

April 12, 2021

## **AMO Policy Update – Back to Remote Learning, Connecting Links Funding, and *Funeral, Burial and Cremation Services Act* Regulation Changes**

### **Schools Move to Remote Learning and Reintroduction of Emergency Child Care**

As a result of the current COVID-19 conditions, the government has [decided](#) to move elementary and secondary schools back to remote learning following the April break, effective April 19, 2021. A decision about when it is safe to again resume in-person learning will be made as the situation requires. Child care for non-school aged children will remain open, before and after school programs will be closed, and free emergency child care for the school-aged children of eligible health care and frontline workers will be provided.

### **2020-21 Connecting Links Funding**

The Honourable Caroline Mulroney, Minister of Transportation, [announced](#) funding for 14 municipalities from the Ontario Connecting Links funding program. Ontario is providing \$30 million for eligible capital costs on successful connecting links funding application as previously announced. Connecting links are municipal roads and bridges that connect provincial roads, forming an important part of the Province's transportation network. Municipalities are eligible for up to \$3 million in funding for these projects, increasing to \$5 million in 2021-22.

### **Changes to Ontario Reg 30/11 under the *Funeral, Burial and Cremation Services Act***

Changes have been announced this month regarding Ontario Regulation 30/11 under the *Funeral, Burial and Cremation Services Act*. Changes to license display requirements and the price list and consumer information guide will come into force on July 1<sup>st</sup>, 2021, while additional changes to the cemetery care and maintenance funds and accounts will come into force on January 1<sup>st</sup>, 2022. Information on the regulatory

changes can be found on the e-Laws website at [O. Reg. 258/21: GENERAL](#); [O. Reg. 259/21: GENERAL](#) and any questions can be sent to at [info@thebao.ca](mailto:info@thebao.ca).

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April 14, 2021

## AMO Policy Update – Municipal Code of Conduct Consultation Launched

As anticipated, the Ontario government has now launched a [90-day consultation](#) to obtain broad feedback on strengthening municipal codes of conduct. AMO is supportive of this public consultation as it will help to make sure that the municipal codes of conduct continue to evolve appropriately.

“Municipal councils are looking for new tools and new measures to address modern challenges in local government”, said AMO President Graydon Smith. “Where there are serious code of conduct violations, municipal councils need the authority to take actions that are measured, appropriate and effective”.

As part of this consultation, the Province is including collecting feedback on [AMO Board of Directors' recommendations](#) for holding municipal councillors accountable, including increased financial penalties, suspension for certain violations, removal from office in certain circumstances, and better training and standards for integrity commissioners. The AMO Board of Directors provided these recommendations for the Province’s consideration earlier this year.

AMO’s recommendations aim to strengthen existing tools for compliance with Codes of Conduct and provide additional tools for municipal governments to use in defined circumstances. In providing their input, AMO’s Board expressed confidence in Codes of Conduct and the offices of Municipal Integrity Commissioners as important resources to help councils maintain public accountability.

Comments to the provincial consultation should be provided through the [online survey](#) by July 15, 2021. Anyone, including members of the public and municipal elected leaders, can participate in the online survey to provide feedback. Municipal councils are encouraged to provide official feedback through the online survey.

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April 16, 2021

## **AMO Policy Update – New COVID-19 Enforcement Measures and Two-Week Extension of Emergency Declaration, and Emergency Child Care**

### **New COVID-19 Enforcement Measures and Extension of Emergency Declaration**

Late this afternoon the Province announced that the province-wide emergency declaration will be extended by an additional two weeks, effective immediately. New enforcement measures and restrictions are being implemented to help Ontario manage through the third wave of COVID-19 in order to protect the health and safety of Ontarians.

As of 12:01 a.m. on April 18<sup>th</sup>, the new restrictions will apply provide-wide:

- Outdoor gatherings will be strictly limited to members of the same household only, or with one other household if that individual lives alone.
- In-person shopping at stores that primarily sell food and pharmaceutical goods, grocery, and “big box” stores will be restricted to 25% occupancy.
- Only essential construction will be able to continue (e.g., assessment centres, hospitals, long-term care homes). Non-essential construction (e.g., shopping malls, office towers, and hotels) is not allowed.
- All outdoor amenities will be closed (e.g., playgrounds, basketball courts).

