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**Municipal Services Office**

Provincial Update

April 19, 2018

# 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.

# Local Government Updates

# Code of Conduct Regulation

- A regulation regarding prescribed subject matters for municipal codes of conduct and the related sections of the Municipal Act come into force on March 1, 2019
- The following are the prescribed subject matters that a municipality is required to include in the codes of conduct for members of council and local boards:
  - Gifts, benefits and hospitality.
  - Respectful conduct, including conduct toward officers and employees of the municipality or the local board, as the case may be.
  - Confidential information.
  - Use of property of the municipality or of the local board, as the case may be.
- The full text of the regulation is available on eLaws at <https://www.ontario.ca/laws/regulation/180055>

# Municipal Elections

# Key 2018 Election Dates

|         |   |
|---------|---|
| May 1   | Nominations open and campaign period begins<br>Registration period for third party advertisers begins<br>Clerk to advise of preliminary spending limit estimate<br>Last day for by-law passage adopting recount policy<br>Last day to pass or amend a by-law to submit a question to electors |
| July 27 | Nomination day (9 AM to 2 PM)<br>Withdrawal of nominations permitted until 2 PM<br>Last day to withdraw a question on the ballot  |
| July 30 | Nominations certified by 4 PM<br>Acclamations declared after 4 PM<br>Proxy vote certificates may be issued after 4 PM   |

# Key 2018 Election Dates

|             |   |
|-------------|---|
| July 31     | Default date for MPAC to deliver the preliminary list of electors   |
| August 31   | If agreed to by MPAC and the clerk, the last day for MPAC to deliver the preliminary list of electors                         |
| September 1 | Revision period for voters' list begins<br>Voters' list reproduced for candidates and other authorized persons (if requested) |
| October 22  | Voting day  |

|                |  |
|----------------|--|
| March 29, 2019 | Deadline for filing financial statements |
|----------------|--|

# Finance Updates



# Prudent Investor Rules Summary



## Eligibility Criteria

Generally, to be eligible, municipalities would need to (i) individually or collectively achieve a minimum investment balance of \$100 million or (ii) individually hold a position with a net financial assets balance of more than \$50 million.



## Governance Framework

A municipality must either establish or participate through an investment board, and delegate to it control and management of the municipality's investments (i.e. control of day-to-day investing). This framework is similar to the prudent investor framework for the City of Toronto.



## Joint Investment Scenarios

(1) A group of municipalities may collectively meet the \$100 million threshold and together establish an investment board with control and charge of day-to-day municipal investments

**OR**

(2) A municipality may enter into an agreement to have an investment board of another municipality (or group of municipalities) already investing under the standard invest on its behalf.

# Investments -- New Regulatory Provisions

## Regulations amended:

- O. Reg. 438/97 - Eligible Investments, Related Financial Agreements and Prudent Investment under the Municipal Act, 2001
- O. Reg. 84/16 - Investment Agreements - Prescribed Additional Persons or Bodies under clause 420 (2) (a) under the Municipal Act, 2001
- O. Reg. 653/05 - Debt-Related Financial Instruments under the Municipal Act, 2001
- O. Reg. 610/06 - Financial Activities under the City of Toronto Act, 2006
- O. Reg. 79/10 under the Long-Term Care Homes Act, 2007.

## New regulation:

- O. Reg. 42/18 - Dissolution Of and Prescribed Changes to Investment Board or Joint Investment Board under the Municipal Act, 2001

# Asset Management Regulation

- A communication from Ministry of Infrastructure was sent on March 9, 2018 advising that a municipal asset management planning regulation was passed under the *Infrastructure for Jobs and Prosperity Act, 2015*.
- Questions about the content and requirements of the regulation should be directed to the Ministry of Infrastructure using the contact information provided in that communication.
- The full text of the regulation is available on eLaws at <https://www.ontario.ca/laws/regulation/r1758>

# Asset Management Regulation Overview

## Strategic Asset Management Policy (by July 1, 2019)

Requires municipalities to outline commitments to best practices and continuous improvement

## Asset Management Plan: Phase 2 (by July 1, 2023)

Builds out the Phase 1 plan to include **all assets**

### Additional Information

- Municipalities under 25,000 not required to discuss detailed risk analysis or growth.
- Plans would be updated every 5 years; annual progress update given to council.

