted by persons referred to in paragraph 2 of subsection (6) in written comments submitted by the date set out in the notice of draft addendum distributed under subsection (4) by which written comments must be submitted and of what the Ministry did to respond to these concerns.
3. A description of any revisions to the significant change described in the draft addendum.

**Publication of final addendum**

(8) The Minister shall publish the final addendum on the Project website.

**Notice of final addendum**

(9) The Minister shall notify the Indigenous communities and the persons to whom a copy of the notice is required to be given under clause (4) (a) of the final addendum published under subsection (8).

**Notice of completion**

**10** Once the Minister is satisfied the Highway 413 Project is complete, the Minister shall publish a notice that meets the prescribed requirements, if any, on the Project website indicating that the Highway 413 Project is complete.

**Deemed authorization**

**11** (1) For the purposes of any provincial plan, as these may be amended from time to time, the Highway 413 Project, including any change to the Highway 413 Project, and the Highway 413 early works projects are deemed to have been subject to, and approved or otherwise authorized under, the *Environmental Assessment Act* as of the Minister publishing the final environmental impact assessment report under subsection 8 (4).

**Definition**

(2) In subsection (1),

“provincial plan” has the same meaning as in the *Planning Act*.

**Non-application of *Planning Act* provisions**

**12** (1) Clause 3 (5) (a) of the *Planning Act* does not apply to a decision of a minister of the Crown or a ministry, board, commission or agency of the Government of Ontario in respect of the Highway 413 Project, including any change to the Highway 413 Project, or the Highway 413 early works projects.

**Same**

(2) Subsection 3 (6) of the *Planning Act* does not apply in respect of the Highway 413 Project, including any change to the Highway 413 Project, or the Highway 413 early works projects.

***Environmental Bill of Rights, 1993***

**13** Part II of the *Environmental Bill of Rights, 1993* does not apply to a proposal to issue, amend or revoke an instrument for or related to the Highway 413 Project, including any change to the Highway 413 Project, or the Highway 413 early works projects despite the proposal being a type of proposal for an instrument that is classified by a regulation made under that Act.

**Notice**

**14** (1) A notice that must be given to a person under this Act is sufficiently given,

- (a) by personal delivery to the person;
- (b) through regular mail delivery addressed to the person at the most recent address the Ministry has on record for the person;
- (c) using any method of mail delivery that permits the delivery to be verified; or
- (d) by electronic transmission.

**Deemed receipt — regular mail**

(2) A notice delivered in accordance with clause (1) (b) is deemed to be given to the person it is addressed to on the fifth day after it is mailed.

**Deemed receipt — electronic transmission**

(3) A notice delivered in accordance with clause (1) (d) is deemed to be given on the day after it is sent, unless that day is a holiday in which case the document is deemed to be received on the next day that is not a holiday.



## Regulations

**15** (1) The Lieutenant Governor in Council may make regulations,

- (a) respecting anything that is referred to in this Act as being prescribed;
- (b) defining any word or expression used in this Act that is not already defined and further defining any word or expression used in this Act that is already defined in this Act;
- (c) prescribing types of change for the purposes of the definition of “significant change” in section 1;
- (d) prescribing activities for the purposes of the definition of “Highway 413 Project” in section 1;
- (e) prescribing activities for the purposes of the definition of “Highway 413 early works projects” in section 1;
- (f) altering the area for the purpose of the definition of “Highway 413 route” in section 1;
- (g) governing assessment and mitigation of impacts of the Highway 413 Project on the environment;
- (h) governing notices required to be given under this Act;
- (i) varying requirements for preparing, distributing and publishing notices;
- (j) prescribing enterprises or activities for the purposes of paragraph 6 of subsection 2 (1);
- (k) varying requirements for preparing the draft environmental impact assessment report under section 6 and the final environmental impact assessment report under section 8;
- (l) varying requirements for the preparation of draft and final addenda to the final environmental impact assessment report under section 9;
- (m) requiring and governing a review of the Highway 413 Project or any part of the Highway 413 Project, the final environmental impact assessment report and any final addendum, to be conducted by the Minister, including specifying the timing and frequency of the review, requirements for the review and parts of the Highway 413 Project subject to the review;
- (n) governing changes to the Highway 413 Project;
- (o) providing for any other matters to carry out this Act.