As of 12:01 a.m. on April 19<sup>th</sup>, additional changes will include:

- Restricting indoor participation at places of worship, funerals, and weddings to 10 people.
- Checkpoints will be created to restrict mobility at interprovincial borders between Quebec and Manitoba, with exceptions for work, transportation of goods, and medical appointments.

To accompany these restrictions, the Ministry of Labour has increased the number of inspectors for workplaces, to ensure that any employee that is not required to work outside of the home, stays at home.

The Ministry of the Solicitor General has also provided new temporary enforcement powers of by-law, *Provincial Offences Act* (POA), First Nation Constables, and police officers. Some of these powers include the ability to ask Ontarians to provide the purpose of being outside the home, to ask their personal address, and police officers will be able to stop cars to inquire into why they are outside the home.

Regarding vaccine distribution, the Province continued to call on the federal government to increase its supply of vaccines. With that supply, the Province announced that 25% of future vaccine supply will be targeted to the “hotspot” neighborhoods. The Minister of Health defined those as 12 Public Health Units that have historical and ongoing high rates of deaths, transmission, and spread of COVID-19. It was noted that 80% of the current COVID-19 cases are occurring in 20% of the province and they want these areas targeted.

Additional information will be shared with members as soon as it becomes available and it is expected that further provincial details on all of the above, especially with respect to the enhanced enforcement provisions, essential services under these orders, and the accompanying *Emergency Management and Civil Protection Act* (EMCPA) regulations will be provided likely early next week.

## **Emergency Child Care for Health Care and Other Frontline Workers**

The government [announced](#) it is, again, funding free emergency child care, available for school-aged children of health care and other frontline workers. These include many categories of municipal staff. The list published today includes occupations such as police, firefighters, paramedics, nurses in long-term care and some staff delivering transit, waste, and water services.

To confirm a specific occupation and for a full list of eligible workers, see the Ontario [website](#). Note this list could potentially be modified at any time. The government is advising parents with a school-aged child or children and on the eligibility list looking to access an emergency child care program, to contact the local municipal [service system manager](#) for information on availability, program locations, and registration.

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April 19, 2021

## **AMO Policy Update – Federal Budget Highlights, Revised COVID-19 Measures, and Red Tape Bill**

### **Canada Budget 2021: Highlights for Ontario Municipal Governments**

The Honourable Chrystia Freeland, Deputy Prime Minister and Minister of Finance, brought down her first Budget today and the federal government's first Budget since before the beginning of the pandemic.

[Budget 2021](#) includes significant new spending on policies of interest to Ontario municipal governments including: affordable childcare and housing; broadband internet expansion; support for the tourism sector; and climate change, greenhouse gas reduction and the circular economy. It also makes new commitments to extend sickness benefits through Employment Insurance and extension of rent supplements and hiring benefits; increasing Old Age Security for seniors over 75.

Items of interest to Ontario municipal governments include:

**Childcare and Early Learning:** Moving forward on the Throne Speech commitment to establish a national early learning and childcare system, the government is committing to provide funding to provinces and territories to subsidize and make childcare more affordable. The plan will aim to reduce fees for parents with children in regulated childcare by 50 per cent on average, by 2022, with a goal of reaching \$10 per day on average by 2026, everywhere outside of Quebec. \$30 billion will be spent over 5 years starting in 2021 with \$8.3 billion ongoing to support the government vision.

**Housing and Homelessness Prevention:** The government is making additional commitments under the National Housing Strategy. There are targets and plans for a variety of measures to help build, repair, and support 35,000 affordable housing units for vulnerable Canadians. This will be achieved through an investment of \$2.5 billion and a reallocation of \$1.3 billion in existing funding to speed up assistance. Funding will maintain the increases to the Reaching Home program to address homelessness for a further two years. A new tax on unproductive use of housing by foreign non-resident owners.

**Broadband:** The government has proposed to provide another \$1 billion over six years for the Universal Broadband Fund, to help connect rural and remote

communities to high-speed internet faster. This increases the overall size of the Fund to \$2.75 billion and sets them on track to achieve their 98% high-speed coverage initiative by 2026.

