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MSO Update Deck

AMCTO Zone 2 Fall Meeting

October 19, 2017

# Overview

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# Important Notice

- Municipalities are responsible for making local decisions, including complying with any applicable statutes or regulations.
- This presentation is for information purposes only and is not a substitute for legal or other professional advice in connection with any particular matter. This presentation deals with complicated issues and concepts in a highly summarized fashion, and key details may not be included. The inclusion of municipal or other local examples in this presentation does not imply an endorsement by the Ministry. Users should verify the information that has been included from other sources prior to making decisions or acting upon it.

# Current Consultations

# Bill 154: Cutting Unnecessary Red Tape Act, 2017

- **Comments closed on October 18, 2017**
- Amends, repeals or introduces sections related to several Acts including the *Municipal Act* and the *Municipal Elections Act*
- Would allow compliance audit committees to deliberate in private when making decisions
- Updates “spheres of jurisdiction” table under Section 11 of the *Municipal Act* to an accessible format
- **Consultation information:**  
<http://www.ebr.gov.on.ca/ERS-WEB-External/displaynoticecontent.do?noticeId=MTMzNTY1&statusId=MjAzMTA0&language=en>
- **Full Text of Bill 154:**  
[http://www.ontla.on.ca/web/bills/bills\\_detail.do?locale=en&Intranet=&BillID=5000](http://www.ontla.on.ca/web/bills/bills_detail.do?locale=en&Intranet=&BillID=5000)

# Amendments to Ontario Regulations 438/97, 84/16 and 635/05 – Municipal Act, 2001

- **Comments open until November 20, 2017**
- The Ministry of Municipal Affairs (MMA) is proposing to amend rules governing municipal investments and other municipal financial activities under the Municipal Act, 2001.
- These relate to setting out some of the rules for municipalities that decide to invest using the new prudent investor standard including eligibility criteria; governance framework; and group investment approaches.
- **Consultation information:**  
<http://www.ontariocanada.com/registry/view.do?postingId=25006&language=en>

# Current Grant Opportunities

# Municipal GHG Challenge Fund

- **Deadline: November 14, 2017**
- The competitive application-based program will fund up to 100% of the eligible costs for greenhouse gas emissions reduction projects proposed by municipalities. Municipalities may request up to **\$10 million per project**.
- Municipal projects that are eligible for funding would aim to reduce greenhouse gas emissions in any sector, including in buildings, energy supply, water, transportation, waste and organics. Projects that are currently underway are only eligible if they were initiated after June 1, 2016.
- If a municipality has a population of less than 10,000 and does not meet the requirements, it may be eligible for the Very Small Municipalities Stream as part of the same application.

# Municipal GHG Challenge Fund – Continued

- A higher score will be given to municipalities that have a comprehensive GHG reduction plan that **meets or exceeds** the province's 2020, 2030 and 2050 targets. A higher score will also be given to applicants that already have funding for up to 50% of eligible costs (e.g., through federal/municipal governments, private sector, industry partners etc.).
- Municipalities are encouraged to partner with community organizations and other municipalities to implement their project.
- <http://www.grants.gov.on.ca/GrantsPortal/en/OntarioGrants/GrantOpportunities/PRD/R017538>

# Municipal GHG Challenge Fund - Contact

- For questions about program requirements, eligibility, and evaluation criteria please email [ChallengeFund@Ontario.ca](mailto:ChallengeFund@Ontario.ca).
- For support in completing the application, please contact the Grants Ontario Customer Service Line at (416) 325-6691 or 1-855-216-3090, Monday to Friday from 8:30 a.m. to 5:00 p.m. or email [GrantsOntarioCS@Ontario.ca](mailto:GrantsOntarioCS@Ontario.ca).

