

**Attachment 2: Disposition of Amendments Requested by the City of Toronto through the Five-Year Review of the City of Toronto Act, 2006 and Standing Committee consideration of Bill 68, Modernizing Ontario's Municipal Legislation Act, 2017**

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**Disposition of Amendments Requested by the City of Toronto  
through the Five-Year Review of the City of Toronto Act, 2006  
and Standing Committee consideration of  
Bill 68, Modernizing Ontario's Municipal Legislation Act, 2017**

**Table 1: Policy Amendments**

	Category	Amendment Request	Rationale	Disposition
1	Climate Change	<p><b>Climate Change</b></p> <p>Clarify that Toronto may pass by-laws respecting climate change mitigation and adaptation.</p>	Requested by City Council.	Achieved – included in Bill 68. Currently in force.
2	Service Delivery	<p><b>Liquor Licencing</b></p> <p>Amendments to provide that: the City is a party to any appeal by an applicant to the Licence Appeal Tribunal (LAT) under the Liquor Licence Act; the City is entitled to all notices and disclosures flowing from an appeal to the LAT by the applicant; if City Council passes a resolution objecting to a liquor licence application, the applicant will bear the onus of showing the LAT why it should be entitled to the liquor licence; in granting a licence, the LAT shall set out standards for activities that originate inside or around the licensed premises but impact the neighbourhood such as noise and loitering.</p>	Requested by City Council.	Not included in Bill 68.  Referred to Ministry of the Attorney General.
3	Planning	<p><b>Role of Ontario Municipal Board</b></p> <p>Abolish the Ontario Municipal Board's (OMB) jurisdiction over Zoning By-law Amendments, Official Plan Amendments, Site Plans, Urban Design Guidelines, Subdivision and Condominium Plan Approvals and Community Improvement Plans and appeals under the Heritage Act.</p>	This will enable City Council to be the final decision maker with regard to land use planning. OMB members are often unfamiliar with Toronto's Official Plan and the local planning context, thus City Council is better suited to be the final decision maker on these issues.	Not included in Bill 68.  Being considered through the Province's OMB Review.

	Category	Amendment Request	Rationale	Disposition
4	Planning	<p><b>Appeals to Ontario Municipal Board</b></p> <p>Provide authority to put limits on OMB appeals including a) no global appeals of Council's decision to adopt entire thematic official plan policy amendments and secondary plans; b) no rights of appeal for any official plan amendment intended to bring municipal official plans into conformity with Provincial policies and plans; c) a freeze on all privately initiated OP amendments of newly approved OP policies stemming from comprehensive thematic reviews of the OP and other comprehensive area-based secondary plan reviews for 2 years; and d) no right of appeal of Council decisions that refuse a privately initiated application to amend a municipally initiated official plan amendment for a 3-year period at the end of the two year freeze noted above.</p>	<p>The City is required to adopt OP policy amendments that are consistent with Provincially mandated land use policies. OP amendments that are developed to meet Provincial policy requirements should not be subject to appeals to the OMB appeals or to approval by the OMB.</p> <p>Additionally, given the comprehensive approval and public engagement process involved in approving OP policy amendments, a two-year freeze will enable such amendments to take root without the immediate ability for individuals or public bodies to submit amendment applications to launch changes to the newly adopted policy amendments.</p>	<p>Not included in Bill 68.</p> <p>Being considered through the Province's OMB Review.</p>
5	Planning	<p><b>Official Plan Review Period</b></p> <p>Provide authority for a statutory 10 year official plan review period that includes comprehensive thematic reviews and other comprehensive area-based secondary official plan reviews, commencing from the date that the official plan policies identified by Council as forming part of the review, come into effect.</p>	<p>Given the length of time it takes to conduct an Official Plan Review a 10 year review period is required to ensure greater weight to Council decisions regarding Official Plans and OP amendments.</p>	<p>Achieved.</p> <p>Bill 73, Smart Growth for Our Communities Act, 2015 amended ss.26(1.1) of the Planning Act to provide for a 10-year review period after a new Official Plan. The amendment came into effect in the summer of 2015.</p>

	Category	Amendment Request	Rationale	Disposition
6	Planning	<p><b>Public Submissions on Planning Decisions</b></p> <p>Exempt Toronto from the proposed requirement that reference to written and oral submissions received/made at statutory public meetings be included in the meeting decision document and provide flexibility for the City to utilize alternative ways to communicate such information.</p>	<p>This exemption is required given the number and volume of planning applications that would require an explanation in a notice of decision from Council regarding the effect public submissions had on their decisions.</p>	<p>Not included in Bill 68.</p>
7	Planning	<p><b>Timelines for Planning Decisions</b></p> <p>Enable the City to extend Council's timelines for making planning decisions before "failure to proceed" appeals can be made for applications including a) Official Plan amendments be increased from 180 days to 240 days; b) Zoning by-law amendments be increased from 120 days to 180 days; and c) Zoning by-law amendments that run concurrently with an official plan amendment be increased from 180 days to 240 days.</p> <p>Extend the period required for Alternative Dispute Resolution after an appeal has been made on a planning application matter to the OMB from the proposed 60 days to 90 days.</p>	<p>An increase in Council decision making timelines will enable the City to undertake improved front-end consultation and collaboration with applicants and the public.</p> <p>A 90-day time-out period for Alternate Dispute Resolutions is required given the frequency with which Council meets and the number of matters before Council at each meeting.</p>	<p>Not included in Bill 68.</p>

