



December 20, 2012

The Honourable Dalton McGuinty  
 Premier of Ontario  
**The Government of Ontario**  
 Room 281, Main Legislative Building, Queen's Park  
 Toronto ON M7A 1A1

Legislative and Planning Services  
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**VIA EMAIL**

Dear Premier McGuinty:

Please be advised that at its meeting held Wednesday, December 12, 2012, the Council of the Regional Municipality of Halton adopted the following resolution:

**RESOLUTION: OMB Costs – Provincial Growth Plan**

**WHEREAS** the Region was required by the Province to bring Halton's Official Plan into conformity with the Provincial Growth Plan, as mandated by the Places to Grow Act;

**AND WHEREAS** the Region approved Regional Plan Amendment No. 37 on June 3, 2009 and approved Regional Plan Amendment No. 38 on December 16, 2009 as required by the Province under the Places to Grow Act, thereby fulfilling the requirement to achieve conformity with the Provincial Growth Plan, at significant cost to the Region;

**AND WHEREAS** the Province approved Regional Plan Amendment No. 37 on November 25, 2009 and approved Regional Official Plan Amendment No. 38 on November 24, 2011;

**AND WHEREAS** the Region passed a Resolution on July 7, 2010 requesting the Province to take responsibility for any Ontario Municipal Board hearings relating to the aforesaid approvals and to assume responsibility for all costs incurred by the Region to defend the Growth Plan conformity exercise;

**AND WHEREAS** the Region has received a total of 41 appeals to Regional Official Plan Amendment Nos. 37 and 38 and must now defend the Official Plan and the Growth Plan conformity exercise undertaken by the Region at an Ontario Municipal Board hearing;

**AND WHEREAS** the hearing to resolve these appeals is scheduled to commence on September 23, 2013, for a period of 19 weeks and will require the participation of various legal, planning and other expert witnesses, the cost of which to Halton's taxpayers will be several million dollars;

**AND WHEREAS** it continues to be the Region's firm position that because it is the Province through legislation that has mandated municipalities to achieve conformity with the Growth Plan, as set out in the Places to Grow Act, municipalities should not be required to assume the costs of defending their respective Growth Plan conformity exercises on an appeal to the Ontario Municipal Board.

**The Regional Municipality of Halton**

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AND WHEREAS even without any appeals to the Ontario Municipal Board there are significant costs for municipalities participating in the Provincially required Growth Plan conformity exercises pursuant to *The Places to Grow Act*;

AND WHEREAS such municipalities should not have the added cost of participating in OMB appeals of the various Regional and Local Official Plans produced in compliance with Provincial requirement for conformity with the Provincial Growth Plan;

AND WHEREAS the Province itself, in defending its Growth Plan and indeed other Provincial Plans such as the Greenbelt Plan has only hearing officer report exercises in response to changes and amendments sought by others to its Provincial Plans such as the Growth Plan and the Greenbelt Plan.

NOW THEREFORE BE IT RESOLVED:

1. THAT the Province of Ontario be requested to take responsibility for any Ontario Municipal Board appeal hearings related to any approvals of Regional and Local Official Plan Amendments that are passed pursuant to *The Places to Grow Act* in order to achieve conformity with that Act such that all costs related to defending a Growth Plan Conformity exercise before the Ontario Municipal Board are covered by the Province including the retention of any legal counsel, planning consultants, and other consultants and witnesses and also the time for Provincial or Regional or Local staff required as part of any defence before the Ontario Municipal Board.
2. THAT the Province of Ontario be requested to provide "intervener funding" to any municipalities affected by the appeal of any Growth Plan conformity, Official Plan amendment to the Ontario Municipal Board so as to enable the municipalities involved to defend their positions with respect to the Provincial Growth Plan conformity exercise before the Ontario Municipal Board without added cost to the Municipal Service and Delivery System and higher property taxes.
3. THAT a letter be sent by the Regional Chair along with this Resolution to the Premier of the Province of Ontario and the Minister of Municipal Affairs and Housing for their consideration and action in having the Province take the lead and the responsibility for the costs of any appeal proceedings before the Ontario Municipal Board on Growth Plan Conformity Official Plans by Regional and Local municipalities and by providing intervener funding to those municipalities who would be involved in any appeal proceedings respecting Growth Plan Conformity