

## LEGISLATED TIMELINES DURING COVID-19

### Issue

An update regarding timelines and deadlines legislated in the Municipal Government Act (MGA) that have been extended by Ministerial Orders to October 1, 2020 is provided to the Emergency Advisory Committee for information.

### Motion Requested

That the information regarding the variance during COVID-19 in legislated timelines to October 1, 2020 be received as information.

### Report

The Covid-19 outbreak has presented unique operational challenges for local government operations and as such the province has passed Ministerial Orders to extend many legislated timelines.

The Town will endeavour to follow the existing timelines under the MGA and not use the extended timeline of October 1, 2020 unless requested by an applicant or resident if it is a procedure or process affecting that person directly (e.g. assessment review board hearing).

The following is the listing of provisions that have been extended to October 1, 2020 and which the Town is proposed not to use but follow the MGA deadline:

- All financial reporting provisions including submission of the 2019 financial statements and statistical information returns under sections 278, 602.34, and corresponding regulations. The Town will be submitting these documents by May 1, 2020.
- All petitioning timeline provisions under sections 226(1), 229, 231(3) and (4), 233(2)-(7), 234(3), and 235; 396(3) and (4). Administration will comply with petitioning provisions.
- Assessment timeline provisions under sections 284(4), 295(4), 308.1, 310(1), 462(1)(a), 462(2)(a), 468(1)(a), 469, 470(1), 470(3) and (4). The Town's assessment complaint deadline was March 10 and the process will proceed as usual.

The following is the listing of provisions that have been extended to October 1, 2020 and which the extension will be applied automatically:

- Tax arrears listings, and public auction provisions under sections 412, 417, 418(2) and 436.08 which is anticipated to proceed in November 2020.
- Provincial Municipal Government Board (MGB) provisions under sections 122, 494(1)(a), 500(1)(a), 500(2)(a), 505, 508.1(1), 508.1(3), 508.1(4) not in the Town's control with processes as it includes judicial reviews and sending decisions to parties by the MGB.

- Judicial remedy provisions that would be extended for other parties under sections 531(2), 534, 537, 547(1)(a), 547(1)(b), 548(1.1)(a), and 548(1.1)(b). These are court processes and are for instance claims for compensation for public works, or appealing orders to remedy unsightly properties. These timelines are extended automatically for the public.

The following are planning provisions that have been extended to October 1, 2020 but are not proposed to be used so as not to impact any economic activities:

- Planning provisions including appeals and hearings under sections 619(3)(a), 619(6), 632(2.1), 644(1), 648(6), 653.1(1), 656(3), 657(1) and (5), 664.2(2), 667(1)(a), 678(2), 678(3) and 678(5), 679(1) and 92), 680(3) and (4), 681(1) and (2), 683.1(1), 684(1), 686(1)-(3), 687(2), 688(2), 688(2.1) and 688(2.1), 688(4.3), 690(1.1), 690(3), and 691(1). These are not contemplated for any extensions at this point in time but the extended appeal timelines are automatic for the public.
- There has been some concerns from municipalities regarding the extensions for appeals of subdivision approvals and development permits unnecessarily delaying development. The Province has responded that these extensions have been put in place to protect the rights of residents and developers to appeal decisions in an unprecedented situation. However with the Meeting Procedures (COVID-19 Suppression) Regulation, public meetings and appeal hearings can proceed electronically. The Province is working with affected parties and legal professionals to identify the right solutions from the challenges arising from these timeline extensions. Amendments are expected to be brought forward from the government in the near future.

The following is the listing of provisions that have been extended to October 1, 2020 and administratively are of no effect or not needed at all:

- Other administrative process provisions including sections 188, 201.1, 354(6), 364.3(1), 606(2) and (5), 608(2), 610(1) and (4) such as timing to orientate new Councillors, notification to the Minister if a tax rate bylaw is amended, and notices of meetings and unclaimed property dates, etc. are not needed for time extensions.

## **Attachment(s)**

n/a

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April 06, 2020