## Same

(2) A regulation made under clause (1) (d) or (e) shall not be made after the Minister publishes the notice of draft environmental impact assessment report on the Project website under clause 7 (3) (b).

## Retroactivity

**16** If it so provides, a regulation is effective with respect to a period before it is filed.

## Adoption of documents in regulations

**17** (1) A regulation may adopt by reference, in whole or in part, with such changes as the Lieutenant Governor in Council considers necessary, any document, including a code, formula, standard, protocol or procedure, and may require compliance with any document so adopted.

## Rolling incorporation by reference

(2) The power to adopt by reference and require compliance with a document in subsection (1) includes the power to adopt a document as it may be amended from time to time.

## Same

(3) The adoption by reference of an amendment to a document comes into effect on publication of a notice of the amendment in *The Ontario Gazette* or in the registry under the *Environmental Bill of Rights, 1993*.

## Commencement

**18** The Act set out in this Schedule comes into force on the day the *Reducing Gridlock, Saving You Time Act, 2024* receives Royal Assent.

## Short title

**19** The short title of the Act set out in this Schedule is the *Highway 413 Act, 2024*.

**SCHEDULE 4  
HIGHWAY TRAFFIC ACT**

**1 Section 1.2 of the *Highway Traffic Act* is amended by adding the following clause:**

(b.1) providing for and governing a reduction, refund or exemption from any fee specified in this Act;

**2 The Act is amended by adding the following section:**

**Specific fees**

**5.0.1** The following fees are payable:

1. For each six-month period or part thereof during which a driver's licence is valid, the holder of the driver's licence shall pay a fee of \$7.50.
2. For an on-road examination for a Class A, B, C, D, E or F driver's licence, a fee of \$99.
3. For a level 1 on-road examination of the holder of a Class G1 or M1 driver's licence, a fee of \$53.75.
4. For a level 2 on-road examination of the holder of a Class G2 or M2 driver's licence, a fee of \$91.25.
5. For a Class A, B, C, D, E or F driver's knowledge test, a fee of \$23.75.
6. For a driver's knowledge test other than a test described in paragraph 5, a fee of \$16.

**3 The heading to Part XII of the Act is repealed and the following substituted:**

**PART XII  
MUNICIPAL BY-LAWS AND BICYCLE LANES**

**4 The Act is amended by adding the following Part:**

**PART XII.1  
BICYCLE LANES**

**Definitions**

**195.2** In this Part,

“adjacent infrastructure” includes sidewalks, planters, curbs and traffic calming features; (“infrastructure adjacente”)

“bicycle lane” includes any portion of a highway, the use of which is wholly or partially restricted or dedicated to bicycles; (“voie cyclable”)

“bicycle traffic control signal” has the same meaning as in section 133; (“signalisation de la circulation pour bicyclettes”)

“related features” includes bollards, bicycle traffic control signals and painted roadway markings. (“éléments connexes”)

**Minister approval for bicycle lanes required**

**195.3** (1) In the circumstances described in subsection (2), a prescribed municipality does not have the power to construct, install or mark a bicycle lane on a highway or part of a highway under its jurisdiction and control unless the design for the bicycle lane has been approved by the Minister and, in considering whether to give such approval, the Minister may require information from the municipality including traffic information relating to the design for the bicycle lane and the highway.

**Application**

(2) Subsection (1) applies if the design for the bicycle lane would reduce the number of marked lanes available for travel by motor vehicle traffic along any portion of or on either side of the highway where the bicycle lane is to be located.

**Same, transition**

(3) Subsection (1) does not apply to a municipality in respect of a bicycle lane if, on the day the municipality is prescribed for the purposes of subsection (1), a contract has already been awarded or entered into for the construction, installation or marking of the bicycle lane or, if the construction, installation or marking of the bicycle lane is to be done by the municipality and not by any party under contract, such work has already commenced.

