

## **Attachment 2 – Associated Regulations (in-force)**

### **ONTARIO REGULATION 529/22**

made under the

### **CITY OF TORONTO ACT, 2006**

Made: November 22, 2022

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### **PART VI.1 OF THE ACT**

#### **In writing requirements re s. 226.1 of Act**

1. When directing city employees under section 226.1 of the Act, the head of council shall, by the next business day, provide a written record of the direction to the clerk and chief administrative officer, if one is appointed.

#### **Other in writing requirements**

2. Except as otherwise provided in the Act and this regulation, when exercising a power or performing a duty under Part VI.1 of the Act, the head of council shall,

- (a) by the next business day, provide the written record produced in accordance with subsection 226.2 (1) of the Act to each member of city council and to the clerk; and
- (b) subject to the *Municipal Freedom of Information and Protection of Privacy Act*, make the written record available to the public.

#### **Prescribed committees**

3. Committees established under the Act that consist solely of members of city council are prescribed for the purposes of section 226.6 of the Act.

#### **Veto power, s. 226.9 of Act**

4. (1) Section 226.9 of the Act does not apply with respect to by-laws under section 228 of the Act.

(2) Section 226.9 of the Act applies with respect to by-laws under section 2 of the *Development Charges Act, 1997*.

#### **Limits on delegation, s. 226.11 of Act**

5. (1) The head of council may not delegate their powers and duties referred to in paragraphs 1 and 4 of subsection 226.11 (1) of the Act except to city council.

(2) The head of council may not delegate their powers and duties referred to in paragraph 2 of subsection 226.11 (1) of the Act except to city council or the chief administrative officer, if one is appointed.

#### **Annual budget**

6. (1) The head of council shall on or before February 1 of each year,

- (a) prepare a proposed budget for the City that includes the estimates of sums required under subsection 228 (1) of the Act;
- (b) provide the proposed budget to each member of city council and to the clerk; and
- (c) make the proposed budget available to the public.

(2) If the head of council does not propose a budget to city council by February 1 in accordance with subsection (1), city council shall prepare and adopt the budget for the City.

(3) Subject to subsection (4), within 30 days after receiving the proposed budget from the head of council in accordance with clause (1) (b), city council may pass a resolution making an amendment to the proposed budget.

(4) City council may in a year pass a resolution to shorten the 30-day period referred to in subsection (3) for the year.

(5) If city council does not pass a resolution under subsection (3) within 30 days, or, if a shorter period is set under subsection (4), within that period, the proposed budget shall be deemed to be adopted by the City.

(6) Subject to subsection (7), within 10 days after the expiry of the time period for city council to pass a resolution under subsection (3), the head of council may veto a resolution passed by city council under subsection (3) by providing on the day of the veto to each member of city council and to the clerk, a written veto document that includes the veto and the reasons for the veto.

(7) The head of council may in a year shorten the 10-day period referred to in subsection (6) for the year by providing to each member of city council and to the clerk, a written document specifying a shorter period.

(8) If the head of council vetoes a resolution in accordance with subsection (6), the resolution shall be deemed not to have been passed by city council.

(9) If the head of council does not veto a resolution in accordance with subsection (6) within 10 days, or, if a shorter period is set under subsection (7), within that period, the proposed budget shall be deemed to be adopted by the City.

(10) Subject to subsection (11), within 15 days after the expiry of the time period for the head of council to veto a resolution under subsection (6), city council may override the head of council's veto if two-thirds of the members of city council vote to override the veto.

(11) City council may in a year pass a resolution to shorten the 15-day period referred to in subsection (10) for the year.

(12) For greater certainty, the head of council may vote as a member of city council in a vote to override a veto.

(13) If city council overrides the veto under subsection (10), subsection (8) does not apply, and the resolution shall be deemed to be passed by city council.

(14) After the expiry of the time period for city council to override the head of council's veto under subsection (10), the proposed budget is deemed to be adopted by the City.

### **Budget process — conflict of interest**

7. If, under section 5.3 of the *Municipal Conflict of Interest Act*, the head of council is prohibited from using the power and exercising the duty under subsection 226.14 (2) of the Act to prepare the proposed budget for the City with respect to a matter,

- (a) city council may pass a resolution to amend the proposed budget with respect to the matter; and
- (b) the head of council may not veto the resolution.

### **Budget process — in-year budget amendments**

8. (1) The head of council may, for the purpose of raising an additional general local municipality levy or special local municipality levy in the year under section 277, prepare a proposed budget amendment for the City and,

- (a) provide the proposed budget amendment to each member of city council and to the clerk; and
- (b) make the proposed budget amendment available to the public.

(2) Subject to subsection (3), within 21 days after receiving the proposed budget amendment from the head of council in accordance with subsection (1), city council may pass a resolution making an amendment to the proposed budget amendment.

(3) City council may in a year pass a resolution to shorten the 21-day period referred to in subsection (2) for the year.

(4) If city council does not pass a resolution under subsection (2) within 21 days, or, if a shorter period is set under subsection (3), within that period, the proposed budget amendment shall be deemed to be adopted by the City.

(5) Subject to subsection (6), within 5 days after the expiry of the time period for city council to pass a resolution under subsection (2), the head of council may veto a resolution passed by city council under subsection (2) by providing to each member of city council and to the clerk, on the day of the veto, a written veto document that includes the veto and the reasons for the veto.

(6) The head of council may in a year shorten the 5-day period referred to in subsection (5) for the year by providing to each member of city council and to the clerk, a written document specifying a shorter period.

(7) If the head of council vetoes a resolution in accordance with subsection (5), the resolution shall be deemed not to have been passed by city council.

(8) If the head of council does not veto a resolution in accordance with subsection (5) within 5 days, or, if a shorter period is set under subsection (6), within that period, the proposed budget amendment shall be deemed to be adopted by the City.

(9) Subject to subsection (10), within 10 days after the expiry of the time period for the head of council to veto a resolution under subsection (5), city council may override the head of council's veto if two-thirds of the members of city council vote to override the veto.

(10) City council may in a year pass a resolution to shorten the 10-day period referred to in subsection (9) for the year.

(11) For greater certainty, the head of council may vote as a member of city council in a vote to override a veto.

(12) If city council overrides the veto under subsection (9), subsection (7) does not apply, and the resolution shall be deemed to be passed by city council.

(13) After the expiry of the time period for city council to override the head of council's veto under subsection (9), the proposed budget amendment is deemed to be adopted by the City.

### **Commencement**

**9. This Regulation comes into force on the later of the day section 2 of Schedule 1 to the *Strong Mayors, Building Homes Act, 2022* comes into force and the day this Regulation is filed.**

Made by:

Pris par :

*Le ministre des Affaires municipales et du Logement,*

STEVE CLARK  
*Minister of Municipal Affairs and Housing*

Date made: November 22, 2022

Pris le : 22 novembre 2022