**Long-Term Care:** The government is proposing to provide \$3 billion over five years, starting in 2022-23, to support provinces and territories in ensuring standards for long-term care are applied. Work is underway to develop national standards.

**Tourism:** The Budget provides \$1 billion to support tourism sector businesses including supports for events and festivals. This includes \$200 million for major festivals through Canada's Regional Development Agencies, \$200 million in support for community festivals and \$500 million to support tourism-based businesses through a Tourism Relief Fund.

**Transit:** The Budget commits to the earlier announcement of permanent infrastructure funding for transit of \$15 billion including subway development, fleet electrification and zero-emission transit vehicles.

**Climate Change/Greenhouse Gas (GHG) Reduction:** The Budget commits to the goal of net zero emissions for Canada by 2050. Significant investments in climate change and GHG reduction including \$5 billion over seven years for the Net Zero Economy Accelerator to invest in decarbonizing major emitters such as cement, aluminum, and steel sector businesses to allow them to adopt cleaner technology.

The Budget provides \$4.4 billion for CMHC zero interest loans to homeowners, up to \$40,000, for deep energy retrofits on existing housing stock to reduce energy consumption and GHG emissions.

The Disaster Mitigation and Adaptation Fund will be provided with \$1.4 billion over 12 years to support climate adaptation and disaster mitigation projects that protect people and communities from climate change impacts. Of this, \$670 million is for small projects between \$1 million and \$20 million. AMO has long called for more dedicated funding for climate adaptation projects including extending this funding. In addition, the Budget will provide \$63.8 million to improve flood mapping, a key recommendation of AMO's recent flooding paper.

\$54.8 million is committed over two years to help the forestry industry and communities to take advantage of bio-economy opportunities in areas such as biofuels and building materials that can improve sustainable economic development.

\$319 million over seven years for carbon capture and storage initiatives and demonstration projects to help reduce GHGs from large emitters. The Budget also proposes to consult on tax incentives for these projects.

\$1.5 billion over five years for clean fuels through the Clean Fuels Fund to support such initiatives as hydrogen fuel adoption and biomass.

### **Provincial Stay-at-Home Order Revisions**

Late Friday, April 16<sup>th</sup> the Province [announced](#) additional enforcement, travel restrictions, and public health measures. Additional enforcement tools came into force at 12:01 a.m. on Saturday, April 17<sup>th</sup>, 2021.

Since then, provincial amendments to regulations were made to clarify that [playgrounds](#) will remain open and that police officers and other provincial offences officers, including municipal bylaw officers, will not have as much [enforcement authority](#) as announced on April 16<sup>th</sup> to support enforcement under the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020*.

### **Reducing Red Tape Bill**

[\*\*Bill 276, Supporting Recovery and Competitiveness Act, 2021\*\*](#) was introduced for 1<sup>st</sup> reading on April 15<sup>th</sup> and contains 28 schedules impacting a wide range of matters. A [general overview](#) is available.

From a municipal government perspective, the following schedules are of interest:

#### **Schedule 9 Changes to Designate Long-Term Care Homes: *French Language Services Act***

The Schedule changes the definition of “government agency” in the *French Language Services Act* to permit the designation of municipal long-term care homes and joint homes as public service agencies delivering services in the French language.

#### **Schedule 21 Changes to Delivery Roles: *Ontario Works Act, 1997***

Earlier this year, the government announced a new social assistance [vision](#). Once fully realized, there will be a significant change in municipal roles and responsibility for Ontario Works delivery. Municipal governments will focus on frontline casework helping people to access the life stabilization services that they need in the community to become more independent and ready for employment. The Province would assume responsibility for financial assistance delivery.

The Bill’s proposal would provide authority to the Minister and the government to make these changes. The details will be worked out in subsequent regulations.

#### **Schedule 23 Energy Transmission Projects: *Planning Act***

Section 62 of the *Planning Act, 1990* currently exempts Hydro One’s transmission projects that are approved under the *Environmental Assessment Act* from



the *Planning Act, 1990* in its entirety. This exemption was introduced in 1983, before the energy market was restructured, at a time when Hydro One was part of the fully integrated, Crown-owned Ontario Hydro.