# National Disaster Mitigation Program

- **Deadline: September 15, 2017 (New intake anticipated in 2018)**
- A 5-year, \$200 million federal program intended to reduce the impacts of natural disasters with investments focused on:
  - Reducing significant recurring flood risks and costs;
  - Advancing availability of private residential insurance for overland flooding.
- Under the NDMP, the federal government funds up to 50 per cent of the costs of eligible flood mitigation projects in four streams:
  - Risk Assessments
  - Flood Mapping
  - Mitigation Planning
  - Investments in Non-structural and Small Scale Structural Mitigation Projects
- <http://www.mah.gov.on.ca/Page14903.aspx>

# National Disaster Mitigation Program - Contact

- Municipal Programs and Analytics Branch  
Ministry of Municipal Affairs  
16th floor  
777 Bay Street  
Toronto ON M5G 2E5  
416-585-7296
- **Email:** [National.Disaster.Mitigation.Program@Ontario.ca](mailto:National.Disaster.Mitigation.Program@Ontario.ca)

# FCM Municipal Asset Management Program

- Funding for projects that help communities enhance their asset management practices. The goal of the program is to help municipalities make informed investment decisions for infrastructure assets, such as roads, buildings, water supply and sanitation systems, in order to deliver value for money while best serving citizens' needs
- FCM provides funding for up to 80 per cent of total eligible project costs, to a maximum of \$50,000. Projects must be completed within 11 months from funding approval notice.
- FCM accepts applications for MAMP projects year-round on a continuous basis; there are no deadlines to apply.
- <http://www.fcm.ca/home/programs/municipal-asset-management-program/funding-mamp.htm>

# FCM Climate Change Capital Grants

- **Applications are accepted year round until January 31, 2020**
- Grant funding of up to \$1 million and more for climate change **capital projects** available for Canadian cities and communities of all sizes to help municipalities adapt to the impacts of climate change, such as flooding and drought, and reduce greenhouse gas (GHG) emissions.
- Communities can use the funding to upgrade, build, replace, expand or purchase and install fixed assets or infrastructure, such as buildings and treatment plants.
- [https://fcm.ca/home/programs/municipalities-for-climate-innovation-program/climate-change-capital-project-grants.htm?utm\\_source=Twitter6\\_EN&utm\\_medium=social&utm\\_campaign=MCIP\\_2017CapitalGrants](https://fcm.ca/home/programs/municipalities-for-climate-innovation-program/climate-change-capital-project-grants.htm?utm_source=Twitter6_EN&utm_medium=social&utm_campaign=MCIP_2017CapitalGrants)

# FCM Climate Change Plans and Studies Grant

- **Deadline: January 2020**
- Grant funding of up to \$175,000 is now available for climate change plans and studies for Canadian cities and communities of all sizes to reduce greenhouse gas (GHG) emissions and adapt to the impacts of climate change, such as flooding, drought and extreme temperatures.
- Municipalities can use the funding to develop plans and studies that identify opportunities to reduce GHG emissions and adapt to climate change impacts. The grants also help communities assess the vulnerability of municipal infrastructure and assets, such as buildings and roads, to the impacts of climate change and develop response plans.
- <https://fcm.ca/home/programs/municipalities-for-climate-innovation-program/climate-change-plans-and-studies-grants.htm>

# Municipal Resources

# Navigating the Sharing Economy Guide

- Document prepared by the City of Guelph with funding from Ministry of Finance
- Designed to help municipalities understand the sharing economy, what it means on a local level and how to respond appropriately.
- Provides an overview of the sharing economy and identifies six decisions to help guide municipalities that are anticipating or reacting to a shared economy platform in their jurisdiction.
- Includes case study examples to illustrate how other municipalities have addressed similar questions as well as links to additional resources.
- Can be accessed at <http://guelph.ca/wp-content/uploads/NavigatingTheSharingEconomy.pdf>

# Frivolous and Vexatious Requests Fact Sheet

- Document prepared by the Information and Privacy Commissioner of Ontario
- This fact sheet explains what a frivolous or vexatious request is, what institutions should do when they receive this type of request, what a requester can do if an institution claims their request is frivolous or vexatious and the IPC's role in an appeal
- Includes information about requests that abuse the right of access, interfere with the operations of an institution, are made in bad faith, or are made for a purpose other than to obtain access
- Can be accessed at <https://www.ipc.on.ca/wp-content/uploads/2017/08/fs-access-friv-vex.pdf>