	Category	Amendment Request	Rationale	Disposition
8	Planning	<p><b>Local Appeal Body (LAB) Authority and Fees</b></p> <p>Extend the City's authority to change or dissolve a local board to include Local Appeal Body (LAB).</p> <p>Also provide the authority for the City recover the cost of a LAB through planning application fees and remove the right to appeal LAB fees.</p>	<p>This will ensure the City has consistent powers to change or dissolve a LAB as it does with other local bodies. It will provide the City with consistent powers to govern a LAB comparable to the powers the Province has to govern the OMB.</p>	<p>Partially Achieved – included in Bill 68 (provides the City with authority to change the Local Appeal Body, and provides the minister with authority to dissolve).</p> <p>Currently in force</p>
9	Planning	<p><b>Zoning Related Implementation Tools</b></p> <p>Enact a regulation to enable the City to use inclusionary housing powers provided in COTA to require the provision of affordable housing as part of the approval of new development.</p> <p>Also, enact a regulation to permit the use of zoning that includes conditions dealing with a comprehensive range of matters including but not limited to transportation, natural heritage, housing, community services and facilities; and phasing requirements.</p>	<p>A regulation to permit the City to use inclusionary housing will enable the City to better respond to Ontario's planning and anti-poverty objectives, and support the City's Official Plan objectives and affordable housing strategy.</p> <p>A regulation to permit the City to zone with conditions will enable the City to implement Official Plan policy and zoning by-law provisions, improve development application outcomes and encourage business investment and further protect employment lands for non-retail employment uses and ensure development implements climate change objectives.</p>	<p>Achieved.</p> <p>Inclusionary zoning proceeding as part of Bill 7, Promoting Affordable Housing Act, 2016 that was introduced Sept. 14, 2016 (re-introduction of Bill 204 from last legislative session).</p> <p>Zoning with conditions will not proceed as part of Bill 68, but is likely to proceed through another mechanism.</p>

	Category	Amendment Request	Rationale	Disposition
10	Service Delivery	<p><b>Affordability Covenants</b></p> <p>Enable the use of positive covenants by the municipality to control the resale of homes into which public funds have been invested, allowing the public benefit to pass to subsequent owners of the land.</p> <p>A covenant that dictates to whom a house must be sold (another low income family) and a formula for determining the price (to maintain the affordability) cannot currently be registered by the City, which has invested considerable public resources into ensuring the affordability of the home for the first homebuyer.</p>	<p>This will enable the City to support strategic objectives for affordable housing. Without the ability to employ these covenants to control the resale of the home, while the public funds are repaid by the first homeowner when the house is sold, the house is lost to the affordable housing market, a missed opportunity to support affordable housing objectives.</p>	<p>Not included in Bill 68.</p>
11	Service Delivery	<p><b>Harmonized sign regulations</b></p> <p>Revoke section 110 which limits the City's ability to pass bylaws governing existing signs.</p>	<p>This will provide City Council with the authority to make decisions regarding the governance of all existing and proposed signs to ensure greater consistency and efficiency of sign regulations.</p>	<p>Achieved – included in Bill 68.</p> <p>Currently in force</p>
12	Governance	<p><b>Role of Ontario Municipal Board – Ward Boundary Appeals</b></p> <p>Remove the jurisdiction of the Ontario Municipal Board for both petitions and appeals respecting ward boundaries, and require the City of Toronto to review its ward boundaries every 10 years and adjust them as required in keeping with the principles of effective representation.</p>	<p>City Council requested.</p>	<p>Not included in Bill 68.</p>

