

Good day fellow elected official,

Successive provincial governments of all political stripes have failed to have due regard for municipal authority in local land use planning decisions. As a result, rather than approving much needed housing units, municipalities instead have spent decades mired in the red tape of costly, time consuming appeals hearings spending millions of taxpayer dollars defending Council decisions to uphold provincially approved Official Plans.

With delay upon delay, nothing gets built and the hope of developing the “missing middle” of housing looks at this stage, to be merely a pipe dream.

We are witnessing a crisis in attainable housing; a crisis fueled in part by a land use planning appeals process that supplants the rights of local municipalities to uphold their own provincially approved Official Plans with the power of an unelected, unaccountable third party – the OLT - to determine “good planning outcomes” for our communities.

If municipalities had the authority to enforce their provincially approved Official Plans, then thousands of units of housing could be built in York Region alone without any further delay.

To address the very real need for a diversity of attainable housing in communities across our province, we need to eliminate one of the key barriers to its realization – the Ontario Land Tribunal.

I have attached a Motion that I would respectfully ask you to put forward at your council.

This Motion requests the Government of Ontario to dissolve the OLT and recognize the authority of municipal councils in local land use planning decisions.

Please consider adding this Motion to your Council agendas. It is imperative that collectively our voices are heard. Local governments should have the authority to exercise greater control over planning matters in their own communities. By working together, we can build a positive future for all Ontarians.

Regards,

Tom Mrakas  
Mayor Town of Aurora  
416-543-1624

Whereas Municipalities across this province collectively spend millions of dollars of taxpayer money and municipal resources developing Official Plans that meet current Provincial Planning Policy; and

Whereas an Official Plan is developed through months of public consultation to ensure, “that future planning and development will meet the specific needs of (our) community”; and

Whereas our Official Plan includes zoning provisions that encourage development of the “missing middle” or “gentle density” to meet the need for attainable housing in our community; and

Whereas our Official Plan is ultimately approved by the province; and

Whereas it is within the legislative purview of Municipal Council to approve Official Plan amendments or Zoning By-law changes that better the community or fit within the vision of (Your Municipality) Official Plan; and

Whereas it is also within the legislative purview of Municipal Council to deny Official Plan amendments or Zoning By-law changes that do not better the community or do not fit within the vision of the (Your Municipality) Official Plan; and

Whereas municipal planning decisions may be appealed to the Ontario Land Tribunal (OLT; formerly the Ontario Municipal Board or “OMB”), an unelected, appointed body that is not accountable to the residents of (Your Municipality); and

Whereas the OLT has the authority to make a final decision on planning matters based on a “best planning outcome” and not whether the proposed development is in compliance with municipal Official Plans and Provincial Planning Policy; and

Whereas all decisions—save planning decisions—made by Municipal Council are only subject to appeal by judicial review and such appeals are limited to questions of law and or process; and

Whereas Ontario is the only province in Canada that empowers a separate adjudicative tribunal to review and overrule local decisions applying provincially approved plans; and

Whereas towns and cities across this Province are repeatedly forced to spend millions of dollars defending Official Plans that have already been approved by the province in expensive, time consuming and ultimately futile OLT hearings; and

Whereas lengthy, costly OLT hearings act as a barrier to the development of attainable housing;

1. Now Therefore Be It Hereby Resolved That (Your Municipality) requests the Government of Ontario to dissolve the OLT immediately thereby eliminating one of the most significant sources of red tape delaying the development of more attainable housing in Ontario; and
2. Be It Further Resolved That a copy of this Motion be sent to the Honourable Doug Ford, Premier of Ontario, the Minister of Municipal Affairs and Housing, the Leader of the Opposition, the Leaders of the Liberal and Green Party, all MPPs in the Province of Ontario; the Large Urban Mayors’ Caucus of Ontario, the Small Urban GTHA Mayors and Regional Chairs of Ontario; and
3. Be It Further Resolved That a copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.

