

**THE CORPORATION OF HALDIMAND COUNTY  
RESOLUTION  
Council Meeting**

**Resolution**

**Date:** February 14, 2022

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**Moved By:** \_\_\_\_\_

**Seconded By:** \_\_\_\_\_

1. 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;
2. 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”;
3. AND WHEREAS an Official Plan is ultimately approved by the province;
4. 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 Haldimand County Official Plan;
5. 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 Haldimand County Official Plan;
6. AND WHEREAS local councils are elected and accountable to the local community and under the Planning Act, appropriate checks and balances are in place to ensure decision makers’ transparency and mechanisms to require stakeholder consultation and community input;
7. 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 Haldimand County;
8. AND WHEREAS the OLT has the authority to add parties, accept new evidence and 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;
9. 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;
10. 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;
11. 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;
12. AND WHEREAS the legal “tests” to initiate an appeal of local council decisions are low and

only require a nominal fee with the result of lengthy, costly OLT hearings add years to the development approval process and act as a barrier to the development of attainable housing,

13. NOW THEREFORE BE IT HEREBY RESOLVED THAT Haldimand County 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;
14. AND 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 to the Association of Municipalities of Ontario (AMO).

**CARRIED**

**DEFEATED ON A TIED VOTE**

**DEFEATED**

**DRAFT**