	Category	Amendment Request	Rationale	Disposition
13	Governance	<p><b>Public Service By-law</b></p> <p>Require the City to have formal public service legislation in the form of a municipal by-law, consistent with provincial and federal public service legislation.</p>	A public service by-law will support an appropriate separation between the administrative and political components of Toronto's government and advance accountability and transparency.	Achieved – included in Bill 68. Subject to proclamation
14	Accountability	<p><b>Time Limit for Investigations under the Lobbying By-law</b></p> <p>Provide a two-year time limit for investigations of Provincial Offences Act charges under City's Lobbying By-law.</p>	An extension to the time limit for investigations will enable more investigations to be completed, and enhance oversight and accountability. The default time limit of 6 months is insufficient in most cases to complete an investigation, given that breaches of the Lobbying By-law tend to be complex, requiring production of documents and interviews of witnesses.	Achieved – included in Bill 68. Currently in force.
15	Accountability	<p><b>Jurisdiction of Ombudsman and Restricted Boards</b></p> <p>Extend the jurisdiction of the Toronto Ombudsman to include the Toronto Library Board.</p>	This will advance accountability and transparency.	Not included in Bill 68.
16	Accountability	<p><b>Jurisdiction of Auditor General – Toronto Police Services and Toronto Library Board</b></p> <p>Extend the jurisdiction of the Auditor General to include the Toronto Police Services Board and the Toronto Public Library Board.</p>	This will advance accountability and transparency.	Not included in Bill 68.
17	Accountability	<p><b>Jurisdiction of Auditor General – Board of Health</b></p> <p>Extend the jurisdiction of the Auditor General to include the Board of Health.</p>	This will advance accountability and transparency.	Not included in Bill 68.

	Category	Amendment Request	Rationale	Disposition
18	Governance	<p><b>Joint and Several liability</b></p> <p>Enable the City to utilize an alternative 'victims funding mechanism' once approved by the Courts.</p>	This will reduce liabilities for the City balanced with appropriate protection for victims. Currently, the City can be found 1% liable for an insurable claim but be assigned most or all of the costs.	Not included in Bill 68.
19	Financial Sustainability	<p><b>Expanded Investment Authority</b></p> <p>Remove the prescriptive list of eligible investments to sections 42 and 42.1 of Regulation 610/06 Financial Activities and replace it with the Prudent Investor Standard.</p>	By allowing the City to invest in the same manner as a Prudent Investor, there is an opportunity for the City to increase its annual investment returns.	Achieved. Regulatory amendments published in November, 2015. The transition provisions are in effect already and remaining provisions will take effect on January 1, 2018.
20	Financial Sustainability	<p><b>New Development Levy</b></p> <p>Explore potential amendments to implement new levies on land development.</p>	City Council requested staff to review potential new levies on land development in order to achieve full-cost recovery of growth-related capital expenditures from land development projects.	Not included in Bill 68.
21	Financial Sustainability	<p><b>Prescribed Subclass Tax Reductions</b></p> <p>Repeal subsections 278(1) to (4), which set rules for subclass tax reductions and provide regulation making power to the Minister to effect those rules and requires City to incorporate those reductions in its by-law.</p>	This will provide the City with flexibility to determine policies and application of tax reductions on subclasses of properties (e.g. vacant portions). Reducing the subclass reduction percentage for vacant properties may provide an incentive to develop properties that are currently vacant and being held for assembly or development.	Not included in Bill 68. Referred to Ministry of Finance.

	Category	Amendment Request	Rationale	Disposition
22	Financial Sustainability	<p><b>Capping Requirements</b></p> <p>Repeal or amend Part XII related to limits on tax changes on the restricted classes (CIM) to enable the City to have discretion to establish policies in respect of mitigating assessment related tax changes on the restricted classes (CIM).</p>	<p>The will enable the City to have flexibility in determining how limits on annual tax increases (tax capping/claw-back) are administered.</p> <p>Increasing allowable thresholds for tax capping or increasing the allowable annual increase will move more properties to full CVA taxation levels. This will restore equity to a large number of properties that continue to have taxes clawed back in order to fund the tax caps on a shrinking number of properties that continue to be protected from increases.</p>	<p>Not included in Bill 68.</p> <p>Referred to Ministry of Finance.</p>
23	Financial Sustainability	<p><b>Railway and Power Utility Property Tax</b></p> <p>Amend regulations that prescribe applicable rates for the municipal portion and education portion of taxes for railway and power utility rights of way. The regulations should require an annual inflationary adjustment in the “mature rate” which should phase-in rate changes that more properly reflect the market value of the land over time.</p>	<p>This will increase revenue collected by the City, supporting municipal financial sustainability.</p> <p>Provincially prescribed "mature rates" for taxing railway roadways and hydro transmission corridors have not changed since 2005.</p>	<p>Not included in Bill 68.</p> <p>Referred to Ministry of Finance.</p>