The Bill's proposal would apply Hydro One's exemption to all transmitters whose transmission projects undergo Comprehensive or Streamlined Environmental Assessment processes.

### **Schedule 24 Changes to Consents and Subdivisions: *Planning Act***

This schedule alters many elements of [Section 50 to 57](#). This includes stopping merging of lots as a result of the death of one of the joint tenants; interests in land acquired for an energy line would be allowed to be disposed of but only to owners of abutting land, some administrative matters to clarify validation and issuing certificates, circulation, use of part lot control, leases for uses ancillary to a building, amending and cancelling consents, and applicant would be able to apply to the consent granting authority to request a one-time extension of up to one year (2 years total) in which to satisfy the conditions of approval for the consent.

Many of these proposals are addressing longstanding problems with the consent and subdivision process. AMO will continue to work with the province when any regulatory changes come forward.

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April 27, 2021

## **AMO Policy Update – Ministry of Transportation Bill, CSPA Regulations, *Municipal Act* Clarification, and Delegation Requests Open**

### **New Road Safety Legislation**

The Minister of Transportation, the Honourable Caroline Mulroney, introduced new road safety legislation in the Ontario Legislature yesterday. The Bill focuses on increasing and escalating penalties for stunt driving and street racing including higher fines, vehicle impoundment, demerit points, license suspensions, and mandatory courses.

The Bill also includes new changes aimed at regulating Ontario's towing industry, introducing a Director of Towing in the Ministry of Transportation (MTO), company, driver and vehicle standards, and protections for consumers. Currently some municipalities license tow truck operators to protect consumers. These local regimes will continue but could potentially be replaced by the provincial regulator in the coming years. MTO will be consulting with affected municipalities.

The Bill makes changes, also, to the incident collection requirements to track car doors hitting cyclists and electric scooters, and redefines power assisted bicycles. While AMO was hopeful that changes requested by municipal governments to increase *Highway Traffic Act* fines would be brought forward, these changes were not included in the Bill at this time. However, MTO is working to allow Administrative Monetary Penalties for red-light and Automated Speed Enforcement technology infractions under section 21.1 of the Act to be in place by July 1, 2022.

### ***Community Safety and Policing Act, 2019 (CSPA) Regulations***

The Ministry of the Solicitor General is consulting on new regulatory proposals that are necessary to bring the Act into force. Additional regulatory proposals will be posted in the future. The first five proposals are:

1. [Oaths and affirmations for police officers, First Nation Officers, special constables, auxiliaries, and police service board members,](#)
2. [Composition of the Ontario Provincial Police \(OPP\) Governance Advisory,](#)
3. [A review and revision period for community safety and well-being \(CSWB\) plans,](#)
4. [Suspension without pay,](#) and
5. [Chief's referral to the Law Enforcement Complaints Agency.](#)

Comments will be accepted until June 7, 2021. AMO will be reviewing and providing general comments on these regulations and members are encouraged to examine them and submit comments as appropriate.

## ***Municipal Act, Section 357 (1) d and 323 (1) d Clarification***

The Ministry of Finance has issued a clarification on Section 357 (1) d and 323 (1) d of the *Municipal Act* regarding property tax refund applications related to business shutdowns. AMO understands that a number of municipalities have received applications related to refund requests as a result of shut down orders to limit the spread of COVID-19.

The Ministry has informed AMO and other municipal associations that:

“While it is the responsibility of each local municipality to interpret and administer these sections for itself, it is the Ministry’s view that sections 357(1)(d) and 323(1)(d) are not intended to provide relief in a situation where a property **has not been physically damaged or demolished.**”

The Ministry notes that businesses affected by the shutdown may be able to apply for provincial property tax and energy rebates as well as the federal Canada Emergency Rent Subsidy (CERS) programs.

## **AMO Conference Delegation Meetings Open**

**Delegation meetings are a key feature of the AMO Conference. To request delegation meetings as part of your AMO 2021 Conference experience, please click [here](#).** As an AMO Conference delegate, you can request a virtual meeting with a Minister or Parliamentary Assistant at the AMO Conference. The deadline to submit your request is **June 4, 2021**.

