



Meeting Date: January 15, 2025

Prepared By: Michael Di Lullo, CAO

Submitted by:

Report No: CAO-1-2025

Subject: Municipal Accountability Act, 2024

Recommendation:

THAT Report CAO-1-2025, re: Municipal Accountability Act, 2024 be received for information.

Purpose:

The purpose of this report is to provide Council with legislation that was put forward by the Province in December 2024 that is aimed to strengthen municipal governance and accountability as well as dissolving planning services in certain areas of the Province and other responsibility of services to Mississauga, Brampton and Caledon.

Background:

The proposed *Municipal Accountability Act, 2024*, would establish a new, standardized municipal code of conduct and integrity commissioner framework. In this most recent announcement of legislative changes, the Province has also announced the dates on which the Regions of Waterloo, Durham, and Niagara would become upper-tier municipalities without planning responsibilities.

Analysis:

Below is a list of proposed initiatives and changes:

Municipal Code of Conduct

The proposed changes in the *Municipal Accountability Act, 2024* would amend the *Municipal Act, 2001*, and the *City of Toronto Act, 2006*, to strengthen the municipal codes of conduct and the integrity commissioner framework in order to:

- Allow for the creation of a standard code of conduct for all municipalities and require mandatory code of conduct training for members of council and certain local boards.
- Establish a consistent process for Integrity Commissioner inquiries across the province.
- Create a regulatory authority responsible for establishing guidelines for the municipal integrity commissioner investigation processes, including a complaints mechanism and reporting requirements.
- Provide a role for the Integrity Commissioner of Ontario to provide advice to municipalities and training to municipal integrity commissioners and to review all reports from municipal integrity commissioners recommending that a member be considered for removal and disqualification, as well as conduct inquiries.
- Establish a stronger penalty by establishing a mechanism for members of council and certain local boards to be removed and disqualified for four years for serious violations of the code of conduct.

The *Municipal Accountability Act, 2024*, if passed, would establish rules so that municipal integrity commissioners and the Integrity Commissioner of Ontario would only be able to consider and recommend removal and disqualification of a member if they determine that all four criteria are met:

1. The member has contravened the code of conduct;
2. The contravention is of a serious nature;
3. The member's conduct that is the subject of the inquiry has resulted in harm to the health, safety or well-being of persons; and
4. The existing penalties are insufficient to address the contravention or ensure that the contravention is not repeated.

If passed, the legislation would also establish that the Integrity Commissioner of Ontario, when in the process of conducting an inquiry, could also consider, among other matters, whether the contravention negatively impacts public confidence in the ability of the member to discharge their duties, and, of the council or local board to fulfill its role, including by meeting its statutory obligations.

The proposed changes would also create a process to remove and disqualify members of council and local boards that would include the following steps:

1. Upon receipt of a complaint, the municipal integrity commissioner conducts an inquiry. If they find that the criteria for removal and disqualification are met, they can make a recommendation for removal and disqualification to the Integrity Commissioner of Ontario.
2. If the Integrity Commissioner of Ontario receives a recommendation from the municipal integrity commissioner, they would be required to conduct an inquiry and determine whether the criteria for removal and disqualification have been met. If so, they can provide a recommendation to municipal council that the member be removed from their seat and disqualified for four years.
3. If the Integrity Commissioner of Ontario recommends that a member be removed and disqualified, council must vote on the recommendation:
 - o All members of council who are not exempt would be required to vote in favour of the Integrity Commissioner of Ontario's recommendation to remove and disqualify a member.
 - o Only the member(s) who is/are the subject of the report, members with approved absences or members who have a conflict of interest under the [Municipal Conflict of Interest Act](#) would be exempt from the vote.
4. If council unanimously votes to approve the recommendation, the member is removed from their seat and is disqualified for four years.

The government intends to consult on these changes and work with the municipal sector to develop the necessary regulations to support the new framework coming into effect for the new term of councils in 2026.

Remove Upper-Tier Planning Responsibilities

Ontario remains committed to reducing municipal duplication across the province to deliver on shared provincial-municipal priorities, all while supporting its municipal partners. Effective January 1, 2025, Durham and Waterloo Regions would have their land-use planning responsibilities removed so that local municipalities in these regions can better plan for growth. The same changes would be made for Niagara Region as of March 31, 2025. This builds on legislative changes made earlier to the *Planning Act* that, once in force, allow for the removal of statutory powers from seven upper-tier municipalities: Durham, Halton, Niagara, Peel, Simcoe, Waterloo, and York. Planning changes for Peel, Halton and York Regions came into effect on July 1, 2024. Once in effect, the local municipalities within these regions have primary responsibility for all land use planning in their geographies, except for matters requiring provincial approval.

Financial Implications:

N/A

Strategic Plan:

This matter aligns with following strategic priorities:

- Responsive Municipal Government
- Vibrant Local Economy

Providing information to council on legislative policy that will impact (or have a potential to) the Municipality is prudent and makes for good governance and decision making.

Attachments:

Appendix: Correspondence from Minister Calandra dated December 12, 2024