	Category	Amendment Request	Rationale	Disposition
24	Financial Sustainability	<p><b>Heads and Beds Taxation Levels</b></p> <p>Amend Section 285 by replacing the "heads and beds" levy with a levy based on property's current value assessment (as returned on the Assessment Roll) times the appropriate tax rate or alternately, to incorporate an annual inflationary increase in prescribed "Heads and Beds" rate. Also amend sections related to payment-in-lieu (PIL) revenue from Provincial institutions (hospitals, university residences and correctional facilities).</p>	<p>This will increase revenue collected by the City, supporting municipal financial sustainability.</p> <p>Current provincial payment-in-lieu (PILs) are substantially lower than taxes that would be payable if PIL was based on assessment and tax rates. The "heads and beds" rate, at \$75 per resident space, university/college space or hospital bed, has not changed since 1987.</p>	<p>Not included in Bill 68.</p> <p>Referred to Ministry of Finance.</p>
25	Financial Sustainability	<p><b>Vacant Unit Rebates</b></p> <p>Amend the Vacant Unit Rebate provisions for commercial and industrial properties to provide the City with flexibility to apply additional eligibility criteria or to alter other program requirements. Amendments should enable the City to a) define eligibility criteria that may differ between commercial and industrial properties, to ensure that employment/industrial properties remain in employment uses; b) set time limits on rebate eligibility, or to reduce rebate percentages where properties receive rebates in successive years for continuously vacant space; c) allow that short-term occupation of vacant properties does not disqualify property owners from receiving vacant unit rebates, to encourage the ability of vacant storefront properties to be used for short-term pop-up shops or</p>	<p>This will ensure that the vacant unit rebate program aligns with the City's broader economic growth and job creation objectives while at the same time encouraging landlords to take efforts to keep properties occupied to maximize the benefit from the vacant unit rebate program.</p>	<p>Achieved.</p> <p>Bill 70, Building Ontario Up for Everyone Act (Budget Measures), 2016 provides for additional flexibility in the Vacant Unit Rebate program, subject to ministerial approval of a City by-law.</p>

	Category	Amendment Request	Rationale	Disposition
		incubator businesses, subject to City-defined criteria; and d) allow discretion to define special provisions that may apply to small storefront retail operations, where prolonged vacancies can lead to locally depressed rental potential.		
26	Service Delivery	<b>Public Sale - Adverse possession</b> Enable the City or its agencies or corporations, and all lands owned or managed by the City or its agencies or corporations to be exempt from claims for adverse possession or prescriptive rights for municipal property devoted to public use. This change should apply retroactively.	This will extend the protection against claims of adverse possession that is already afforded to municipal streets and highways to include municipal land devoted to public use. There is significant risk that the City may potentially lose the ownership of public parkland (City and/or TRCA owned) in the absence of legislative change and there is precedent in other jurisdictions to provide such protection for municipal lands.	Not included in Bill 68. Referred to Ministry of the Attorney General.
27	Service Delivery	<b>Powers of Entry – Land Adjoining Municipal Land</b> Provide Toronto with the power to enter private property for purposes of maintaining City property (e.g. repair of fencing, pruning).	City Council requested.	Achieved – included in Bill 68. Currently in force.
28	Service Delivery	<b>Provincial Offence enforcement and unpaid fine collection</b> Enable the City to have defaulted fines added to the tax roll of a property where any of the owners of the property is responsible for paying the fines.	This will provide the City with greater flexibility to collect defaulted fines. Currently it is overly limiting that defaulted fines cannot be added to the tax roll if the property is owned by more than one owner. Defaults do result in civil cases where the property can be seized which is more punitive than requiring all property owners to be responsible for defaulted fines in proportion to their ownership of the property.	Not included in Bill 68.

	Category	Amendment Request	Rationale	Disposition
29	Governance	<p><b>Administrative Sanctions</b></p> <p>Provide authority to impose administrative sanctions, including administrative monetary penalties, for a range of offences.</p>	<p>This will provide the City with effective enforcement tools for lobbying and other offences.</p>	<p>Achieved – included Bill 68.</p> <p>Currently in force.</p>
30	Service Delivery	<p><b>Social Housing Service Level Standards</b></p> <p>Provide an exemption to enable the City to utilize a range of service options (e.g. housing allowances) to meet the Service Level standard (SLS) set in the <i>Housing Services Act</i>.</p>	<p>This will provide the City with greater flexibility and capacity to meet residents' diverse housing needs, make better use of the subsidy currently invested in the social housing system and support the City's anti-poverty objectives.</p>	<p>Achieved.</p> <p>Included in Bill 7, Promoting Affordable Housing Act, 2016.</p>
31	Service Delivery	<p><b>Social Housing Agreements</b></p> <p>Extend the provision that enables the City to enter into agreements with an owner and/or operator proposing a new development for the purposes of a social housing program to include agreements with an owner/operator operating an existing social housing program.</p>	<p>This will provide the City with more effective tools when dealing with a property owner that is already operating an existing social housing program.</p>	<p>Achieved – included in Bill 68.</p> <p>Currently in force.</p>

