

April 11, 2021

Good Morning,

Thank you for the opportunity to allow me to speak today and share my concerns on Bill 109, the More Homes for Everyone Act¹. I am before you today as a concerned citizen. I live in York Region in the City of Vaughan. I have become acutely aware of Vaughan planning issues as the result of Minister Zoning Orders, MZO's, the proposed Highway 413 and the Bradford Bypass. I have become a strong Stop Sprawl advocate in response to York Region's current draft Official Plan, which if approved will consume almost all of York Region's remaining whitebelt lands, around 3,000 Ha or 7500 acres².

I am yet to understand what the red tape is, what the obstacles are that require the Minister of Municipal Housing and Affairs to have such extensive powers to approve unappealable, usually private development requests for MZO's, in the absence of any established process or evaluation criteria, a process that boycotts public and regional government consultation and in York Region has approved significant developments ahead of transportation and/or water and waste infrastructure³.

While I do not disagree that more housing supply is needed, what I struggle with is where and what type of housing is needed. The simplistic means by which this bill purports to solve complex and systematic issues is a disservice to the professionals, public and residents dealing with these issues each day. I do not pretend to know all of the answers but know without a

¹ <https://www.ola.org/en/legislative-business/committees/legislative-assembly/parliament-42/bill-109>

² <https://www.york.ca/newsroom/campaigns-projects/municipal-comprehensive-review>

³³ Multiple MZO's approved along 19th line in Stouffville and Markham outside of the urban boundary. Even MZO's within the urban boundary have planning hurdles to overcome (<https://www.yorkregion.com/news-story/10332313-markham-mzo-adds-to-circus-surrounding-flat>). The Concord Go MZO approved ~3000 housing units on the basis of the Concord Go Station, which does not have an approved business case nor any funding. Now 18 months later the development seems no further ahead, only zoning certainty has been provided through MZO approval (<https://www.ontario.ca/laws/regulation/210170>).

shadow of a doubt that water and waste water servicing is one of the key barriers to growth in York Region. The Province allocated significant growth to the Region in 2020⁴ then delayed making any decision on the Upper York Sewage System in June, 2021; York Region has spent \$100M on the EA and has awaited an approval for six years⁵. The government of the day is not solely responsible but they have compounded the issue. We have other developments that have been sitting for years, even decades with development approvals and waste water allocations and shovels have not hit the ground. There is nothing governments can do to compel them to start and that finite water/waste water capacity remains allocated but unused⁶. The prioritization of water/waste water infrastructure remains a mystery to me, I am honestly not sure if York Region, especially Vaughan, is following a plan or responding to developers who are able to advance development fees, upfront development costs⁷.

It seems incredibly hypocritical to me that the Minister of Municipal Affairs and Housing is asking to “Stop the Clock” if more time is needed to make a decision on Official Plan Matters or Official Plan Amendments while simultaneously taking that right away from municipalities. To make this even more egregious municipal staff resources and time reviewing applications will be for not. It will be the municipal taxpayer on the hook for this expense not the developer who is seeking to develop the land. I don’t understand how this advances anyone’s interests. My observation is if development applications are submitted and do not require official plan or

⁴ Refer to Schedule 3: <https://files.ontario.ca/mmah-place-to-grow-office-consolidation-en-2020-08-28.pdf>

⁵ https://www.thestar.com/local-east-gwillimbury/news/2021/06/15/york-region-mayors-fuming-over-province-plan-to-strike-advisory-panel-for-upper-york-sewage-plant.html?li_source=LI&li_medium=star_web_ymbii

⁶ <https://www.barrietoday.com/local-news/why-arent-thousands-of-approved-homes-being-built-theres-no-simple-answer-5075433>

⁷ In June, 2020 York Region Council approved the advancement of water and waster water infrastructure for Block 27 in Vaughan. This will also benefit 3 approved MZO’s, 2 are located within Block 34E (O. Reg. 173/20, O. Reg. 156/20 the other is within Block 41 (O. Reg. 644/20). Refer to Item I.2.5:

<https://yorkpublishing.escribemeetings.com/Meeting.aspx?Id=c9ca8d5d-2c65-42d9-9dfa-0b937477e050&Agenda=Merged&lang=English>

zoning by-law amendments then they are handled with efficiency. This is the very basis for why so many Minister Zoning Orders have been approved by the current Ontario PC Government, approximately 90 to date and 26 in 2022 alone⁸.

