

MA-E4-1

Regional Municipality of Peel  
Office of the Regional Chair

JUN 22 2010  
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Acton  
Georgetown  
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Town of Halton Hills  
Office of the Mayor  
Rick Bonnette

June 30, 2010

Regional Chair Emil Kolb  
Region of Peel  
10 Peel Centre Drive  
Brampton, ON L6T 4B9

| LEGISLATIVE SERVICES           |   |
|--------------------------------|---|
| COPY TO:                       | FOR:  |
| Chair                          | <input checked="" type="checkbox"/> Committee |
| CAO                            | <input checked="" type="checkbox"/>           |
| Corporate Services             | <input checked="" type="checkbox"/> Council   |
| Public Works                   | septs   |
| Employee and Business Services |   |
| Health Services                | File  |
| Human Services                 |   |
| Peel Living                    |   |

Dear Regional Chair Emil Kolb;

**Re: Motion - Request to Province to Cover All Appeal Costs to the Ontario Municipal Board for Growth Plan Conformity Exercises**

On June 28<sup>th</sup>, 2010 Town of Halton Hills Council passed Resolution No. 2010-0172 (attached) a significant resolution that will be circulated to every municipality in the Greater Golden Horseshoe, requesting that the Province of Ontario cover all appeal costs to the Ontario Municipal Board for Growth Plan Conformity Exercises.

The Provincial government's "Places to Grow Legislation" mandates that municipalities and the Regions meet certain growth objectives by 2031. For example Halton Region has conformed to the Province's Growth Plan approving growth to our population in Halton Region from 400,000 to 780,000. The financial impact to municipalities from the Places to Grow legislation has already been significant and the Ontario Municipal Board costs will be staggering as developers will be challenging municipalities and the Region on their decision to conform to the Provincial Legislation. These projected astronomical legal and consulting costs will be born by our present taxpayers based on this Provincial initiative.

The Province permits appeals of its approval decisions on Regional and Local Official Plans regarding conformity to be appealed to the Ontario Municipal Board despite the fact that any appeals of the Growth Plan itself are handled by way of a Hearing Officer who reports to the Province and the Province makes the final Decision. The defence of any Regional and/or Local Official Plan to achieve conformity with the Provincial Growth Plan can be a long and costly process in front of the Ontario Municipal Board. The Province should be stepping up to the plate to assist Municipalities for following Provincial legislation.

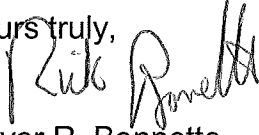
REFERRAL TO \_\_\_\_\_  
RECOMMENDED \_\_\_\_\_  
DIRECTION REQUIRED \_\_\_\_\_  
RECEIPT RECOMMENDED \_\_\_\_\_ ✓



MA-E4-2

I hope that you and your Council can support this resolution and request that the Provincial Government give municipalities intervener funding as many municipalities and the regions will be challenged and will have to defend their decisions.

Yours truly,

A handwritten signature in black ink, appearing to read "Rick Bonnette". The signature is written in a cursive style with a large initial "R".

Mayor R. Bonnette

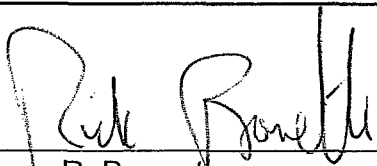
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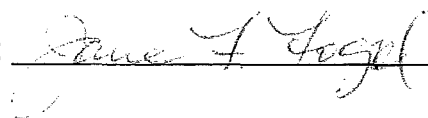
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THE CORPORATION  
OF  
THE TOWN OF HALTON HILLS

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Moved by:  Date: June 28, 2010  
Mayor R. Bonnette

Seconded by:  Resolution No.: 2010-0132

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10A

WHEREAS the Province of Ontario initiated and passed the Places to Grow Act;

AND WHEREAS pursuant to that Provincial initiative under the *The Places to Grow Act*, the Province issued a Provincial Growth Plan for the Greater Toronto Area and pursuant to that Act requires municipalities at the Regional and Local levels to amend their Official Plans to bring them into conformity with that Provincial Growth Plan;

AND WHEREAS any Official Plan passed to achieve conformity with the Provincial Growth Plan must be approved by the Province;

AND WHEREAS the Province permits appeals of its approval decisions on Regional and Local Official Plans regarding conformity to be appealed to the Ontario Municipal Board despite the fact that any appeals of the Growth Plan itself are handled by way of a Hearing Officer who reports to the Province and the Province makes the final Decision;

AND WHEREAS the defence of any Regional and/or Local Official Plan to achieve conformity with the Provincial Growth Plan can be a long and costly process in front of the Ontario Municipal Board;

AND WHEREAS municipalities are expected to defend their Official Plans for conformity at the Ontario Municipal Board despite the fact that the municipalities have had to pass those municipal official plans by reason of the Provincial *Places to Grow Act*;

AND WHEREAS in Halton, the Region of Halton has passed Regional Official Plan Amendments #37 and 38 as required by *The Places to Grow Act* and in the case of

Regional Official Plan Amendment #37 that amendment was approved by the Province and then appealed by development interests to The Ontario Municipal Board and the same is likely to occur with Regional Official Plan Amendment #38 and with some if not all of the corresponding local official plan amendments;

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:

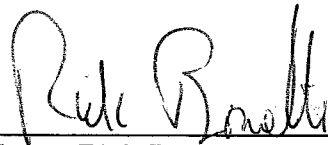
1. That the Province of Ontario be requested to take responsibility for any Ontario Municipal Board appeal hearings related to any approvals of Regional and Local Official Plan Amendments that are passed pursuant to The *Places to Grow Act* in order to achieve conformity with that Act such that all costs 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 Mayor 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 Exercises.

*GGH*

4. THAT this Resolution be forwarded to all of the Regional and Local Municipalities within the Greater Toronto Area and to the Association of Municipalities of Ontario for their support and endorsement of this Resolution and
5. THAT this Resolution be forwarded to the Wellington Halton Hills MPP, Mr. Ted Arnott, for his support of this Resolution.

*6. All party leaders.*

  
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Mayor Rick Bonnette