**Consideration of bicycle lane**

(4) In considering whether to approve the design for a bicycle lane, the Minister may consider whether the lane would unduly diminish the orderly movement of motor vehicle traffic.

## **Review of bicycle lanes**

### **Municipality to provide information**

**195.4** (1) In the circumstances described in subsection (2), the Minister may require a prescribed municipality to provide traffic information relating to an existing bicycle lane on a highway under its jurisdiction and control, including a bicycle lane referred to in section 195.6, and the municipality shall comply with the request.

### **Application**

(2) Subsection (1) applies if the addition of the bicycle lane reduced the number of marked lanes available for travel by motor vehicle traffic along any portion of or on either side of the highway where the bicycle lane is located.

### **Review of bicycle lane**

(3) If any factors are prescribed for the purposes of this section, the Minister shall consider the factors in reviewing the traffic information relating to a bicycle lane that is provided under subsection (1).

### **Direction to remove lane**

**195.5** (1) After reviewing the information provided under subsection 195.4 (1), the Minister may inform the Lieutenant Governor in Council of the results of the review and the Lieutenant Governor in Council may issue an order directing the Minister to remove the bicycle lane or part of the lane and any related features or adjacent infrastructure and,

- (a) restore the lane or part of the lane for use by motor vehicle traffic; or
- (b) reconfigure the lane or part of the lane and any related features or adjacent infrastructure for use by motor vehicle traffic.

### **Amendment or revocation of order**

(2) The Lieutenant Governor in Council may, by order, amend or revoke an order issued under subsection (1).

### **Effect of any Act, regulation, etc.**

(3) The Lieutenant Governor in Council may issue an order under this section despite any Act, regulation, by-law, order, permit, approval or licence.

### **Order not regulation**

(4) Part III (Regulations) of the *Legislation Act, 2006* does not apply to an order issued under this section.

### **Existing lanes in the City of Toronto, direction to remove**

**195.6** Subject to any prescribed exemptions or modifications, the Minister shall remove the bicycle lanes located on Bloor Street, University Avenue and Yonge Street, in the City of Toronto, and any related features, and restore the lanes for use by motor vehicle traffic.

### **Removal of lanes**

#### **Minister authority**

**195.7** (1) If the Minister is subject to an order issued under section 195.5, the Minister or a person acting on behalf of the Minister is authorized to do anything required to carry out the order.

#### **Same, City of Toronto**

(2) The Minister or a person acting on behalf of the Minister is authorized to do anything required to carry out the Minister's duties under section 195.6.

### **Removing and restricting common law right of passage**

(3) For greater clarity, subsections (1) and (2) authorize the Minister or a person acting on behalf of the Minister to close that part of a highway affected by an order issued under section 195.5 or by section 195.6 and to remove or restrict the common law right of passage by the public over that part of the highway and the common law right of access to that part of the highway by an owner of land abutting a highway.

### **Minister powers**

(4) No Act, regulation, by-law, order, permit, approval or licence bars the Minister or a person acting on behalf of the Minister from carrying out an order issued under section 195.5 or the Minister's duties under section 195.6.

### **Powers re entry, etc.**

(5) For the purpose of carrying out an order issued under section 195.5 or the Minister's duties under section 195.6, the Minister or a person acting on behalf of the Minister may,

- (a) enter any place, other than a place being used as a dwelling; and
- (b) construct structures and use machinery, structures, materials and equipment therein or thereon.

### **Municipality required to provide support or information**

**195.8** (1) If, pursuant to an order issued under section 195.5 or to section 195.6, the Minister is required to do anything described in those sections, the affected municipality shall provide any support or information requested by the Minister to facilitate carrying out the order or the Minister's duties, including,

- (a) managing traffic, public transit or emergency services;
- (b) providing technical information, health and safety information, standards, public consultation information, planning and design documents, surveys or engineering and utility location drawings; and
- (c) providing information related to signs, markings, traffic control signal systems and lighting, including assistance with their removal or relocation.