The primary reason I came today was to express my concern that the proposed changes would allow the Minister of Municipal Affairs and Housing to defer York Region's private developer's request for Regional Official Plan Amendment 7, referred to as ROPA7. Public awareness is high for this item because it seeks to downgrade Greenbelt protection on lands subject to development in Vaughan and Markham⁹. The proposed new Clause under Section 17 of the Planning Act, amendment 40.1.3 seeks to give *even greater discretionary powers* to the Minister of Municipal Affairs and Housing to allow suspension of the 120-day deadline to make a decision on an Official Plan or Amendment and apply this clause retroactively to any application submitted prior to March 30, 2022 but not yet approved.

ROPA7 was brought forward to York Region Council and supported against the recommendation of Vaughan, Markham & York Region & TRCA staff, York Region Federation of Agriculture, The Greenbelt Foundation and numerous members of the public¹⁰. The only support appears to be from the private landowners/developers. It is likely nearing its 120-day

⁸ Regulations under the Planning Act: <https://www.ontario.ca/laws/statute/90p13>

26 MZO's have been issued in 2022 but do not appear under the Planning Act as of April 11, 2022 but can be found by searching ELaws: <https://www.ontario.ca/laws>

⁹ Multiple Deputations and Letters submitted by Irene Ford to Vaughan, Markham and York Region Council asking that they do not support or endorse ROPA7:

<https://yorkpublishing.escibemeetings.com/filestream.ashx?DocumentId=26740>

¹⁰ Refer to Committee of the Whole Meeting on October 14, 2021 here:

<https://yorkpublishing.escibemeetings.com/filestream.ashx?DocumentId=26740> Council Meeting October 28, 2021 here: <https://yorkpublishing.escibemeetings.com/filestream.ashx?DocumentId=27276>

Links to Letters that may be of specific interest from the Greenbelt Foundation, York Region Federation of Agriculture and TRCA are provided here:

<https://yorkpublishing.escibemeetings.com/filestream.ashx?DocumentId=27278>

<https://yorkpublishing.escibemeetings.com/filestream.ashx?DocumentId=27276>

<https://yorkpublishing.escibemeetings.com/filestream.ashx?DocumentId=26698>

<https://yorkpublishing.escibemeetings.com/filestream.ashx?DocumentId=26732>

timeline for approval and if not approved (to my understanding) would be null and void, unless this clause in Bill 109 is approved by the provincial government.

- ROPA7 seeks to downgrade Greenbelt designation from agricultural, highly protected with limited allowable land uses, to rural, less protected, allowing more active land uses¹¹.
- It stems from the Block 41 development in Vaughan approved via MZO November, 2020¹². The developer's initial MZO request was presented with active parks on the Greenbelt, this was not approved by Minister Clark¹³. Now ROPA7 has come forward; a MZO in disguise on the Greenbelt. One of the signatories of the Block 41 MZO took the province to court over the Greenbelt and lost¹⁴.
- The lands subject to ROPA7 were brought into the urban boundary through Official Plan Amendments¹⁵ and it would appear upon review of the LPAT decisions that the Greenbelt designated portions were intended to be protected as

¹¹ <https://www.thestar.com/opinion/contributors/2021/12/12/government-silence-on-york-regions-proposal-to-open-up-the-greenbelt-is-deafening.html>

¹² <https://www.ontario.ca/laws/regulation/200644>

¹³ <https://pub-vaughan.escrimemeetings.com/filestream.ashx?DocumentId=36701>

¹⁴ https://www.thestar.com/news/gta/2007/09/28/greenbelt_nemesis_ordered_to_pay_702000.html

BLOCK 41 LANDOWNERS GROUP


Elyse De Meneghi
Kirbywest Ltd.