# Ontario Ombudsman Tip Cards

- Documents prepared by the Office of the Ontario Ombudsman as a resource for municipalities and the public.
- [Fact Sheet](#) about municipal complaints to the Ombudsman outlines the authority of the Ombudsman and the process for making a complaint.
- Tip Cards for municipalities outline recommendations and best practices from the Ontario Ombudsman that municipalities can incorporate into policies
  - [Closed Meeting Best Practices](#)
  - [Closed Meeting Resolutions](#)
  - [Codes of Conduct and Integrity Commissioner](#)
  - [Local Complaint Processes](#)

# Municipal Resource Guide to Leading Practices in Cost Savings

- Prepared by Western University's Local Government Program on behalf of the Ministry of Municipal Affairs
- Intended to provide municipal officials with a single-source of information about a range of current leading practices in cost savings in small and mid-sized Ontario municipalities
- Presents detailed profiles of 14 selected cases of leading practices in cost savings across a variety of service areas
- Also includes a list of 159 cost-savings recommendations from Municipal Service Delivery Reviews
- Can be accessed at <http://ir.lib.uwo.ca/urbancentre-reports/1/>

# Rural Community Vitality Initiative

Showcasing the Rural Ontario Institute (ROI) Research on Rural Community Vitality:

## **What is the make up of rural Ontario municipal councillors?**

- [Municipal Councillor Profile](#) – explores the demographic characteristics of municipal councils across Ontario, using a province wide survey of municipal councillors and the analysis of 2014 Ontario municipal election data.

## **Which rural communities are showing leadership in engaging youth?**

- [Youth Civic Engagement Showcase](#) – A practical resource rural communities used to help attract and motivate youth to engage in the community.

## **Looking to reduce time and effort in researching complex data sets?**

- [Small Area Data Guide](#) - A resource rural communities can use to help them to find the data they need.
- <http://www.ruralontarioinstitute.ca/programs/measuring-community-vitality>

# Municipal Finance Resources

## Common Language Guide to Municipal Financial Statements

- Explains key concepts, including:
  - Legislative requirements and reporting standards for municipal budgets
  - The four main components of municipal financial statements
  - Supplementary schedules and notes

## Engaging the Community in Long-Term Financial Planning

- Outlines benefits of public engagement, explains why public engagement is part of the financial planning process, offers ideas and examples of strategies such as:
  - Online engagement tools
  - Participatory budgeting
  - Building trust with the public

# Municipal Finance Resources – Budget Planning

## Surplus and Debt

- Provides insight into the internal budget planning process for municipalities, including information on:
  - Budget planning methods
  - Types of budgets
  - Financial statements vs. budgets
  - Surplus and deficit and their relationship to budget planning and long-term financial planning

## Unfunded Liabilities

- Explains how unfunded liabilities apply to municipal budgeting and why they are important to financial planning.

# Municipal Finance Resources – Infrastructure and Debt

## Investing Sustainably in Infrastructure

- Considers factors which have contributed to the current state of infrastructure (e.g. population patterns, climate change, service standards).
- Explains how asset management planning can help in making infrastructure investment decisions.
- Explores in greater depth the financing strategy component of asset management plans

## Understanding Municipal Debt

- Outlines Ontario’s regulatory framework for municipal borrowing, considers when debt “makes sense”, offers a list of considerations for municipalities thinking about taking on debt

<http://www.mah.gov.on.ca/Page15025.aspx>

# Legislation Update

# Modernizing Ontario's Municipal Legislation Act

- Bill 68, The *Modernizing Ontario's Municipal Legislation Act*, 2017 received Royal Assent on May 30, 2017
- The *Modernizing Ontario's Municipal Legislation Act*, 2017 is the result of the review of three key elements of Ontario's municipal legislative framework: the Municipal Act, 2001, City of Toronto Act, 2006 and the Municipal Conflict of Interest Act.
- For information about the *Modernizing Ontario's Municipal Legislation Act*, 2017 please see the news release and backgrounder on [www.ontario.ca](http://www.ontario.ca). For a copy of the *Modernizing Ontario's Municipal Legislation Act*, 2017, please visit Ontario's Legislative Assembly website: <http://www.ontla.on.ca/>.
- You can also see the forthcoming amendments (in grey) and their proclamation dates on e-laws: <https://www.ontario.ca/laws/statute/01m25>.