**Table 2: Technical Amendments**

	<b>Category</b>	<b>Amendment Request</b>	<b>Rationale</b>	<b>Disposition</b>
1	Financial Sustainability	<p><b>Solid Waste Fees</b></p> <p>Include waste management in the definition of public utility to permit outstanding solid waste fees to be added to the tax rolls for individual condominium units in the same manner as outstanding water fees.</p>	<p>This will enable the City to add solid waste fees to the tax rolls for individual condominium units rather than to the condominium corporation which will result in greater revenue collection.</p>	<p>Included in Bill 68. Currently in force.</p>
2	Service Delivery	<p><b>Conflict with Legislation</b></p> <p>Amend Section 11 to remove 'frustration of purpose' as defining a 'conflict'.</p>	<p>This will help determine legislative intent when there is a conflict between legislation.</p>	<p>Not included in Bill 68.</p>
3	Service Delivery	<p><b>Regulations re: Provincial Interest</b></p> <p>Amend or repeal Section 25 to require province to identify "provincial interest" and/or provide notice to (and consultation with) the City.</p>	<p>This will help determine legislative intent.</p>	<p>Not included in Bill 68.</p>
4	Service Delivery	<p><b>Liability related road repairs</b></p> <p>Amend S.42 (6) to ensure written notice of injury claims sent to the Clerk include the date, time and location of the occurrence.</p>	<p>This is required to ensure the language in the statute reflects the intent of the provision.</p>	<p>Achieved – included in Bill 68. Currently in force.</p>

	Category	Amendment Request	Rationale	Disposition
5	Service Delivery	<p><b>Trees and exceptions (Natural Environment)</b></p> <p>Amend the following:</p> <ol style="list-style-type: none"> <li>Subsections 104(3) (c) (c.1) and (d), and subsections 105(2)(a), (a.1) and (d) to include the word “express” immediately before the word “condition”.</li> <li>Subsection 104(3) (c) and (d) and subsection 105(2) (a) and (b) to include the word “express” immediately before the word “requirement”.</li> <li>Subsection 104(3) (c) and subsection 105(2) (a) to delete the word “consent” and to delete the reference to section 53 of the Planning Act.</li> </ol>	<p>The first two changes clarify that an express condition stating that trees must be injured or removed must be included in a planning decision in order for a property owner to be exempt from the City’s tree by-law.</p> <p>The third item excludes conditions of consent as a circumstance where owner would be exempt from the tree by-law – City only conducts cursory reviews of consent applications and can’t attend all tree-related OMB hearings. It is more appropriate for owners to submit a tree permit application in advance of or in conjunction with a consent application and enable staff to undertake appropriate review.</p>	<p>Not included in Bill 68.</p> <p>Bill 68 would require the City to adopt a policy on how the City will protect and enhance its tree canopy and natural vegetation cover in the face of climate change.</p>
6	Planning	<p><b>Planning Advisory Committee</b></p> <p>Exempt the City from the mandatory provisions to establish a Planning Advisory Committee (PAC) through Council and provide greater flexibility in how the City can establish planning advisory committee(s).</p>	<p>This will provide the City with greater flexibility to utilize existing public engagement activities for the City’s high volume of applications to meet the intent of this Planning Act provision.</p>	<p>Not included in Bill 68.</p>
7	Planning	<p><b>Rental Housing Protection</b></p> <p>Enable the City to register agreements on title to protect rental housing from conversion or demolition.</p>	<p>This will bind both current and future owners of properties regarding demolition and conversion regulations and make the application of the existing legislation more effective and longer-term.</p>	<p>Achieved – included in Bill 68.</p> <p>Currently in force.</p>

	Category	Amendment Request	Rationale	Disposition
8	Planning	<p><b>Development Definition</b></p> <p>Amend the definition of development to ensure that proposed alterations are based on the legal use and not the actual use of the property.</p>	This is required to ensure that building permits are recognized and issued based on the legal use and not the actual use of the property.	Not included in Bill 68.
9	Governance	<p><b>Electronic Participation in Local Board Meetings</b></p> <p>Extend the provision for electronic meeting participation currently provided for City Council meetings to include meetings of local boards.</p>	This will enable local boards to utilize technology for board meetings for electronic participation, consistent with City Council.	<p>Achieved – included in Bill 68.</p> <p>Subject to proclamation.</p> <p>Note: Electronic meeting participation will only be allowed if the applicable procedure by-law permits it. City Council approves local board procedure by-laws.</p>
10	Governance	<p><b>Confidentiality</b></p> <p>Amend the section to remove a discrepancy between COTA s. 190, City practices regarding confidential reports, and <i>Municipal Freedom of Information and Protection of Privacy Act</i> (MFIPPA).</p>	This is a technical change to remove a discrepancy between two Acts.	<p>Achieved – included in Bill 68.</p> <p>Subject to proclamation.</p>
11	Governance	<p><b>Acting Head of Council</b></p> <p>Amend the section to clarify the role of the "acting head of council".</p>	This will clarify whether the "acting head" assumes all statutory duties of the Mayor or merely the responsibilities for chairing Council meetings.	<p>Achieved – included in Bill 68.</p> <p>Currently in force.</p>
12	Financial Sustainability	<p><b>Default in Providing Information</b></p> <p>Repeal this section which permits the Minister of Finance to retain any money payable to the City if the City or any officer of the City has not provided the Minister of Municipal Affairs and Housing with any information that the City or officer is required to provide under Part VII of the Act.</p>	This section contradicts the general intent of the Act. It demonstrates external control over the City's business and does not recognize the City as a mature order of government, responsible for matters within its jurisdiction.	Not included in Bill 68.

