



May 2, 2022

Toronto City Hall  
100 Queen Street West  
Toronto, ON M5H 2N2  
Attention: Julie Amoroso

**RE: EX32.16 EmpowerTO: It's time to Free Toronto from the Ontario Land Tribunal**

Dear Mayor John Tory and Members of Executive Committee,

This is to express our qualified support for the Motion:

- that City Council request the Province of Ontario to dissolve the Ontario Land Tribunal and replace it with a true appeals body that only grants hearings based on an error in law or procedure.

We set our qualifications below.

The Ontario Land Tribunal is an unelected, unaccountable quasi-judicial body that has the “final say” over planning matters in Toronto and across Ontario.

The current Provincial government has (1) amalgamated the former five separate tribunals into one – the Ontario Land Tribunal (OLT) and (2) given it “final say” powers, reversing the advisory (to municipalities) powers given to the Local Planning Appeal Tribunal (LPAT) by the previous government. And procedural changes have reduced the involvement of participants in the hearings.

As a result it appears that the OLT is more politicized, more distant from the concerns of regular people, and less knowledgeable of land use planning than ever.

To make matters worse, Bill 109, *The More Homes for Everyone Act*, recently passed by the Ontario government, appears likely to result in an increased number of development applications going directly to the already backlogged OLT, adding to delays in approvals, and increasing costs for both developers and the City -- ultimately resulting in housing supply being delivered more slowly, and at a higher price.

So while the call to “Free Toronto from the OLT” is not new, and in fact goes back over several Council terms, right now the concerns about the impacts on the City's ability to make its own planning decisions have significantly increased. Fundamentally, we are concerned about democracy, and our rights as citizens.

However, we do not subscribe to complete elimination of the OLT. We believe it can serve a useful function, both to ensure a better planning process and protect against arbitrary

municipal decisions. However, its role needs to be better integrated into the planning process.

We support an OLT that (1) ensures conformity of municipal Official Plans with provincial planning policies, (2) allows appeals of failures to update municipal Official Plans, and (3) allows appeals of area-wide policies on grounds of non-conformity with provincial planning policies. Official plans, if kept updated, should be the guiding planning documents.

We believe property owners should have a right of appeal of planning decisions to the OLT provided that the grounds for appeal are limited to non-conformity with planning policies as set out in a municipality's Official Plan.

We urge you to support a Council resolution urging the province to amend provincial legislation to limit the role of the OLT. As it stands, the OLT has unlimited powers to override municipal decisions. Its role should be limited to ensuring conformity with provincial planning policies and municipal Official Plans.

Yours truly,

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Cc: Chris Murray, City Manager  
Gregg Lintern, Chief Planner and Executive Director, City Planning Division  
Wendy Walberg, City Solicitor

**The Federation of North Toronto Residents' Associations (FoNTRA)** is a non-profit, volunteer organization comprised of over 30 member organizations. Its members, all residents' associations, include at least 170,000 Toronto residents within their boundaries. The residents' associations that make up FoNTRA believe that Ontario and Toronto can and should achieve better development. Its central issue is not *whether* Toronto will grow, but *how*. FoNTRA believes that sustainable urban regions are characterized by environmental balance, fiscal viability, infrastructure investment and social renewal.