

December 20, 2018

At Queen's Park: Summary of 2018 Completed Legislation

The House is expected to rise later today marking the conclusion of legislative sittings for 2018.

Significant municipal wins include legislative changes for enhanced protection for volunteer firefighters, fire interest arbitration process enhancements, and restoring municipal planning authority on renewable energy projects. These were all long-standing municipal asks. AMO made submissions and/or attended Standing Committees that held hearings on various Bills. For more background and the input to improving various Bills, go to the AMO website and search the titles.

The following Bills have direct municipal government interest. Each has received Royal Assent:

Bill 4 — Cap and Trade Cancellation Act – Received Royal Assent October 31st, 2018

It wound down the previous government's cap and trade program. Notably, it requires the Province to establish targets for the reduction of greenhouse gas emissions and to develop a Climate Change Plan. [Ontario's Environment Plan](#), released on November 29, 2018, has a comment period until January 28, 2019. AMO's comments on Ontario's Environmental Plan are expected to be public by mid-January.

Bill 5 — Better Local Government Act — Received Royal Assent August 14th, 2018

Bill 5 reduced the size of Toronto Council and changed the election of Heads of Council in the District of Muskoka, Region of Niagara, Region of Peel, and the Region of York.

Bill 32 — Access to Natural Gas Act — Received Royal Assent December 6th, 2018

This Act encourages natural gas distributors to invest in capital expansion in underserved communities. It allocates some costs to all current natural gas customers.

Bill 34 — Green Energy Repeal Act — Received Royal Assent December 6th, 2018

It restores municipal planning authority over new local renewable energy projects. It repeals the *Green Energy Act* and amends the *Electricity Act* to re-establish requirements for municipal governments to report on energy consumption and prepare Energy Conservation and Demand Management Plans.

Bill 36 — Cannabis Statute Law Amendment Act — Received Royal Assent October 17th, 2018

Bill 36 establishes the private retail model for cannabis sales in Ontario and creates a licensing framework administered by the Alcohol and Gaming Commission of Ontario. It also amends the *Smoke Free Ontario Act* to align cannabis consumption rule with rules regulating tobacco consumption. Under Bill 36, Ontario municipal governments have until January 22, 2019 to opt-out of private retail stores in their jurisdictions and exempts retail stores from municipal planning processes. The first 25 retail stores will open April 1, 2019. AMO continues to work with the Province to advance municipal cannabis-related interests, including a greater municipal role in the storefront siting process. AMO has also prepared a [briefing document](#) to help municipal governments with the transition to legal cannabis. It is a must read for municipal officials.

Bill 47 — Making Ontario Open for Business Act — Received Royal Assent November 21st, 2018

It repeals various Bill 148 provisions that negatively affected municipal governments, including scheduling and on-call provisions, and stops the

anticipated increased costs resulting from Bill 148 requirements. Throughout AMO's discussions on these matters, it was emphasized that municipal governments are not precarious employers, but employers of choice with good wages and benefit packages that provide stable, mostly unionized, employment throughout the province.

Bill 57 - Restoring Trust, Transparency and Accountability Act — Received Royal Assent December 6th, 2018

This [mini-budget bill](#) contains numerous provisions affecting municipal governments.

- It protects double haters when firefighters volunteer in their home communities on their own time.
- It changes the interest arbitration process for fire (e.g., single arbitrator, timing for decisions and written decisions). Importantly, it provides new criteria that an arbitrator must consider. The criteria give an employer a better opportunity to advance arguments about its fiscal health. Municipal employers will need to continue to provide well-researched arguments, and specifically to build solid local and regional economic and comparator evidence to make a compelling case on municipal fiscal capacity.
- Other changes in the Bill included: amendments to the *Assessment Act* making Royal Canadian Legions exempt from municipal property taxes where they are not already exempt; technical amendments to the *Construction Act* that bring clarity for municipal governments related to adjudication rules and liens; and, an amendment to the *Municipal Act* clarifying that municipal governments can enact by-laws to create stricter public cannabis consumption rules within their boundaries.

For more information, contact AMO's Director of Policy, Monika Turner at mturner@amo.on.ca. You can also reach AMO's Policy Team at policy@amo.on.ca.

Fire Services Negotiations: MFIPPA SITUATION

You should be aware that a member of the fire association is seeking access to

labour relations/negotiations information that is generally excluded from disclosure under MFIPPA. In a recent decision, the Information and Privacy Commission of Ontario (IPC) found that this information is not excluded. At this time, the City of Brockville is seeking a Judicial Review of the IPC's decision. The City of Brockville is looking for municipal support in pursuing this matter before the Divisional Court given its potential implications to all municipal employers. Elected officials can contact Mayor Jason Baker at themayor@brockville.com for further information.

DISCLAIMER: Any documents attached are final versions. AMO assumes no responsibility for any discrepancies that may have been transmitted with this electronic version. The printed versions of the documents stand as the official record.

OPT-OUT: If you wish to opt-out of email communications from AMO, please click [here](#).