	Category	Amendment Request	Rationale	Disposition
13	Service Delivery	<p><b>Collection of Fees related to Provincial Offences</b></p> <p>Enables collection agency fees to be added to, and considered part of the fine, being collected.</p>	This change will ensure costs of outstanding fine collection are fully recovered, consistent with regulations of the <i>Provincial Offences Act</i> provisions.	Achieved – included in Bill 27, Burden Reduction Act, 2016.
14	Financial Sustainability	<p><b>Reserve Funds</b></p> <p>Repeal Section 242 which permits the Minister to, by regulation, require the establishment of a reserve fund for prescribed liabilities and prohibit the City from changing the purpose of such a reserve fund.</p>	This section restricts the City in managing its own financial affairs in a financially prudent and cost-effective manner, while following the generally established financial practice standards. This limitation is inconsistent with the purpose of COTA which recognizes the City as responsible for managing affairs within its jurisdiction.	Not included in Bill 68.
15	Financial Sustainability	<p><b>Contents of Tax Bill</b></p> <p>Remove the prescriptiveness of municipal tax bills to allow the City a) to issue tax bills electronically; b) have discretion on contents and format of tax bill; c) communicate directly with taxpayers via the property tax bill; and d) address new taxation programs or initiatives that are unique to Toronto, e.g. graduated tax rates, 4-year assessment phase-in, solid waste collection rebate, and/or other City-initiated rebate/relief programs.</p>	This will provide efficiencies and cost savings in printing and postage, will help conserve resources and encourage more efficient payment means through electronic payments.	<p>Achieved – amendments to allow for electronic tax bill included in Bill 68.</p> <p>Currently in force.</p> <p>Other proposed amendments referred to Ministry of Finance.</p>
16	Service Delivery	<p><b>Water Samples</b></p> <p>Amend this section to provide that split samples are required only where technically feasible.</p>	Amending this section will mitigate the risks the City faces during litigation. It is not technically possible to split a sample of water and maintain the integrity of either one.	<p>Achieved – included in Bill 68.</p> <p>Currently in force.</p>

	Category	Amendment Request	Rationale	Disposition
17	Service Delivery	<p><b>City Orders and Remedial Actions</b></p> <p>Amend the subsection to include a requirement for the submission of applicable fees/security deposits and studies as required, to do work to correct the contravention of by-law as provided for in this section.</p>	This will enable the City to require the submission of technical reports or documents and security deposits, where required to ensure work is completed properly to address a by-law contravention.	Not included in Bill 68.
18	Service Delivery	<p><b>Closing Premises, Lack of License, Forfeiture of Bond</b></p> <p>Amend the subsection to have bonds forfeited payable to the City, not the Crown.</p>	The will ensure that payment to the City offsets the costs the City incurs for investigation, prosecution and court application to enforce its licensing by-laws.	Achieved – included in Bill 68. Subject to proclamation.
19	Governance	<p><b>TTC Property Tax Exemptions</b></p> <p>Expand the tax exemption provided in s.399 to include lands leased by the TTC or City that are used in connection with the transportation system.</p> <p>Ensure consistency between this section and the Assessment Act by stating S.399 applies notwithstanding section 27(13) of the Assessment Act.</p>	This change will ensure property taxes are not levied on property which is leased by the TTC or City for the purpose of operating a passenger transportation system in addition to the current exemption for land that is owned by the TTC or City for this purpose.	Not included in Bill 68. Referred to Ministry of Finance.
20	Governance	<p><b>TTC Sick Benefits</b></p> <p>Repeal the section that prescribes the sick benefits the TTC must provide to employees.</p>	This change will ensure the TTC has flexibility to provide appropriate sick plans without prescribed restrictions.	Not included in Bill 68. Referred to Ministry of Labour.
21	Governance	<p><b>Powers to delegate to Board of Gov. Exhibition Place and Canadian National Exhibition Assoc.</b></p>	This subsection is no longer required as the City relies on general powers to delegate to city boards such as the Exhibition Place Board of Governors and thus does not require a specific section for this delegation.	Achieved – included in Bill 68. Currently in force.

	Category	Amendment Request	Rationale	Disposition
		Repeal or amend this subsection as it is no longer required.		
22	Governance	<b>Hummingbird Centre</b> Repeal section referring to the Hummingbird Centre and repeal the <i>Hummingbird Performing Arts Centre Corporation Act, 1998</i> (HPACC).	This update will reflect that since 2006, the Sony Centre for the Performing Arts replaced the Hummingbird Centre.	Achieved – included in Bill 68. Currently in force.
23	Service Delivery	<b>Documentary Evidence</b> Expand this section which provides that various records can be admissible as evidence to include other types of City records.	This will enable the City to include other types of records such as electronic records of electronic payment for parking and records of permit issuance (i.e. animal permits and permits for bin placement on roadways).	Achieved – included in Bill 68. Currently in force.
24	Governance	<b>Clean Air Partnership</b> Amend O.Reg 589/06, to delete any reference to the Toronto Atmospheric Fund Foundation (currently the Clean Air Partnership).	This update will help avoid confusion that the Clean Air Partnership board is not deemed a local board by that regulation.	Not included in Bill 68. (This is a regulatory, not legislative change).
25	Service Delivery	<b>Licensing residential movers</b> Enable the City to license and regulate household movers.	This will help protect consumers by providing a regulatory regime that sets out standards of practice and provides a framework for dealing with complaints.	Not included in Bill 68.

