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HEALTHY COMMUNITIES • SUSTAINABLE COMMUNITIES

October 30, 2015

Ms. Sarah Van Exan  
Manager  
Ministry of Municipal Affairs and Housing  
Local Government and Planning Policy Division  
Local Government Policy Branch  
777 Bay Street, Floor 13th  
Toronto ON M5G 2E5

**Re: Consultation on the review of the Municipal Act,  
City of Toronto Act and Municipal Conflict of Interest Act  
EBR Reference Number 012-4277**

Dear Ms. Van Exan,

On behalf of the Ontario Professional Planners Institute (OPPI), I am submitting the Institute's response with regards to the consultations on the review of the Municipal Act, City of Toronto Act and Municipal Conflict of Interest Act EBR Reference Number 012-4277.

OPPI is the recognized voice of the Province's planning profession. Our more than 4,000 members work in government, private practice, universities, and not-for-profit agencies in the fields of urban and rural development, community design, environmental planning, transportation, health, social services, heritage conservation, housing, and economic development. Members meet quality practice requirements and are accountable to OPPI and the public to practice ethically and to abide by a Professional Code of Practice. Only Full Members are authorized by the Ontario Professional Planners Institute Act, 1994, to use the title "Registered Professional Planner" (or "RPP").

Our comments in this submission are generally related to the review of the Municipal Act, as this piece of legislation is most relevant to our Province-wide membership. OPPI strongly supports measures that help to improve Ontario's land use planning system, including efforts to improve transparency, accountability and efficiency of our municipal governments. It is within this framework that we offer the following comments for your consideration.

1. **There is an urgent and pressing need to review and expand the range of financial tools for funding municipal infrastructure.** Funding infrastructure projects continues to be one of the major obstacles facing Ontario's municipalities. The current suite of financial tools available to municipalities is limited and generally has not changed in decades.

2. **A more robust system which prioritizes investments in sustainable infrastructure is needed.** The strain on municipal finance can sometimes lead to decision-making that prioritizes short-term fixes, as opposed to longer term solutions. Ontario's communities would benefit from a suite of financial tools that allow municipalities to prioritize strategic long term investments, such as higher order transit systems, renewable energy systems and a variety of climate change resiliency measures (such as green roofs, urban forest management, greenhouse gas reduction, low impact development, etc.). A more robust system would acknowledge the shared responsibility (federal, provincial and local) for dealing with climate change and could include, but would not be limited to, policy direction/leadership, provision of data and monitoring information on climate change, as well as expanded financial tools and funding models which better position municipalities for the future.
3. **Extend green roof by-law powers to other municipalities.** Section 108 of the City of Toronto Act allows the City the authority to establish a green roof by-law, requiring certain types of development to include a green roof. We suggest that this authority be extended to other municipalities in the Province. This authority could be extended to other forms of low impact development, allowing municipalities to better prepare for climate change adaption.
4. **Clarify funding tools for public parking facilities.** The Municipal Act should be clarified to provide direction on which tools can be used to re-coup costs related to the provision of public parking facilities (either lots or structures). Under the Development Charges (DC) Act, for example, a public parking facility is not a recoverable service unless the parking facility relates to a service that is recoverable under that Act, such as a transit facility. To ensure that municipal fiscal sustainability, in particular related to large capital investment such as parking structures, it would be helpful if the Municipal Act Review clarified whether a public parking facility is considered a "special service" under Section 326. Where a public parking facility is not considered a special service under Section 326, a new Section/Sub-section should be added to the Municipal Act providing authority for financing public parking facilities, similar to those authorities provided to the City of Burlington in the City of Burlington Act, 1992. Providing the authority to municipalities to be able to fund the provision of public parking facilities, in the appropriate locations, can aid the Province in ensuring the transit-oriented planning vision outlined in the Growth Plan for the Greater Golden Horseshoe and the transit infrastructure planned in Metrolinx's The Big Move are implemented in a financially sustainable manner.

OPPI supports the Province's efforts to improve Ontario's municipal governance systems. We welcome the opportunity to meet with you and your staff to discuss our submission and answer any questions you may have. To further discuss our submission or to schedule a meeting, please have your staff contact me at (416)668-8469 or by email at [policy@ontarioplanners.ca](mailto:policy@ontarioplanners.ca)

Sincerely,



Loretta Ryan, MCIP, RPP, CAE  
Director, Public Affairs  
Ontario Professional Planners Institute