### **Time period**

(2) If the Minister requests support or information from a municipality under subsection (1), the municipality shall provide such support or information by the date and for the time period specified by the Minister.

### **Municipal by-laws**

(3) If a bicycle lane is removed or reconfigured pursuant to an order issued under section 195.5 or to section 195.6, any municipal by-law or part of a municipal by-law passed by the council of a municipality designating that part of the highway as a bicycle lane is inoperative.

### **Reimbursement**

**195.9** (1) If the Minister requested support or information from a municipality under subsection 195.8 (1) and the municipality provided such support or information by the date and for the time period specified by the Minister, the Minister may reimburse the municipality for the reasonable costs it incurred in doing so in accordance with this section.

### **No reimbursement or compensation**

(2) For greater certainty, the Minister is not required to reimburse or compensate the municipality for any costs other than those described in subsection (1), including costs the municipality incurred to install the bicycle lanes.

### **Notice to municipality**

(3) If the Minister requested support or information from a municipality under subsection 195.8 (1), the Minister shall, within 60 days after the request has been satisfied, give notice to the municipality stating that it may file a claim for reimbursement with the Ministry within six months after the date of the notice.

### **Particulars**

(4) As part of claim described in subsection (3), the municipality shall provide the Minister with a true statement showing the particulars of the costs it reasonably incurred to carry out the request made under subsection 195.8 (1) by the date and for the time period specified by the Minister.

### **No reimbursement**

(5) There is no obligation to reimburse the municipality for any costs if notice has been given under subsection (3) and a claim for reimbursement is not made within six months after the date of the notice.

### **Determination**

(6) The Minister shall review a claim for reimbursement and if the Minister determines that the costs were reasonably incurred by the municipality to carry out the request by the date and for the time period specified by the Minister, the Minister shall reimburse the municipality for those costs.

### **No cause of action against Crown, etc.**

**195.10** (1) No cause of action arises against the Crown, any current or former member of the Executive Council or any current or former employee, officer or agent of or advisor to the Crown as a direct or indirect result of,

- (a) the enactment, amendment or repeal of this Part;
- (b) the issuance, amendment or revocation of an approval under section 195.3 or the refusal to issue or amend such an approval;
- (c) the issuance of an order under section 195.5 or its amendment or revocation;
- (d) anything done under this Part including in relation to,
  - (i) the removal of a bicycle lane or part of a lane and any related features or adjacent infrastructure,
  - (ii) the restoration of a bicycle lane or part of a lane for use by motor vehicle traffic,

(iii) the reconfiguration of a bicycle lane or part of a lane and any related features or adjacent infrastructure for use by motor vehicle traffic; or

(e) the making, amendment or revocation of a regulation under section 195.18.

#### **Proceedings barred**

(2) No proceeding, including but not limited to any proceeding for a remedy in contract, restitution, unjust enrichment, tort, misfeasance, bad faith, trust or fiduciary obligation and any remedy under any statute, that is directly or indirectly based on or related to anything referred to in subsection (1), may be brought or maintained against the Crown or any person referred to in that subsection.

#### **Application**

(3) Subsection (2) applies to any action or other proceeding claiming any remedy or relief, including specific performance, injunction, declaratory relief, any form of compensation or damages or any other remedy or relief, and includes any arbitral, administrative or court proceedings, but does not apply to an application for judicial review.

#### **Retrospective effect**

(4) Subsections (2) and (3) apply regardless of whether the claim on which the proceeding is purportedly based arose before, on or after the day the *Reducing Gridlock, Saving You Time Act, 2024* received Royal Assent.

#### **Proceedings set aside**

(5) No costs shall be awarded against any person in respect of a proceeding referred to in subsection (2) or (3) that was commenced before the day the *Reducing Gridlock, Saving You Time Act, 2024* received Royal Assent.