**Table 3: Prior requests – changes made / underway by Province**

	Category	Amendment Request	Rationale	Disposition
1	Governance	<p><b>TTC Exemption</b></p> <p>Enable the TTC to operate in York Region with regard to the Toronto-York Spadina Subway Extension.</p>	Housekeeping amendment necessary to ensure clarity.	Achieved - Included in the Strengthening and Improving Government Act, 2015.
2	Governance	<p><b>Fire Routes / Declaring Events of Municipal Significance for the purpose of a Special Occasion Permit</b></p> <p>Regulation amendments to delegate issues to community councils.</p>	Regulatory changes first requested by Council in 2007, not yet implemented	<p>Not included in Bill 68.</p> <p>Discussions ongoing with regard to the regulatory amendments for these two issues.</p>

**Table 4: Requests made to the Standing Committee on Social Policy during consideration of Bill 68**

	Category	Amendment Request	Rationale	Disposition
1	Governance	<p><b>Accountability Officers' ability to share information between them</b></p> <p>Clarify and reinforce the Accountability Officers' ability to share information between them as required to undertake their responsibilities under Part V.</p>	Intent is to clarify that they may share information between them, particularly during concurrent investigations.	Not included in Bill 68.

	Category	Amendment Request	Rationale	Disposition
2	Governance	<p><b>Exception from vacancy provisions for chronic illness</b></p> <p>Add ", or chronic illness of a member" to the end of the new subsection providing exceptions to the current vacancy provisions in COTA.</p>	To avoid removal of a Councillor because of chronic illness.	Not included in Bill 68.
3	Financial Sustainability	<p><b>Excess proceeds from a tax sale</b></p> <p>Amend portions of subsection 55(6) of Schedule 2 to Bill 68 – in particular, provisions (8) and (9) – to reflect the language currently in subsections 351(6) and 351(6.1) of COTA. The current COTA language allows the City to apply to the court to receive excess amounts in tax sale proceedings except where the land escheats to the Crown. The City asks that this current approach be continued.</p>	The City will no longer be able to apply for excess tax sale proceeds paid into court. Consequently, the City may end up with unpaid liabilities (e.g. charges added to the tax roll that do not have first priority lien status, and so cannot be included in the cancellation price of a tax sale property) that cannot be recouped through the tax sale process.	Not included in Bill 68.
4	Planning	<p><b>Planning requests</b></p> <p>Adopt amendment requests in the Planning category made by Toronto City Council in its original submission regarding the Five-Year Review of the City of Toronto Act, as noted in</p> <p>Attachment 1, Status Update to EX21.3 Bill 68, Modernizing Ontario's Municipal Legislation Act, 2016 - Implications for the City of Toronto:</p>	City Council made various planning-related recommendations through the municipal legislative review process that have not been acted upon by the Province. The issues giving rise to those recommendations persist, therefore City Council reiterated its request.	Not included in Bill 68. Being considered through the Province's OMB Review.

	Category	Amendment Request	Rationale	Disposition
		<a href="http://www.toronto.ca/legdocs/mmis/2017/ex/bgrd/backgroundfile-99861.pdf">http://www.toronto.ca/legdocs/mmis/2017/ex/bgrd/backgroundfile-99861.pdf</a>		
5	Service Delivery	<p><b>Heritage Protection</b></p> <p>Amend subsection 21(2) of the City of Toronto Act to add the Ontario Heritage Act as a listed Act.</p> <p><b>OR</b></p> <p>List the Ontario Heritage Act in whatever regulation the Province might prescribe pursuant to the existing authority in subsection 21(2).</p>	To allow the City to delegate the power to list and designate property under the Ontario Heritage Act would help speed up that process and perhaps avoid unintended or unwanted demolition of heritage properties.	<p>Not included in Bill 68.</p> <p>Staff in discussions with the Ministry of Municipal Affairs and Ministry of Tourism and Culture with regard to listing in regulation.</p>
6	Service Delivery	<p><b>Non-residential demolition control</b></p> <p>Add to the City of Toronto Act a non-residential demolition control provision identical to section 33 of the Planning Act (demolition control for residential property). Remove the definitions for "dwelling unit" and "residential property" in subsection 33(1) and replace with a definition of "non-residential property" that states it has the definition indicated in a City-enacted by-law.</p> <p>Note that to enable this new non-residential demolition control authority added to COTA to be fully effective, the Building Code regulation under the Building Code Act will need to be updated to include this statutory provision as</p>	To enable the City to consider whether and when demolition permits are issued for non-residential buildings within Toronto, including institutional and commercial.	