Bobby Pillitteri
AMMP Holdings Inc.

Eddy De Vico
1212763 Ontario Limited
1212765 Ontario Limited


Jack Eisenberger
Block 41-28W Developments Inc.

Silvio De Gasperi
Block 41-28E Developments Inc.

Eddy Mastrogiuseppe
Richmond Properties (Block 41) Inc.

¹⁵ Refer to ROPA 2 for Vaughan and ROPA 3 for Markham: <https://www.york.ca/york-region/regional-official-plan>

part of the Regional Greenlands System for natural heritage, connectivity, source and storm water protection.

I vehemently oppose approval of legislation being applied retroactively. One of the MZOs approved in Vaughan was required, predominately, to destroy 3 small provincially significant wetlands. Development on this block has had 3 provincially approved endangered species benefits to facilitate this destruction¹⁶. Approval of Schedule 3, Bill 157 in December, 2020 applied retroactively to permit MZOs to not be consistent with the Provincial Policy Statement. I believe this absolved the government and Minister Clark of any wrongdoing for previous MZOs approved, specifically Block 34E in Vaughan for the Walmart Distribution Facility¹⁷.

I fail to see why it is in the public interest to give the Minister of Municipal Affairs and Housing the authority to defer part or all of Official Plan approval to the Ontario Land Tribunals.

¹⁶ MZO O. Reg. 173/20: <https://www.ontario.ca/laws/regulation/200173>
Block Plan Identifying PSW: <https://pub-vaughan.escribemeetings.com/filestream.ashx?DocumentId=30452>
ERO Posting Identifying Subject Lands that align w/ PSW identified above: https://prod-environmental-registry.s3.amazonaws.com/2020-04/Location%20Map_0.pdf
Developer's MZO Request: <https://pub-vaughan.escribemeetings.com/filestream.ashx?DocumentId=30450>

From the outset, we have recognized that three small wetlands on the subject lands are identified by the Ministry of Natural Resources and Forestry (MNRF) as Provincially Significant Wetlands (PSWs). The two adjacent PSWs in the northwest corner of the Conmar/Ferlands property and their required 30 metre buffers eliminate almost 200 trailer parking and staging spaces and add up to 10 acres isolated from remaining developable lands while providing little ecological value. The third PSW to the south in the DG Group/Lorwood properties is in direct conflict with the required mid-block arterial collector road.

Redside Dace Endangered Species Benefit Permits. It is unclear to me who ensures that compensation features are complied with, TRCA says they have nothing to do with MECP permits, MECP says they only come on site if there is a violation and expect that permit compliance.

<https://ero.ontario.ca/notice/019-1069>, <https://ero.ontario.ca/notice/019-3724> & <https://ero.ontario.ca/notice/019-3656>

¹⁷ <https://www.cbc.ca/news/canada/toronto/ontario-doug-ford-mzo-pickering-duffins-creek-1.5937584>

It would appear, politically advantageous as *it would allow the Minister to disassociate from decisions that might be viewed as politically sensitive and damaging*. It would allow Ontario Land Tribunal members who are not publicly elected, appointed representatives, to be blamed for decisions that are ultimately the responsibility of the government of the day.

I remain fundamentally opposed to MZO's in any form. They have done nothing but create conflict among citizens and municipal governments and too often open up a Pandora's box of planning unknowns, that we don't even fully understand as of yet.

I strongly object to any legislation being applied retroactively but especially one that would allow the current Ontario PC Government to push off a politically sensitive decision that is set to expire if they do nothing. Instead, of manipulating legislation to do as they wish, yet again, I ask that the Ontario PC government be transparent and truthful. **If it is your intent to approve ROPA7 then do so now and wear that decision through the election. To leave this clause in and to not make a decision or let ROPA7 expire now, makes a very clear statement: the Ontario PC Party MPPs do not care about the Greenbelt and have no intention of expanding or protecting the Greenbelt. The future of the Greenbelt will be death by a thousand cuts.**

Thank you,

Irene Ford

Citizen, Resident and Voter

Stop Sprawl York Region, Stop Sprawl Ontario, Stop The 413 Community Member