#### **Certain proceedings not prevented**

(6) This section does not apply with respect to proceedings brought by the Crown against any person.

#### **Proceedings barred, independent contractors**

**195.11** (1) Subject to subsection (4), no cause of action arises and no proceeding may be brought or maintained that is directly or indirectly based on or related to anything referred to in subsection (2) against any person referred to in that subsection, including but not limited to any proceeding for a remedy in contract, restitution, unjust enrichment, tort, misfeasance, bad faith, trust or fiduciary obligation and any remedy under any statute.

#### **Same**

(2) Subsection (1) applies in respect of an independent contractor and any current or former employee, director or officer of an independent contractor providing services to the Crown to assist with work done under sections 195.5 to 195.7.

#### **Application**

(3) Subject to subsection (4), subsection (2) applies to any action or other proceeding claiming any remedy or relief, including specific performance, injunction, declaratory relief, any form of compensation or damages or any other remedy or relief, and includes any arbitral, administrative or court proceedings, but does not apply to an application for judicial review.

#### **Negligence**

(4) Subsection (1) does not apply to a claim of negligence in respect of an act or omission of an independent contractor in carrying out,

- (a) the removal of a bicycle lane or part of a lane and any related features or adjacent infrastructure;
- (b) the restoration of a bicycle lane or part of a lane for use by motor vehicle traffic; or
- (c) the reconfiguration of a bicycle lane or part of a lane and any related features or adjacent infrastructure for use by motor vehicle traffic.

#### **Same**

(5) For greater certainty, claims arising from collisions between motor vehicles, cyclists or pedestrians after the independent contractor carries out the things mentioned in subsection (4) are not claims of negligence described in that subsection.

#### **Certain proceedings not prevented**

(6) This section does not apply with respect to proceedings brought by the Crown against any person.

#### **Protection from personal liability, independent contractors**

**195.12** (1) No cause of action arises and no proceeding may be brought or maintained against any current or former employee, director or officer of an independent contractor providing services to the Crown to assist with work done under sections 195.5 to 195.7 for any act done in good faith in the execution or intended execution of any duty or power under this Part or for any alleged neglect or default in the execution in good faith of such a duty or power.

**Same**

(2) Subsection (1) does not relieve an independent contractor providing services to the Crown to assist with work done under sections 195.5 to 195.7 of any liability to which it would otherwise be subject to in respect of an act or omission of a person mentioned in that subsection.

**Protection from liability, municipalities**

**195.13** (1) No cause of action arises and no proceeding may be brought or maintained against a municipality, current or former employee of a municipality or member of council for any act done in good faith in the execution or intended execution of any duty under subsection 195.8 (1) or for any alleged neglect or default in the execution in good faith of such a duty.

**Certain proceedings not prevented**

(2) This section does not apply with respect to proceedings brought by the Crown against any person.

**No reimbursement, compensation or damages**

**195.14** Except as otherwise provided under section 195.9 or subsection 195.11 (4) or 195.12 (2), no person is entitled to any reimbursement, compensation or damages for any loss related to any actions taken under this Part.

**No expropriation or injurious affection**

**195.15** Nothing described in this Part or done pursuant to this Part constitutes an expropriation or injurious affection for the purposes of the *Expropriations Act* or otherwise at law.

**s. 214**

**195.16** Section 214 does not apply to a contravention of this Part or of a regulation made under this Part.

**Other Acts*****Municipal Act, 2001 and City of Toronto Act, 2006***

**195.17** (1) The requirements of this Part apply despite sections 10 and 11 of the *Municipal Act, 2001* and section 8 of the *City of Toronto Act, 2006*.

***Environmental Assessment Act***

(2) Any enterprise or activity or proposal, plan or program in respect of an enterprise or activity that is required by, done under or authorized under this Part is exempt from the *Environmental Assessment Act*.

***Environmental Bill of Rights, 1993***

(3) The requirements of Part II of the *Environmental Bill of Rights Act, 1993* are deemed not to have applied with respect to the amendments made by Schedule 4 of the *Reducing Gridlock, Saving You Time Act, 2024* that added sections 195.4 to 195.18 of this Act.