## Asset Management Plan: Phase 1 (by July 1, 2021)

For **core assets**:

- **Inventory of assets**
- **Current levels of service** measured by standard metrics
- **Costs to maintain levels of service**

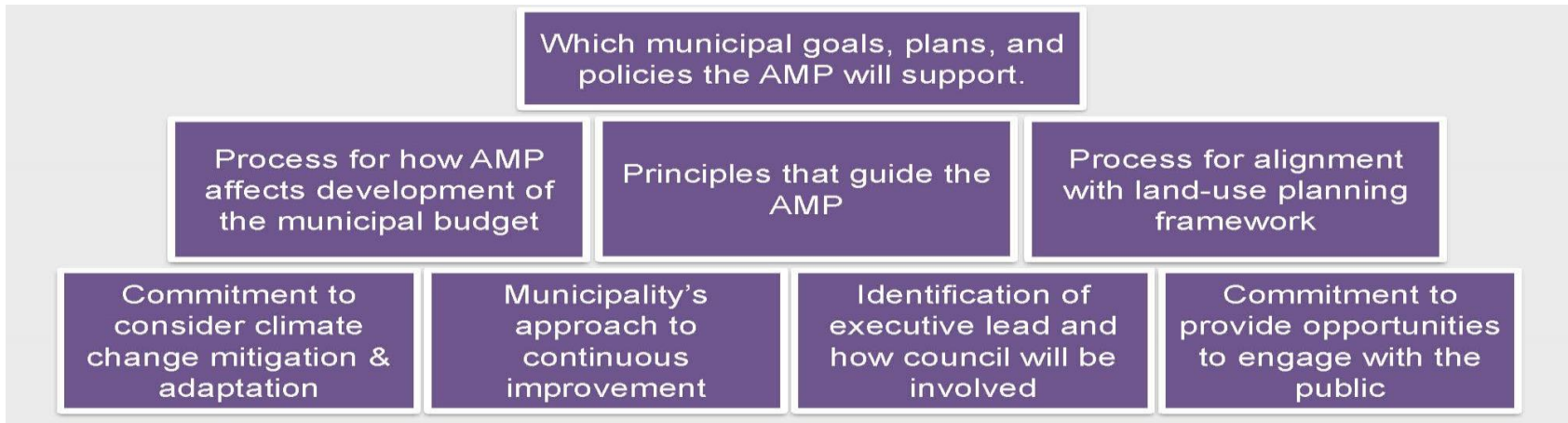
## Asset Management Plan: Phase 3 (by July 1, 2024)

Builds on Phase 1 and 2 by adding:

- **Proposed levels of service**
- **Lifecycle management and Financial strategy**

# Strategic Asset Management Policy

- All municipalities are required to develop and adopt a strategic asset management policy by **July 1, 2019**. The policy must include:



# Current Grant Opportunities

# National Disaster Mitigation Program

- The National Disaster Mitigation Program (NDMP) is a federal program that provides funding for flood mitigation projects. Projects can address any type of flood risk, such as riverine or urban flooding. Under this program, Public Safety Canada can fund up to 50% of project costs, to a maximum of \$1.5 million in federal funding per project.
- An eligible organization may submit one or more project proposals to the Ministry of Municipal Affairs by **September 14, 2018**.
- Previous proposals for flood mitigation projects in Ontario have had success under the NDMP. <http://www.mah.gov.on.ca/Page14903.aspx>

# Deadlines & Reminders



# Ontario Municipal Partnership Fund Reporting Requirements

The Ontario Municipal Partnership Fund (OMPF) is the Province's main transfer payment to municipalities. In 2018 alone, municipalities will benefit from more than \$2.6 billion in ongoing support through the OMPF, which is equivalent to 14 per cent of municipal property tax revenue in the province.

## What you should know

- Payments for municipalities that do not meet reporting obligations will be subject to holdback until documents have been filed. Municipalities must submit the following documents:
  - **2017 FIR by May 31, 2018**; and
  - 2018 tax rate by-laws by September 30, 2018 (to MSO unless uploaded in OPTA).
- Please note that if these items are not filed, your municipality may not be eligible for some funding programs.
- If you require additional information regarding the OMPF, you may e-mail your inquiries and contact information to: [info.ompf@ontario.ca](mailto:info.ompf@ontario.ca).

