



MEMBER MOTION

Section 5.4.4(b) of Procedure By-law

Meeting: Committee of the Whole Council **X**

Meeting Date: Monday June 10, 2013

Subject/Title: To Support Preservation of Existing Communities and Respect Municipal Authority in the Planning of Its Own Communities

Submitted by: Councillor Godwin Chan

WHEREAS municipalities are required to approve Official Plan containing the goals, objectives and policies established primarily to manage and direct physical change and the effects on the social, economic and natural environment of the municipality or part of it;

WHEREAS municipalities rely on these plans when determining the allocation of capital investment within the community to provide infrastructure to service future growth according to those plans;

WHEREAS municipal Councils have the obligation to make decisions on planning matters in the best interests of the community at large;

WHEREAS the Planning Act provides that the Ontario Municipal Board can make or substitute the decisions of democratically elected municipal Councils;

WHEREAS Bill 41, "*Preserving Existing Communities Act, 2013*" tabled at the Ontario Legislature has passed Second Reading on April 18, 2013 and has been referred to the Standing Committee on General Government;

WHEREAS Bill 41 proposes to amend the *Places to Grow Act, 2005* to provide that certain municipal decisions rejecting development proposals that would involve intensification in the plan are not subject to appeal to the Ontario Municipal Board;

WHEREAS municipal Councils are accountable to members of the existing communities and has the responsibility for determining good planning for its own communities;

THEREFORE BE IT RESOLVED THAT the Province of Ontario be advised that the Town of Richmond Hill supports the principles of Bill 41 in preserving existing communities and respecting municipal authority in planning for its own communities;

THAT the Province of Ontario be requested to ensure that where the municipality has an Official Plan approved by the relevant authority which conforms with the requirements of the Province's Places to Grow Act, and that where an Official Plan amendment is not supported by Council due to inconsistency with the approved Official Plan, the applicant for the Official Plan amendment shall have no right of appeal to the Ontario Municipal Board **AND THE DECISION OF COUNCIL SHALL BE FINAL**; and

THAT, despite subsection 22(7) of the *Planning Act*, there be no appeal permitted in respect of the official plan policies of a municipality or a planning board which have been adopted to conform with the policies and requirements of the *Provincial Growth Plan for the Greater Golden Horseshoe area* and related regulations and Provincial policies; and further

THAT this resolution be forwarded to the Honourable Linda Jeffrey, the Minister of Municipal Affairs and Housing, the local Members of Provincial Parliament, Honourable Reza Moridi and Dr. Helena Jaczek, the Council of the Regional Municipality of York, the Association of Municipalities of Ontario (AMO), the Large Urban Mayors Caucus of Ontario (LUMCO) for support.

Moved by: Councillor Godwin Chan
Seconded by: Councillor Lynn Foster