



Office of the Chair
Halton Region
1151 Bronte Road
Oakville ON L6M 3L1

August 29, 2019

The Honourable Doug Ford
Premier of Ontario
Legislative Building
Queen's Park
Toronto, ON M7A 1A1

Dear Premier Ford:

RE: Local Planning Appeal Tribunal (LPAT)

On behalf of Regional Council, I would like to bring an important issue to your attention. At our meeting on July 10th, Council discussed *Bill 108: More Homes, More Choice Act, 2019* which will have a significant impact on how Halton Region delivers its services. Regional Council discussed their concerns with the Local Planning Appeal Tribunal (LPAT) having the authority to make final planning decisions based on a subjective best planning outcome approach rather than compliance with municipal and provincially approved plans and policies. The LPAT adds cost and delays to the delivery of affordable housing by expensive, time consuming hearings, contrary to the intent of the *More Homes, More Choice Act, 2019*.

In the short-term, we hope you will consider restoring the amendments to the *Planning Act* and in the long-term, consider eliminating the LPAT entirely. Ontario is the only Province to have such a tribunal, and it is the position of Regional Council that it is an antiquated body that has outlived its purpose and does not contribute to the Provincial Government's goal of increasing housing supply.

In this regard, at its meeting on July 10th, 2019, Regional Council unanimously endorsed the following resolution regarding the LPAT:

WHEREAS The Government of Ontario, on June 6, 2019, passed the *More Homes, More Choice Act, 2019*, (Bill 108); and

WHEREAS the changes to the Local Planning Appeal Tribunal (LPAT), contained in Bill 108 will give LPAT the authority to make final planning decisions based on a subjective "best planning outcome" approach rather than compliance with municipal and provincially approved official plans and consistency with provincial plans and policy; and

WHEREAS Bill 108 restricts third party appeals of plans of subdivision only to the applicant, municipality, Minister, public body or prescribed list of persons; and

WHEREAS Bill 108 takes local planning decision-making out of the hands of democratically elected municipal councils and puts it into the hands of a non-elected, unaccountable tribunal; and

WHEREAS the LPAT adds cost and delays delivery of affordable housing by expensive, time consuming hearings, contrary to the intent of the *More Homes, More Choice Act, 2019*; and

WHEREAS Regional and City Councils have spent millions defending provincially approved plans at the OMB/LPAT, including more than \$5 million over the last three years;

WHEREAS the reverting back to *de novo* hearings adds delays and costs to the housing delivery, as planning decisions start from scratch requiring lawyers, experts and witnesses, repeating the planning analysis already done by local councils;

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

NOW THEREFORE BE IT RESOLVED:

THAT in the short term, the Minister of Municipal Affairs and Housing immediately restore the amendments to the *Planning Act* that mandated the evaluation of appeals on a consistency and conformity with Provincial policies and plans basis;

THAT in the long-term the Government of Ontario eliminate the LPAT entirely, as an antiquated body that slows delivery and adds costs to housing supply via expensive and drawn out tribunal hearings;

AND THAT this resolution be forwarded to the Premier, the Minister of Municipal Affairs and Housing, Halton's Members of Provincial Parliament, Leaders of the New Democratic, Liberal and Green parties; the Association of Municipalities of Ontario, the Large Urban Mayors' Caucus of Ontario, Mayors and Regional Chairs of Ontario and Halton's local municipalities.

Thank you for your attention to this matter, I look forward to your reply.

Sincerely,



Gary Carr
Regional Chair

cc: The Honourable Steve Clark, Minister of Municipal Affairs and Housing
Andrea Horwath, Leader of the New Democratic Party
John Fraser, Interim Leader of the Liberal Party
Mike Schreiner, Leader of the Green Party

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cc.

Ted Arnott, MPP Wellington-Halton Hills
Stephen Crawford, MPP Oakville
Parm Gill, MPP Milton
Jane McKenna, MPP Burlington
Effie Triantafilopolous, MPP Oakville North-Burlington
Jamie McGarvey, President, the Association of Municipalities of Ontario (AMO)
Cam Guthrie, Mayor, City of Guelph, Chair, the Large Urban Mayors' Caucus of Ontario (LUMCO)
Rick Bonnette, Mayor, Town of Halton Hills
Rob Burton, Mayor, Town of Oakville
Gordon Krantz, Mayor, Town of Milton
Marianne Meed Ward, Mayor, City of Burlington
All Mayors of Ontario
All Regional Chairs of Ontario