Re: Proposed changes to Minister’s Zoning Orders (MZOs) and the Planning Act,

https://ero.ontario.ca/ ERO number 019-3233.

Dear Minister of Municipal Affairs and Housing and the Environmental Registry of Ontario:

I have nine objections to the proposed change as my comments on ERO 019-3233:

1. The change is arbitrary.
2. It overrides the Provincial Policy Statement (PPS).

* Once we start making exceptions to the PPS to guide locally supported development where does it stop?

1. It makes that authority retroactive.

* It allows the selective revisiting of past decisions to circumvent a previous illegal decision (e.g., Pickering Lower Duffins Creek MZO)

1. It causes distrust of the Provincial Government decision-making process by giving the impression the government will arbitrarily changes the rules for short-term objectives not supported by the public.
2. It continues to remove consultations with Ontario residents who are most affected by a project subject to an MZO.
3. The change would allow the overriding of provincial environmental standards (Lower Duffins Creek wetlands)
4. It takes away local development planning for local projects with municipalities and replaces it with centralized Provincial government decisions.

* Note that the Provincial claim that MZOS are at the request of the municipal governments is not true. The Dominion Foundry site did not have one and, further, that site had a designated heritage status that was ignored (the plaque was taken down by contractors hired by the Province)
* Residents (and voters) of municipalities have spent years and had considerable costs to develop Official Plan and Zoning Bylaws. The MZOs with central planning by the Province would ignore this past work.

1. It sacrifices replaces sound housing planning in the name of expediency.

* It does not require local knowledge or that the infrastructure to support development be put in place as part of development requirements (schools, hospitals, parkland, emergency services, roads, pedestrian amenities, water and sewer services, protection of heritage designations)

1. Expanding the use of MZOs appears solely to have been selected to support the Provincial claim that resistance to large scale development by local residents is NIMBYism and that it needs to be “speeded up”.

* This is not true. Residents simply want to maintain or expand the service level of their local infrastructure to match the increase in infrastructure demands from added development and to make residential developments a pleasing and complementary addition to existing neighbourhoods.

Additional Related Comments

The current government has greatly increased the use of MZOs, and to use them to speed up individual development projects, instead of using MZOs for issues with a broad public interest and support, like lake protection or protecting the Greenbelt.

The Premier claims that development is taking too long to get approved. I believe the blame for this is shared as much by the developers as by any municipality.

Already in Toronto we are seeing developers proposing developments without schools, with no increase in hospital capacity, with no green space or any parkland to match the increase in population proposed by development (witness the Yonge Eglington area) and without ensuring other community infrastructure that will support the proposed level of development.

Developers in many parts of Toronto are wanting over-the-top development without the infrastructure being in place or required as part of the project. The developers for projects I have been involved in or listened in on the public consultations do not want to follow the existing rules, municipal standards and, in some cases, do not complete their applications in enough detail for the municipality or public to easily review.

Instead, despite developers hiring supposedly expert consultants they leave off important details and ask for higher and bigger densities just to increase the return on their investors’ profits.

In more than one case it is not truthful to say, as the government claims, that it is municipalities that are slowing down the review process.

* Despite assertion that MZOs are issued at the request of local government, witness the Dominion Foundry site where the government did not have a request from the local municipality for the MZO that both wants to demolish a heritage property and it did not disclose that it had already agreed to sell the property to a developer before the MZO was announced.

In the case of the Lower Duffins Creek Wetland the government failed to do its homework and simply issued an MZO to the Pickering municipality without checking on the purpose of the MZO or whether it was illegal:

* Under the *Planning Act*, it would be illegal to bulldoze many kinds of provincially significant wetlands, like the Lower Duffins Creek. This meant that the Minister’s Zoning Order (MZO) to allow a warehouse to be built on top of the  wetland was issued unlawfully.
* Pickering was hoping to lure Amazon to build the very large warehouse on the wetland, but Amazon eventually pulled out when the site impact conflicted with their sustainability policy. Neither Pickering nor the Province did their due diligence that would have revealed that Amazon policy before issuing the MZO.

Thank You