



LIC Amendment and Resilience Actions



The LIC Amendment

In October 2012, the Ontario Ministry of Municipal Affairs and Housing authorized Ontario Regulations 322/12 and 323/12, amending O.Reg. 586/06 and 596/06 under the Municipal Act, 2001 and the City of Toronto Act, 2006



The Amendment

1. Qualifying capital works now include energy efficiency retrofits, renewable energy installation, and water conservation measures
2. Qualifying property to which LICs can apply now includes individual private property
3. Introduces use of property agreement between municipality and property owner (in addition to by-law to place charge on tax roll)
4. Enables a special charge for these works on these properties to be placed on property tax roll and receive priority lien status
5. Allows program delivery costs to be recouped



Resilience Actions not specifically referenced

“work” means a capital work. O. Reg. 586/06, s. 1 (1); O. Reg. 322/12, s. 2 (1).

- constructing energy efficiency works or renewable energy works. O. Reg. 586/06, s. 1 (2); O. Reg. 322/12, s. 2 (2, 3).
- Doesn't have mention of resilience actions.... ☹️
- The Municipal Act/COTA does provide municipal authority to set up climate change by-laws of which resilience measures can be addressed via that mechanism
- But would resilience LICs require legislative amendment to make progress within a municipal lawyer's mind?