# Modernizing Ontario's Municipal Legislation Act

- This package of amendments includes valuable feedback that we heard from stakeholders during our engagement throughout the review process. The changes will:
  - Increase fairness and reduce barriers for women and new parents elected to municipal governments and school boards by allowing time off for pregnancy or parental leave
  - Provide broader municipal investment powers to eligible municipalities that may help raise more revenue to improve local infrastructure
  - Enhance local government accountability and integrity across the province by requiring municipalities to have a code of conduct for members of municipal councils and local boards
  - Ensure the public and municipal councillors have access to integrity commissioners with a broadened role related to conflicts of interest and municipal codes of conduct.

# Municipal Elections Act

Bill 68 received Royal Assent on May 30, 2017 and includes changes to the *Municipal Elections Act, 1996*:

- changes the term of office for the 2018 term of council to end on November 14, 2022.
- raises the contribution limit for contributions to a single candidate or third party advertiser to \$1,200.
- introduces a self-funding limit for municipal council candidates based on the number of electors voting for the office, to a maximum of \$25,000 per candidate. The formula is as follows:
  - \$7500 + \$0.20 per elector for head of council
  - \$5,000 + \$0.20 per elector for other council offices
- Candidates in municipalities with fewer than the prescribed number of electors would be exempt from the requirement to obtain 25 signatures endorsing their nomination subject to regulation.

# Building Better Communities and Conserving Watersheds Act - Bill 139

## Faster, Fairer and More Affordable Planning Appeals

The proposed new law would introduce major changes to the way land use planning appeals are conducted in order to reduce the length and cost of hearings and create a more level playing field for all participants.

Proposed reforms will include:

## Tribunal Management

Requiring the tribunal to conduct mandatory case management for the majority of cases in order to narrow the issues and encourage case settlement. The tribunal would also be provided with modern case management powers to ensure meaningful case conferences.

- Creating statutory rules regarding the conduct of hearings, including setting strict presumptive timelines for oral hearings and limiting evidence to written materials in the majority of cases.
- Providing the tribunal with modern hearing powers to promote active adjudication, provide for alternative hearing formats and permit assignment of multi-member panels.
- Giving elected officials greater control over local planning, resulting in fewer decisions being appealed, thereby making the decision-making process more efficient.

# Building Better Communities and Conserving Watersheds Act - Bill 139

## Local Planning Appeal Support Centre

- A new provincial agency mandated to provide free and independent advice and representation to Ontarians on land use planning appeals.

## Sheltering Major Planning Decisions from Appeal

- The proposed new legislation would also include measures to exempt a broader range of major municipal land use planning decisions from appeal, which would provide municipalities with greater certainty and timely implementation of major decisions.

## Local Appeal Bodies

- would also be given more authority. They would be able to hear appeals on site plans, in addition to their current scope of minor variances and consents.

## Restricted Appeals

- The legislation would also restrict applications to amend new secondary (i.e. neighbourhood) plans for two years, unless permitted by municipal council, and limit the ability to appeal an interim control by-law when first passed for a period of up to one year. The legislation would also protect municipal policies that support appropriate development around protected major transit station areas, such as GO Train stations and subway stops.

