



COMMUNICATION C6

ITEM NO. 2

**COMMITTEE OF THE WHOLE
(WORKING SESSION)**

March 2, 2022

DATE: March 2, 2022

TO: Mayor and Members of Council

FROM: Wendy Law, Deputy City Manager, Legal and Administrative Services & City Solicitor

RE: **COMMUNICATION – March 2, 2022 – Working Session, Item 2
RESOLUTION SUPPORTING MUNICIPAL FINAL AUTHORITY FOR
DEVELOPMENT PLANNING
(REFERRED FROM FEBRUARY 15, 2022 COUNCIL MEETING)**

Recommendation

1. That Committee provide direction with respect to the recommendations contained in the Member's Resolution titled "Resolution Supporting Municipal Final Authority for Development Planning", dated February 8th, 2022.

Background

At the February 8th, 2022, Committee of the Whole (2) meeting, Committee considered a Member's Resolution (Attachment #1) from Councillors Iafraite and Shefman titled "Resolution Supporting Municipal Final Authority for Development Planning". At the Council meeting of February 15th, 2022, the following resolution was ratified, in part:

"That consideration of this matter be deferred to a Committee of the Whole (Working Session) meeting in March;"

As a result of this direction, the report for Item #2 on the March 2nd Committee of the Whole (Working Session) was prepared. In addition to the staff report, Committee must also consider the recommendations from the February 8th, 2022, Member's Resolution. As such, a recommendation seeking direction from the Committee has been included in this communication.

For more information, contact Todd Coles, ext. 8281

Attachments

1. Member's Resolution – February 8, 2022 – "RESOLUTION SUPPORTING MUNICIPAL FINAL AUTHORITY FOR DEVELOPMENT PLANNING"

Respectfully submitted by

Wendy Law

Wendy Law,
Deputy City Manager, Legal and Administrative Services & City Solicitor



MEMBER'S RESOLUTION

Committee of the Whole (2) Report

DATE: Tuesday, February 08, 2022

**TITLE: RESOLUTION SUPPORTING MUNICIPAL FINAL AUTHORITY
FOR DEVELOPMENT PLANNING**

FROM:

Councillor Marilyn Iafrate and Councillor Alan Shefman

Whereas, all municipalities in Ontario manage their development planning process under a comprehensive and detailed set of Provincial Acts and policies; and

Whereas, the process used to come to a decision on a planning application is transparent and provides a variety of opportunities for all interested parties in the community to have a voice in the outcome, and

Whereas, Municipalities across this province collectively spend millions of dollars of taxpayer money and municipal resources developing Official Plans that meet Provincial planning policy; and

Whereas, an Official Plan is developed through extensive 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 widest variety of attainable and affordable housing in our community; and

Whereas, it is within the legislative purview of a municipal council to approve Official Plan amendments or Zoning By-law changes that better the community or fit within the vision of the Vaughan 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 Vaughan 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 the City of Vaughan; 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, Ontario is the only province in Canada that empowers a distinct tribunal to review and overrule local decisions applying provincially approved plans; and

Whereas, municipalities across this province are 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 appeal hearings.

It is therefore recommended:

1. That the Government of Ontario dissolve the OLT immediately thereby eliminating one of the most significant sources of delay for the development of more attainable and affordable housing in Ontario; and
2. That a copy of this resolution 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; and
3. That a copy of this resolution be sent to the Association of Municipalities of Ontario, the Large Urban Mayors’ Caucus of Ontario, the Small Urban GTHA Mayors and Regional Chairs of Ontario; and
4. That a copy of this resolution be sent to all Ratepayer Associations in the City of Vaughan.