

City Council

Notice of Motion

MM42.26	ACTION			Ward: All
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EmpowerTO: It's time to Free Toronto from the Ontario Land Tribunal - by Councillor Josh Matlow, seconded by Councillor Kristyn Wong-Tam

** Notice of this Motion has been given.*

** This Motion is subject to referral to the Executive Committee. A two-thirds vote is required to waive referral.*

Recommendations

Councillor Josh Matlow, seconded by Councillor Kristyn Wong-Tam, recommends that:

1. 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.

Summary

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 provincially appointed Chairs presiding over the future of our communities are not required to have a background in land use planning or even have a working knowledge of our local neighbourhoods.

Like its predecessor, the Ontario Municipal Board, there is no equivalent in any jurisdiction in North America. And no other city the size of Toronto has so little control over shaping its future and the mere ability to support its residents' quality of life.

That's why this Motion requests City Council to advocate for the Provincial Government to free Toronto from the Ontario Land Tribunal and replace it with a true appeals body.

Toronto already requires approval from the provincial government for its Official Plan, yet the Ontario Land Tribunal allows "de novo" (entirely new) hearings. Developers are automatically granted a hearing without having to cite an error in the City's decision. Further, Ontario Land Tribunal Chairs are only obligated to vaguely consider the "best possible planning outcome". This leads to our Planning Division spending time and money to create an Official Plan that must be approved by the Province and then subsequently defend that plan before a provincial body that is not required to uphold that provincially-approved plan.

Residents expect that their locally elected Mayor and City Councillors have the responsibility, and ability, to ensure that Toronto is planned well and provides them with housing options that suit their income and family size, and that community amenities such as childcare, parks, and school space, along with infrastructure, keep up with the pace of growth.

Empowering locally elected city councils to make land use planning decisions in their own geographical jurisdiction, rather than an unelected, provincially appointed body, is simply better governance and would ultimately provide the public accountability for the decisions that are made.

It's time for Toronto to join municipalities across Ontario to request that Queen's Park dissolve the Ontario Land Tribunal.

Background Information (City Council)

Member Motion MM42.26