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April 28, 2021

## **AMO Policy Update – Reports on Long-Term Care Pandemic Response**

The Office of the Auditor General (AG) of Ontario [released](#) a special [report](#) on Pandemic Readiness and Response in Long-Term Care. It is the result of an initiated audit which sought to assess whether the Ministry of Long-Term Care and the long-term-care homes were sufficiently positioned, prepared, and equipped to respond to the issues created by the pandemic in an effective and expedient way.

The general conclusion reached by the AG is that they were not. It was also concluded that the Province implemented several measures to deal with the impact of COVID-19. However, some unintended consequences on the homes' residents and staff further contributed to crowding and staffing shortages. The AG has provided 16 recommendations. The Province has responded that it will consider them along with other recommendations from other sources.

The independent Long-Term Care COVID-19 Commission has announced that it will provide its report to the Ministry of Long-Term Care this week by April 30, 2021. After this it will be up to the government to release the report publicly. AMO provided a [written submission](#) and [testimony](#) to the Commission.

Ontario's Ombudsman is also expected to issue a report at some point based on its own investigation.

Once the reports have been released, AMO will send a members' communication with explanation of each and analysis of the implications.

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April 29, 2021

## **AMO Policy Update – Province Introduces Paid COVID-19 Leave**

The Province introduced legislation today to create a [temporary COVID-19 focused provincial sick day program](#). This legislation, if passed, will require employers to provide workers with up to three days of pay, up to \$200 per day, if missing work because of COVID-19. This will be retroactive to April 19, 2021 and effective until September 25, 2021, the same date the Canada Recovery Sickness Benefit (CRSB) program will expire.

The WSIB will administer the program but it will be funded by the Province, not by the WSIB who relies on employers to fund their programs. At the time of writing the draft legislation was not available on the Legislative Assembly website, but when it is posted it should be found [here](#).

The Province has also offered to provide funding to the federal government to double CRSB payments to Ontario residents, adding an additional \$500 per week to eligible individuals for a total of \$1,000 per week. It is understood that federal-provincial discussions are currently occurring on creating a bridge between these programs and making it easier for employees to navigate between them when needed. The two programs, once up and operating together, are not to be used in the same week.

It has been stated by the Province that these temporary sick days, when passed into law, are not be stacked on top of employer provided benefits if those benefits already provide for 3 or more sick days as part of the employment entitlements. As the employer is to manage the provision of these temporary COVID-19 focused provincial sick days, it is presumed that the employer will make sure this does not occur.

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May 3, 2021

## **AMO Policy Update – Long-Term Care Commission Report Overview and Digital Ontario**

### **Ontario's Long-Term Care COVID-19 Commission Releases Report**

The Long-Term Care COVID-19 Commission has publicly released a final report fulfilling their mandate to examine the pandemic response for long-term care in Ontario. The [322-page report](#) contains the following:

- the state of long-term care before COVID-19, including the longstanding challenges concerning staffing, quality of resident care, oversight, funding, and infrastructure
- the deficiencies in Ontario's pandemic preparedness
- the COVID-19 crisis in long-term care and its devastating impacts
- best practices and promising ideas that can be adopted and expanded to improve long-term care, and
- final recommendations that build on the interim recommendations provided in October and December 2020.

The Commissioners' overall conclusion was that there was a lack of planning for a pandemic and that the response to COVID-19 was insufficient. The government is being urged to make changes to protect against outbreaks of infectious disease and any future pandemics.

AMO was active in the inquiry providing both testimony and written submissions to the Commissioners. A response to the government about this report, and the recent Auditor General's Report, will be developed and communicated to AMO members after further analysis of the recommendations and implications. The report provides the foundation for a critically needed discussion on how to effectively transform long-term care in Ontario.

### **Building a Digital Ontario**

The Ontario Government introduced its first Digital and Data Strategy, [Building a Digital Ontario](#), on Friday, April 30th. This Strategy is the result of over two years of

consultation and includes over two dozen new and established initiatives to equip people and businesses to succeed and, is to play a role in keeping Ontarians safe and secure, connected, and supported in the digital world. This strategy is an extension of [Ontario Onwards: Ontario's COVID-19 Action Plan for a People-Focused Government](#).

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