# Rental Fairness Act

- The *Rental Fairness Act*, (formerly Bill 124) received Royal Assent on May 18, 2017
- The Act expands rent control to all private rental units, including those occupied on or after November 1, 1991. Effective April 20, 2017, landlords cannot raise rents more than the rent increase guideline, which is 1.5 per cent in 2017. Any rent increase notices above this amount given on or after April 20 must be reduced to 1.5 per cent.
- The legislation also introduces additional protections for tenants, including:
  - Enabling a standard lease to help both tenants and landlords know their rights and responsibilities, while reducing the number of disputes
  - Protecting tenants from eviction due to abuse of the "landlord's own use" provision
  - Ensuring landlords can't pursue former tenants for unauthorized charges
  - Prohibiting above-guideline rent increases in buildings where elevator maintenance orders have not been addressed
  - Removing above-guideline rent increases for utilities, to protect tenants from carbon costs and encourage landlords to make their buildings more energy efficient.

# Legislation Links

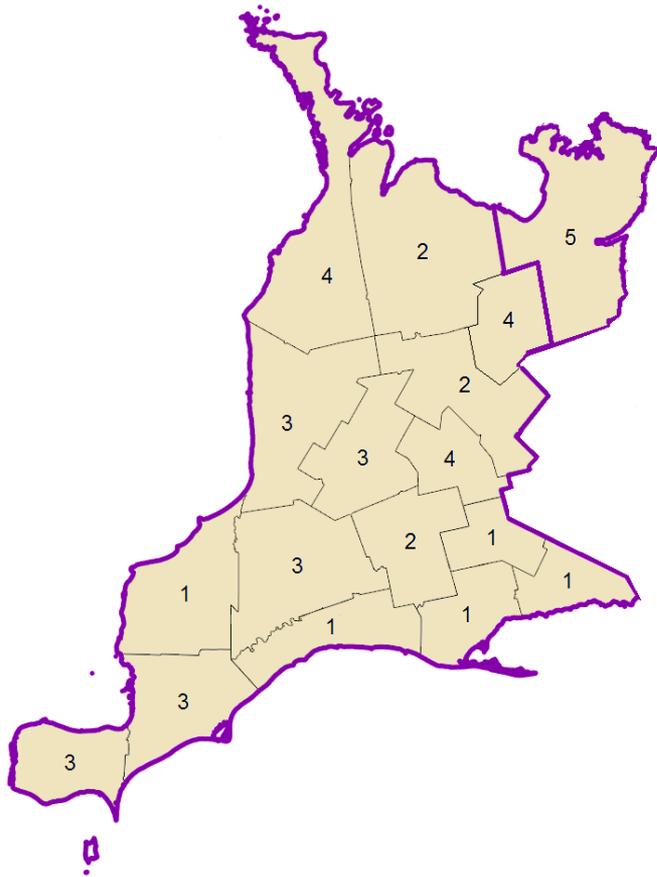
- Modernizing Ontario's Municipal Legislation Act (Formerly Bill 68) - [http://www.ontla.on.ca/web/bills/bills\\_detail.do?locale=en&Intranet=&BillID=4374](http://www.ontla.on.ca/web/bills/bills_detail.do?locale=en&Intranet=&BillID=4374)
- Rental Fairness Act (Formerly Bill 124) - [http://www.ontla.on.ca/web/bills/bills\\_detail.do?locale=en&Intranet=&BillID=4755](http://www.ontla.on.ca/web/bills/bills_detail.do?locale=en&Intranet=&BillID=4755)
- Bill 139, Building Better Communities and Conserving Watersheds Act - [http://www.ontla.on.ca/web/bills/bills\\_detail.do?locale=en&Intranet=&BillID=4936](http://www.ontla.on.ca/web/bills/bills_detail.do?locale=en&Intranet=&BillID=4936)

# MSO-Western Conferences and Forums/Conferences

- Planners' Forum – October 20, 2017
- CAOs' Forum – November 23, 2017
- Ontario West Municipal Conference – Nov. 24, 2017
- Housing & Homelessness Forum – February, 2018
- Treasurers' Forum – February 22, 2018

# MSO-Central Conferences and Forums/Conferences

- Housing Forum – November 29, 2017
- 2018 ROMA Conference  
Jan 21 – Jan 23  
Toronto, ON
- 2018 OGRA Conference  
Feb 25 – Feb 28  
Toronto, ON



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