

Attachment 3 – Proposed Regulations Prescribing Provincial Priorities

Proposed regulations to prescribe provincial priorities related to the Strong Mayors, Building Homes Act, 2022 and the proposed Better Municipal Governance Act, 2022

Regulation Number(s):

N/A

Instrument Type:

Regulation – LGIC

Bill or Act:

Municipal Act, 2001 and City of Toronto Act, 2006

Summary of Proposal:

The Strong Mayors, Building Homes Act, 2022 sets out strong mayor powers and duties for the head of council (HOC) and provides a LGIC regulation making authority to prescribe provincial priorities. If passed, the Better Municipal Governance Act, 2022 would introduce a new power for the HOC of Toronto and Ottawa to further shared provincial-municipal priorities.

The Ministry of Municipal Affairs and Housing is proposing LGIC regulations under the Municipal Act, 2001 and City of Toronto Act, 2006 to support implementation of strong mayor powers related to provincial priorities set out in the Strong Mayors, Building Homes Act and proposed in the Better Municipal Governance Act.

The following provincial priorities were also posted on Ontario's Regulatory Registry in October and are proposed to be included in new LGIC regulations:

1. Building 1.5 million new residential units by December 31, 2031.
2. Constructing and maintaining infrastructure to support housing, including, transit, roads, utilities, and servicing.

Prescribing provincial priorities is required to help ensure the implementation of some strong mayor powers, including the proposed new power. For example:

- the power for the HOC to veto bylaws approved by council if they could interfere with provincial priorities;
- to bring matters for council consideration that could advance provincial priorities; and
- the proposed power for the HOC to propose certain municipal by-laws related to provincial priorities and enable council to pass these by-laws if more than one-third of council members vote in favour.

If the Better Municipal Governance Act, 2022 passes, it is proposed that these regulations would come into effect upon proclamation of the Act.

Analysis of Regulatory Impact:

The proposed regulations would only impact two municipalities, the City of Toronto and City of Ottawa, at this time.

Work is currently underway to analyze possible administrative and other costs to designated municipalities, depending on local implementation, that may result from this regulatory proposal. To inform this analysis, we encourage you to provide your feedback.

The proposal is not expected to create any fiscal impacts for government.