



Meeting Date: December 7, 2022

Submitted by: Michael Di Lullo, CAO

Report No: CAO-33-2022

Subject: Bill 39 - Better Municipal Governance Act, 2022

Recommendation:

THAT Report CAO-33-2022, re: Bill 39 - Better Municipal Governance Act be received as information.

Purpose:

To provide information to Council in regards the introduction of legislation named the [Better Municipal Governance Act, 2022](#).

Background:

The [Ontario government is introducing new legislation](#) that would, if passed, take decisive action to address the housing crisis by assessing how best to extend strong mayor powers and reduce municipal duplication in order to deliver on shared provincial-municipal priorities – primarily the building of 1.5 million new homes over the next 10 years. The proposed changes would also provide an additional tool to the mayors of Toronto and Ottawa to deliver on these shared priorities.

Analysis:

The *Better Municipal Governance Act, 2022* includes proposed changes to the *Municipal Act*, the *City of Toronto Act* and other Acts, to help these large, urban municipalities better meet the needs of their rapidly growing communities.

Explore the Expansion of the Strong Mayors Tools in Certain Regions

As the province considers how to best extend the tools provided for in the [*Strong Mayors, Building Homes Act*](#) to some of Ontario's fastest-growing municipalities, provincially-appointed facilitators will assess the regional governments in Durham, Halton, Niagara, Peel, Waterloo and York. They will be tasked with determining the best mix of roles and responsibilities between the upper and lower-tier municipalities in those regions, and ensuring they are equipped to deliver on the government's commitment to build 1.5 million homes over the next 10 years in order to address the housing supply crisis.

Create Ministerial Authority to appoint the Chairs of Niagara, Peel and York Regions

The proposed legislation, if passed, would allow the Minister of Municipal Affairs and Housing to appoint the regional heads of council for Niagara, Peel and York regions.

If these proposals are passed, the Minister's intention is to reappoint the existing chairs: Jim Bradley in Niagara, Nando Iannicca in Peel and Wayne Emerson in York. This will provide stability and continuity as the regions work with the provincially-appointed facilitators to assess the best way to extend strong-mayor powers to existing two-tier municipalities.

Mayoral Power to Propose By-laws that could be passed with more than one-third votes

These proposed changes would enable the mayors of Toronto and Ottawa to propose and amend certain municipal by-laws related to prescribed provincial priorities and enable council to pass the by-law if more than one-third of members of council vote in favour. These bold proposals reflect the severity of Ontario's housing supply crisis and the government's commitment to act decisively to remove barriers to new home building at both the provincial and municipal levels.

Establish Regulation-Making Authorities for the New By-law Power

The proposed legislation, if passed, would allow the Lieutenant Governor in Council to prescribe the provincial priorities for which the new mayoral by-law powers could be used. The proposed legislation would also allow the Minister of Municipal Affairs and Housing to make regulations that establish rules related to the by-law power.

The government plans on making accompanying regulations to set out current provincial priorities. These priorities could include building 1.5 million new homes in 10 years to address the housing supply crisis, and the construction and maintenance of infrastructure, such as transit and roads, to support new and existing housing development.

Repeal the Duffins Rouge Agricultural Preserve Act, 2005

In response to requests from the City of Pickering, this legislation would also, if passed, repeal the Duffins Rouge Agricultural Preserve Act to assist in removing barriers to building much-needed housing in Pickering (Durham Region) as part of broader proposed amendments to the Greenbelt, and support Ontario's goal of building 1.5 million homes over the next decade.

Municipal Review/Response

Although these changes are aimed at larger urban municipalities, centred in the Greater Toronto Area, there is still a potential impact on the rest of the municipalities. As the Municipality is monitoring the regulatory changes – both proposed and coming into effect, we will make necessary adjustments to facilitate the primary goal which is to deal with the housing shortfall faced in the Province.

Financial Implications:

N/A

Strategic Plan:

This matter aligns with following strategic priorities:

- Responsive Municipal Government q

The Provincial Government is proposing changes to the Municipal Act that would further advance the housing agenda as there is a supply need in the Province. These changes will have an impact on how municipalities manage planning (and other associated governance) matters.

Attachments:

N/A