

**Ministry of Municipal Affairs (MMA) and Ministry of Housing (MHO) Updates  
AMCTO Zone 6 Meeting June 1, 2017**

***DISCLAIMER***

*This is an overview provided for convenience and may not be complete. It should not be relied on for legal or official purposes. For authoritative text, users may refer to the legislation at [www.e-laws.gov.on.ca](http://www.e-laws.gov.on.ca) and other reference materials. As local facts and circumstances are variable, users may also wish to consider obtaining their own legal advice when particular legal issues or decisions arise.*

**1. Bill 68, the Modernizing Ontario's Municipal Legislation Act, 2016 (MOMLA)**

On May 30, 2017, Ontario passed legislation to empower municipalities to be more open, accountable and flexible in responding to the needs of residents.

[The Modernizing Ontario's Municipal Legislation Act](#) amends the [Municipal Act](#), the [City of Toronto Act](#) and the [Municipal Conflict of Interest Act](#). The changes will:

- Increase fairness and reduce barriers for women and 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.

Many of the changes being made with the passage of this legislation are based on feedback from municipalities, the public and other organizations during [Municipal Legislation Review consultations](#) in 2015.

Supporting the province's municipalities is part of Ontario's plan to create jobs, grow our economy and help people in their everyday lives.

## QUICK FACTS

- The government is required by legislation to review the Municipal Act and City of Toronto Act every five years.
- Ontario reviewed the Municipal Act and City of Toronto Act at the same time, along with the Municipal Conflict of Interest Act, to address and incorporate broader themes of accountability and transparency into the review.

## BACKGROUND INFORMATION

### [Strengthening Municipal Legislation](#)

Note: The *Modernizing Ontario's Municipal Legislation Act, 2016* includes other technical and general amendments not mentioned here.

## 2. Education Property Tax Rate

Letter sent out April 5<sup>th</sup> to Treasurers and Clerk Treasurers – Education Property taxes, Landfill Property Class and info with respect to Vacant Rebate and Reductions Programs.

The following info was emailed to Treasurers May 11<sup>th</sup>:

Please note that the regulations for the 2017 Education Property Tax Rates and Municipal Capping Options have been filed and are now in force. E-Laws <https://www.ontario.ca/laws> will be updated with copies of the below regulations soon.

### **2017 Education Property Tax Rates**

O. Reg 132/17 amending Education Act, O. Reg 400/98

### **2017 New Municipal Capping Options**

O. Reg 131/17 amending Municipal Act, 2001 O. Reg. 73/03

O. Reg 133/17 amending City of Toronto Act, 2006, O. Reg 121/07

### **3. FIR Modernization/Registration**

All municipalities are required to submit their FIRs data to the Ministry by May 31<sup>st</sup> of each year. This deadline is important it is linked to funding programs, annual reporting related to annual repayment limits, and public accountability.

In order to access, complete and submit your 2016 FIR, you must register for the Smart FIR application. An email was sent to all municipalities in Eastern Ontario on January 13<sup>th</sup>, 2017. You cannot download the 2016 file from the FIR site this year.

As of May 4<sup>th</sup>, 15 municipalities have submitted their 2016 FIR, of which 8 are from Eastern Ontario.

### **4. Infrastructure for Jobs and Prosperity Act, 2015 regulation.**

Asset management planning is essential for the future resilience of Ontario communities. Municipalities need effective plans to take care of their infrastructure over the long term. In addition, it is important to better understand infrastructure needs throughout Ontario, so that the province, municipalities, and the federal government can work together to address challenges posed by ageing infrastructure and increasing renewal pressures. Improved municipal asset management planning is a vital step in Ontario's Municipal Infrastructure Strategy and will provide the foundation to improving the long-term sustainability of infrastructure throughout the province.

The [\*Infrastructure for Jobs and Prosperity Act, 2015\*](#), was proclaimed on May 1, 2016 and includes an authority for the province to regulate municipal asset management planning.

The purpose of the proposed regulation is to implement best practices throughout the municipal sector and provide a degree of consistency to support collaboration between municipalities, and among municipalities and the province. The regulation would balance valuable consistency with appropriate flexibility, and would include phased implementation. The regulation would provide certainty around future provincial asset management planning requirements, and would be supported by the collection of selected data to capture the key aspects of municipal asset management: resilience and sustainability.

This regulation would aim to help municipalities more clearly identify what their infrastructure needs are, and therefore help them work towards a more sustainable position regarding the funding of their infrastructure.