**Regulations****Minister regulations**

**195.18** (1) The Minister may make regulations,

- (a) prescribing municipalities for the purposes of subsections 195.3 (1) and 195.4 (1);
- (b) governing the information that may be required by the Minister under subsections 195.3 (1) and 195.4 (1);
- (c) exempting any highway or class of highway from section 195.3 or any provision of section 195.3, or providing that section 195.3 or any provision of it does not apply to any highway or class of highway.

**Lieutenant Governor in Council regulations**

(2) The Lieutenant Governor in Council may make regulations,

- (a) governing the review of information respecting bicycle lanes under section 195.4 including prescribing factors applicable to the review;
- (b) exempting parts of bicycle lanes for the purposes of section 195.6;
- (c) modifying the requirement to remove bicycle lanes described in section 195.6, including requiring the Minister to reconfigure a bicycle lane or part of a lane and any related features or adjacent infrastructure for use by motor vehicle traffic;
- (d) providing for anything necessary or advisable for carrying out the intent and purposes of this Part.

**Repeal**

**5 Section 3 of Schedule 2 to the *Get It Done Act, 2024* is repealed.**

**Commencement**

**6 (1) Except as otherwise provided in this section, this Schedule comes into force on the day the *Reducing Gridlock, Saving You Time Act, 2024* receives Royal Assent.**

**(2) Sections 1 and 2 come into force on a day to be named by proclamation of the Lieutenant Governor.**

**SCHEDULE 5**  
**TOWING AND STORAGE SAFETY AND ENFORCEMENT ACT, 2021**

**1** The *Towing and Storage Safety and Enforcement Act, 2021* is amended by adding the following section immediately after the heading “Restricted Towing Zones”:

**Definitions**

**39.1** In sections 40 to 43.1,

“roadside assistance services” means services provided for the purpose of repairing or rendering operable a motor vehicle that is disabled or inoperable on a highway; (“services d’assistance routière”)

“roadside assistance vehicle” means a vehicle that is used by a person who offers or provides roadside assistance services; (“véhicule d’assistance routière”)

“towing services” includes roadside assistance services. (“services de remorquage”)

**2 (1) Subsection 41 (2) of the Act is repealed.**

**(2) Subsections 41 (3) and (4) of the Act are repealed and the following substituted:**

**Prohibition**

(3) If any tow certificate holders are authorized to provide towing services in a restricted towing zone, no unauthorized tow operators shall provide or offer to provide towing services in that zone.

**More than one certificate holder**

(3.1) If more than one tow certificate holder is authorized to provide towing services in a restricted towing zone, the tow certificate holders shall provide only such services as specified by the Ministry.

**Exception**

(4) Subsections (3) and (3.1) do not apply to a person acting under the direction of a police officer or the Ministry.

**3** Sections 42 and 43 of the Act, as re-enacted by section 23 of Schedule 36 to the *Less Red Tape, Stronger Economy Act, 2023*, are amended by adding “or roadside assistance vehicle” after “tow truck” wherever it appears.

**4** The Act is amended by adding the following section:

**Regulations**

**43.1** The Minister may make regulations for the purposes of sections 39.1 to 43,

- (a) designating restricted towing zones;
- (b) governing the erection of signs and the placing of markings to indicate a restricted towing zone and governing such signs and markings;
- (c) providing for exemptions from any provisions of sections 39.1 to 43, or that any such provisions do not apply, and prescribing circumstances and conditions for any such exemption or non-application.

**5 (1) Clause 64 (1) (n) of the Act is repealed.**

**(2) Clause 64 (1) (u) of the Act is amended by adding “subject to subsection (4.1)” at the beginning.**

**(3) Section 64 of the Act is amended by adding the following subsection:**

**Same, exception**

(4.1) The power to make regulations under clause (1) (u) does not include the power to make regulations described in clause 43.1 (c).

**Commencement**

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