



Sound scientific research and solutions supporting water levels, wetlands, the fishery and aquatic invasive species control.

Re: Bill 66 Section 10 Open for Business Zoning Bylaw Provide Solutions to Problems That Do Not Exist

The proposed Open for Business Bylaw largely replicates at the municipal level existing provincial powers, toward a goal of identifying new employment lands - when credible independent studies show there is no shortage of employment lands. The chart below provides the amount of designated available employment lands currently available in Greenbelt municipalities.

Employment Land by Regional Municipalities in the GGH (ha) (2015-2017)			
Region	Total	Vacant	% Vacant to Total
York	7759	2588	33%
Halton	6099	2800	46%
Peel (excl. Caledon)	10772	2070	19%
Durham	5611	3147	56%
City of Hamilton	4554	918	20%
Simcoe	6527	2919	45%
Niagara (2014)	6895	2300	33%
Total	48217	16742	35%

There is therefore no need to trample the Greenbelt and other natural areas; the delegation of the proposed new municipal powers is unnecessary; and, ironically, the Open for Business bylaws will create more red tape and confusion about what protocols are in place in which areas of the Province than the red tape they purport to eliminate.

1. Section 10 of Bill 66 is Corrosive to Environmental and Public Health in Ontario

We have the following concerns with respect to the extensive list of exemptions under Section 10 of Bill 66:

- 1.1 We support the comments of other organizations focused on the public health aspects of the exemptions of Section 10, particularly those related to the Clean Water Act. It is unconscionable for the Province to consider suspending protective measures put in place to prevent another Walkerton;
- 1.2 We are equally concerned that Open for Business parcels of land are exempt from the Provincial Policy Statement (PPS), with similar exemptions regarding the Great Lakes Protection Act, and similar initiatives.

These initiatives are key aspects of how the current planning framework identifies and protects natural heritage and therefore our air, water, and biodiversity; agriculture and therefore regional



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farm lands, farmers, food security, and the agricultural system; and current planning that protects human health and infrastructure from outcomes such as erosion and flooding.

Exempting Open for Business parcels of land from the PPS and from similar protective measures is not only a threat to public health and safety, it also enables rapid approvals that could significantly harm terrestrial and aquatic natural heritage, overall biodiversity, and regional ecological integrity, as well as Ontario's social wellbeing and economic vitality.

- 1.3 The concerns expressed above relate to individual parcels of land under Open for Business bylaws. The cumulative impact of the individual applications of these bylaws is also a major concern. As no standard approach for such bylaws is required, and location-specific exemptions and prescribed criteria are possible, Ontario could end up with a patchwork of parcels of land with unique harmful combinations of provincial exemptions and policies in place.

In addition, the general vagueness of wording, the absence of proposed regulations, reliance on ministerial discretion instead of standards, lack of direction on issues such as the role of conservation authorities, groundwater and surface water, transportation, and even the implementation aspects of any permits issued under Open for Business bylaws could result in a provincial checkerboard of unimaginable variety, in contrast to the clear rules we have now.

Overall, in contrast to a proud Ontario track record of appropriate protective measures, the three Open for Business initiatives, and in particular Section 10 of Bill 66, introduce short-term development anarchy that is harmful to environmental and public health and may destroy the current system of land use planning.

2. Section 10 of Bill 66 Subverts Democracy in Ontario and Destroys Trust in the Current Government

Finally, we have grave concerns that Section 10 runs roughshod over the democratic process.

Key ways in which Bill 66 Section 10 negates traditional rights and democratic protocols include:

- Allowing a municipality to ignore or take actions in opposition to an official plan or existing bylaw, either of which would invalidate past public input to the plan or bylaw;
- Enabling a municipality to deny the democratic norms of public notice and consultation to both nearby landowners and stakeholders in the community at large (service costs, transportation, complete communities, investors, etc);
- Disallowing application appeals from residents and stakeholders to the Local Planning Appeal Tribunal with respect to the Open for Business Bylaw; and



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- Essentially denying the broader community the peace of mind that the Provincial Government is adhering to its pre-existing legal obligations with respect to public health and natural resources, such as its responsibilities under the Clean Water Act, the Great Lakes Protection Act, numerous other acts and protocols, as well as the Canada-Ontario Agreement, sub-national obligations under the Aichi Biodiversity Targets, various binational compacts, etc.

In addition, each of the bullets above undermines trust in government – both municipal and provincial.

We remind you that, prior to coming to power, your party was a vocal opponent of the denial of municipalities to have permitting rights for installations under the Green Energy Act. Now, Bill 66 gives subscribing municipal corporations' broad powers but denies that municipality's citizens and other stakeholders the rights of democratic participation.

Your position is anti-democratic, and in violation of your pledge to be a "government for the people, by the people."

Conclusion

Section 10 of Bill 66 violates that specific pledge from you. How? It is unnecessary, duplicates existing powers, suspends hundreds of policies, is harmful to environmental and public health, threatens the future of sound planning, and subverts democracy in Ontario.

We urge you to withdraw Section 10 of Bill 66.

Submitted by,
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