

Appendix 'A' Local Improvement Triggers

Trigger 1: Minister of Health or Municipal Board of Health Initiated Local Improvement

At any time, a local improvement can be initiated by the Minister of Health or Municipal Board of Health (Health Unit). The most likely reason a Health Unit would require a local improvement is a wide-scale failed sanitary septic system or unsafe drinking well water. As with all local improvements the majority of the costs for the improvement would be borne by the benefiting property owner. A Health Unit initiated local improvement is relatively uncommon.

Trigger 2: Property Owner Initiated Local Improvement

Property owners can successfully initiate a local improvement if two-thirds of the owners, representing a minimum of one-half of the assessed property value, petition in favour of undertaking the work.

If a municipality receives a sufficient petition against undertaking the work as a local improvement, or in other words the local improvement petition fails, the regulation states that the municipality shall not undertake the work as a local improvement within two years after receiving the petition.

Trigger 3: Council Initiation of a Local Improvement

City Council can successfully initiate a local improvement, unless it receives a petition against undertaking the local improvement, signed by at least a majority of the owners, representing at least one-half of the value of the lots, within 30 days after notice is given to the public. A City led initiative has a lower approval threshold (one-half versus two-thirds) when compared to property owner initiated local improvements. Section 15 of the Council Policy Manual outlines the City's policies related to local improvements. The policy was last updated at the September 18, 2017 Strategic Priorities and Policy Committee meeting.

Trigger 4: Approval from the Ontario Municipal Board

At any time, a local improvement can be initiated based on an approval from the Ontario Municipal Board. Local improvements would be considered by the Ontario Municipal Board in instances when a petition of property owners or an initiative of City Council has failed.

In making a decision the board member considers:

- 1) Whether the project is needed in the public interest;
- 2) Whether the process under which the local improvement is approved is fair and properly carried out by the municipality; and
- 3) Whether the amounts assigned to the affected property owners are derived from a fair and established methodology.

Ontario Municipal Board initiated local improvements are uncommon.