Building on the province's 2012 [Building Together: Guide for Municipal Asset Management Plans](#), the regulation would set out requirements to improve asset management planning. This would include the content for municipal asset management plans and the phases of preparation. Municipalities would be required to adopt strategic asset management policies that would promote best practices and link asset management planning with budgeting, operations, maintenance and associated other municipal planning activities. Municipalities would also be required to report on implementation annually.

Link to regulation posting on the Environmental Registry

<https://www.ebr.gov.on.ca/ERS-WEB-External/displaynoticecontent.do?noticeId=MTMyNTkw&statusId=MjAxMzgx&language=en>

Comment Period: 60 days: submissions can be made between May 25, 2017 and July 24, 2017.

**All comments on this proposal must be directed to:**

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**5. NEW Municipal Finance Resources on the Ministry of Municipal Affairs website!**

Municipal staff from across the province collaborated with the Ministry of Municipal Affairs and the Municipal Finance Officers Association to produce guidelines, best practices and other resources to help simplify complex municipal finance topics and support municipal fiscal sustainability. [You can find all of these new municipal finance resources on the Ministry of Municipal Affairs' website.](#)

## **6. FCM Climate Change Grants**

Municipalities can now apply for grants of up to \$175,000 for plans and studies to help reduce greenhouse gas (GHG) emissions and adapt to the realities of climate change, such as colder winters, hotter summers, extreme storms, rising sea levels, flooding and drought.

Canadian cities and communities of all sizes and their partners can apply for:

- Plans for GHG emission reduction, community energy, transportation and land use.
- Studies for energy, water or solid waste projects that reduce GHGs.
- Plans and studies to support municipalities to adapt to climate change events and impacts.

A streamlined application process and support from FCM staff throughout the process will help your municipality begin work on your plan or study quickly.

Email an FCM advisor or call toll free at 1-877-997-9926 to discuss your project and find out if it is eligible for funding.

<https://www.fcm.ca/home/programs/municipalities-for-climate-innovation-program/municipalities-for-climate-innovation-program.htm>

## **7. Ontario Municipal Partnership Fund (OMPF)**

The 2017 OMPF allocations and supporting materials have been posted on MOF's web site at <http://www.fin.gov.on.ca/en/budget/ompf/2017/index.html>

For additional information or for other general inquiries about the program, email your query and contact information to: [info.ompf@ontario.ca](mailto:info.ompf@ontario.ca)

## **8. Eligible Investment Consultation**

The Municipal Finance Policy Branch of the Ministry of Municipal Affairs held two consultations on Municipal Eligible Investments on Tuesday, May 30<sup>th</sup> and Thursday, June 1<sup>st</sup>. The purpose of this consultation is to foster a discussion with treasurers across the province on a number of issues around the rules in the existing eligible investments regulation and potentially granting authority to Ontario municipalities to invest according to the prudent investor standard.

Under the Municipal Act, municipal eligible investments are currently only those listed in regulation (O. Reg. 438/97: Eligible Investments and Related Financial Agreements). In 2015, the province made regulatory reforms (to O. Reg. 610/06: Financial Activities) under the City of Toronto Act to provide the City with the power to invest according to the prudent investor standard. This power will come into force on January 1, 2018.

As part of Bill 68, Modernizing Ontario's Municipal Legislation Act, 2016, the province is now proposing to permit municipalities that meet certain requirements to invest according to a prudent investor standard subject to regulation. As the province moves forward with this proposal, it is faced with a few decision points including the extent to which this authority should be expanded in the sector and the parameters for this expansion. The province is also committed to reviewing the current eligible investments regulation for municipalities.

The consultation discussion will cover: (i) an examination of the current eligible investments regulation (ii) the criteria or thresholds that should determine municipal eligibility for the prudent investor standard; (iii) the optimal governance regime for the management of municipal investments under the prudent investor standard; and (iv) the potential parameters around joint investment approaches across multiple municipalities.

If you were unable to participate in either of these sessions you still have an opportunity to be part of the consultation process.

Please send your comments to John Ballantine, Manager, Financing and Infrastructure Section, Municipal Finance Policy Branch at [john.ballantine@ontario.ca](mailto:john.ballantine@ontario.ca)

## **9. Ontario East Municipal Conference**

Ontario East Municipal Conference (OEMC) is scheduled for September 13-15, 2017. Please visit <http://oemc.ca/> for more details.