	Category	Amendment Request	Rationale	Disposition
		applicable law under the Building Code.		
7	Governance	<p><b>Ministerial powers related to integrated planning for service delivery</b></p> <p>Delete proposed new power for the Minister to make regulations with regard to "integrated planning for service delivery"</p>	<p>The proposed regulation-making power is unnecessarily broad and undermines key principles of the City of Toronto Act (i.e. that the City should have the authority to determine what is in the public interest and respond to the City's needs, and to determine mechanisms for delivering municipal services).</p> <p>If the Province is of the view that there are actions the City should take to support integrated service delivery planning, it may approach the City as a mature and accountable local government partner and request them.</p>	<p>Not included in Bill 68.</p> <p>Currently in force.</p>
8	Governance	<p><b>Transition provisions to prevent overlapping Council terms in 2018</b></p> <p>Add transition provisions for the 2018 municipal election to provide that the terms of office for the sitting mayor and councillors end November 14, 2018.</p>	<p>The current terms of office for the sitting mayor and councillors run until November 30, 2018. If Bill 68 had passed in its original form, the new term of council beginning in 2018 would have overlapped with the current term. This could potentially have resulted in multiple individuals holding the same office for a two-week period.</p>	<p>Achieved - in Bill 68.</p> <p>Currently in force.</p>
9	Service Delivery	<p><b>Sign by-law</b></p> <p>Add the following additional wording to Schedule 2, section 11 of Bill 68:</p>	<p>To clarify that the City can amend its existing Sign By-law so it has an effect on signs that existed before the amendment, rather than being forced to enact an entirely new by-law.</p>	<p>Not included in Bill 68.</p>

	Category	Amendment Request	Rationale	Disposition
		"...unless the by-law is repealed, amended or expires on, or after, the day section 11 of Schedule 2 to the <i>Modernizing Ontario's Municipal Legislation Act, 2016</i> came into force".		
10	Service Delivery	<p><b>Housekeeping amendment to closed meeting provisions</b></p> <p>Insert new subsections, with alternative wording to avoid interpretative issues by replacing the language of the proposed sections, that utilized legislative phrases utilized in MFIPPA, with phrases consistent with the remainder of this section, and COTA as a whole.</p>	To better clarify and incorporate the language of the new provisions for the basis for a closed meeting, so all of the list of basis to hold a closed meeting are consistently worded and can be applied in the same manner throughout the section.	Not included in Bill 68.
11	Service Delivery	<p><b>Harmonizing with the Health Protection and Promotion Act</b></p> <p>Amend clause 405(5)(1) of the City of Toronto Act to add the words "in section 62 and section 66 of the Health Protection and Promotion Act" after the word "have" in the first line of this clause.</p>	<p>To remove an inconsistency between clause 405(5)(1) of the City of Toronto Act and medical officer of health and associate medical officer of health appointment authorities set out in clause 77.1(2) (a)(i) and clause 84(1)(c) of the Health Protection and Promotion Act 2006.</p> <p>This would clarify that the Chief Medical Officer of Health and the Minister of Health have the ability to appoint a medical officer of health under certain circumstances</p>	Not included in Bill 68.
12	Service Delivery	<p><b>Document discovery</b></p> <p>Add to the City of Toronto Act a provision essentially identical to subsection 8(c) of the Proceedings Against the Crown Act except</p>	<p>To provide the City with the same document discovery procedure as the Province.</p> <p>Allowing the City to produce a list of documents signed by the City Solicitor, instead of an affidavit, avoids the City</p>	Not included in Bill 68.

	Category	Amendment Request	Rationale	Disposition
		substituting "City" for "Crown" and "City Solicitor" for "Deputy Attorney General"	having to provide an affidavit from a specific individual involved in the litigation at issue when, in fact, the records are City records and corporately managed.	
13	Service Delivery	<p><b>Water Samples</b></p> <p>Clarify the definition of "technically feasible" in the proposed new subsection 376(3).</p>	Leaving the phrase "technically feasible" undefined in the proposed new subsection 376(3) may result in possible implementation difficulties and court challenges. For example, a person from whom a sample is being taken may disagree with the City's opinion that it is not "technically feasible" to divide a given sample.	Not included in Bill 68.
14	Service Delivery	<p><b>Definition of "Sewage"</b></p> <p>Amend Section 69 of the City of Toronto Act, 2006 by adding:</p> <p>69(3). For the purposes of Subsection 69(1), the term "sewage" shall not include groundwater.</p>	Municipal sewage systems, including the City of Toronto's systems, are generally not designed for groundwater flows. The proposed amendment would clarify that the City is not required to incorporate groundwater into its design criteria for the sizing of sanitary and storm sewers, apart from a nominal amount of flow attributed to infiltration.	Not included in Bill 68.