# Housing Updates & Reminders

# Portable Housing Benefit - Special Priority Policy (PHB-SPP)

## Description

- The PHB-SPP is a housing assistance program that will help survivors of domestic violence and human trafficking access and find safe and affordable housing.
- Instead of households living in shelters or other precarious housing situations until a social housing unit becomes available, the PHB-SPP will provide survivors with the option to receive a portable housing benefit so they can immediately find housing anywhere across Ontario.
- The PHB-SPP program will be launched in April 2018 for recipients of the Survivors of Domestic Violence – Portable Housing Benefit (SDV-PHB) Pilot program who will be given priority access, and in July 2018 for all other applicants on a first-come, first-served basis.
- To receive funding, Service Managers will be required to enter into Transfer Payment Agreement with MHO that sets out the roles and responsibilities for both parties and the accountability framework for the program.
- For further questions about the PHB-SPP, please email: [housing.program.mah@ontario.ca](mailto:housing.program.mah@ontario.ca)

# Housing and Homelessness Plan 5-Year Review

## Description

- Service Managers must initiate the five-year review of their Housing and Homelessness plans by January 1, 2019.
- the ministry has committed to sharing with Service Managers resource material to help with the five-year review of Housing and Homelessness Plans. *The “Five Year Review of Housing and Homelessness Plan: A Guide for Ontario Service Managers”*, provides suggestions and resources to support Service Managers to complete the five-year review of their plans.
- the ministry will be hosting online webinar sessions in order to walk through the guide and provide Service Managers with an opportunity to ask questions regarding the guide and the five-year review process. The Eastern region webinar is scheduled for **April 23, 2018 10:00 am to 12:00 noon**
- For any specific questions during the review process, feel free to reach out to your ministry contact in the regional Municipal Services Office.

# Inclusionary Zoning

## Description

- Inclusionary zoning is a planning tool that allows municipalities to require developers to include affordable housing units in residential developments.
- The province has worked with municipalities, housing advocates, and developers to create regulations that give municipalities the flexibility they need to maximize the benefit of Inclusionary zoning.
- Under the new regulations, municipalities will be able to mandate that affordable units for low- and middle-income families are included in new housing developments to create mixed-income communities.
- The new inclusionary zoning bylaws will apply to developments of 10 or more units, although municipalities could choose to set a higher threshold based on local circumstances. Municipalities can also apply inclusionary zoning to any type of residential development--both ownership and rental--based on local needs and priorities.

# UPCOMING EVENTS AND TRAINING

# Conference Dates

- Association of Municipalities of Ontario (AMO): August 19-22, 2018
- Rural Ontario Municipal Association (ROMA): January 26-29, 2019
- Ontario Goods Roads Association (OGRA): February 2019
  - **No dates for delegation requests have been set as yet.**
- Association of Municipal Managers, Clerks & Treasurers of Ontario (AMCTO): June 10-13, 2018
- Municipal Finance Officers Association of Ontario (MFOA): September 19-21, 2018
- Association of Francophone Municipalities of Ontario (AFMO): September 19-21, 2018

# Events- East

- Eastern Ontario Treasurers Association – May 4<sup>th</sup> – Best Western Hotel, Cornwall
- Ontario East Municipal Conference – September 12<sup>th</sup> – 14<sup>th</sup> – NAV Centre, Cornwall



# MSO-East Contacts

**Brandon Forrest**

Manager, Local Government and Housing

613-545-2126

[Brandon.Forrest@ontario.ca](mailto:Brandon.Forrest@ontario.ca)

**Carol Church (Leeds & Grenville, Lanark)**

Municipal Advisor

613-545-2130

[Carol.Church@ontario.ca](mailto:Carol.Church@ontario.ca)

**Peter Sizov (Frontenac, L&A, Haliburton)**

Municipal Advisor

613-545-2117

[Peter.Sizov@ontario.ca](mailto:Peter.Sizov@ontario.ca)

**Eric Thibaudeau (Renfrew, Peterborough)**

Municipal Advisor

613-545-2131

[Eric.Thibaudeau@ontario.ca](mailto:Eric.Thibaudeau@ontario.ca)

**Jessica Campbell (Buttery) – (Northumberland, Hastings)**

Municipal Advisor

613-545-2125

[Jessica.Buttery@ontario.ca](mailto:Jessica.Buttery@ontario.ca)

**Lisa Harvey (Ottawa, Prescott & Russell, SD&G)**

Municipal Advisor

519-873-4029

[Lisa.Harvey@ontario.ca](mailto:Lisa.Harvey@ontario.ca)