



January 18, 2019

Mr. Michael Helfinger
Intergovernmental Policy Coordination Unit
900 Bay Street, Hearst Block
7th Floor
Toronto ON M6H 4L1

Dear Mr. Helfinger,

RE: Comments on proposed Open For Business Legislation – Bill 66

Thank you for the opportunity to comment on proposed Bill 66, Restoring Ontario's Competitiveness Act. The Town's comments are generally focussed on the 'Open For Business' planning by-law tool, and planning matters outlined in Schedule 10 to the proposed legislation.

This proposed legislation is unique as it provides municipalities with sweeping and unprecedented powers to pass an 'Open for Business' Zoning By-law Amendment (with Provincial approval) that supersedes provincial plans/legislation in order to permit a major employment use.

Potential Impact on the Environment and Drinking Water Supplies

The legislation would exempt an open-for-business (OFB) planning by-law from the requirement to conform to the Provincial Policy Statement, applicable Official Plans (local and upper-tier), and certain sections of specific provincial legislation including: Clean Water Act (2006); Places to Grow Act (2005); Great Lakes Protection Act (2015); Lake Simcoe Protection Act (2008); Greenbelt Act (2005); and Oak Ridges Moraine Conservation Act (2001).

The Town is concerned with the potential long-term and broad-reaching impacts of permitting major employment development that does not conform to longstanding provincial environmental legislation. The legislation was designed to protect provincially significant natural heritage assets and preserve and protect our drinking water supply. It is unclear how the proposed tool could balance the interests of economic development and long-term environmental and water protection in the Province.

More specifically, from the perspective of maintaining clean drinking water, the Town does not support the inclusion of an exemption from the requirement to conform to the Clean Water Act (2006), Section 39 or the applicable Source Protection Plan(s). The establishment of an employment use that would not be required to meet the risk management requirements of local source protection plans is not appropriate. The policies in source protection plans were carefully developed after years of discussions amongst experts in the field in order to prevent another incident similar to the Walkerton tragedy. The creation of new jobs in Ontario should not be given more importance than the health and safety of our drinking water supply. The Town respectfully submits that if the Province passes Bill 66, the exemption to the Clean Water Act (2006) should be removed.

Employment Uses

In order to justify a new major employment use where it would not otherwise be permitted, a municipality must build a case for the OFB planning by-law to gain the province's support. It is unclear how the province will define a 'major employment use'. If it can be assumed that the definition will follow the direction of the Provincial Policy Statement (2014) and the Growth Plan (2017), employment uses would mean 'clusters of business and economic activities including manufacturing, warehousing, offices, and associated retail and ancillary facilities' and would prohibit major retail.

This traditional definition of 'employment' uses is problematic for communities like Wasaga Beach, where tourism is the primary industry. Wasaga Beach has historically had little traditional employment-based jobs, such as warehousing and manufacturing, and does not enjoy many of the locational factors such as access to major transportation corridors that draw traditional employment uses. With tourism being the main industry, the majority (80%) of jobs are population-based, meaning they serve the resident population and the influx of seasonal visitors. The Town has consistently provided comments to the province through Growth Plan and provincial policy consultations, to emphasize that Wasaga Beach is a tourism-based economy where traditional employment is not likely to locate. The Town has had areas designated for traditional employment for many years with minimal uptake.

The proposed OFB planning by-law tool could be more effective in tourism-based communities if the types of employment uses that could be permitted by Bill 66 were expanded to allow for major employment opportunities related to tourism growth. Tourism-related employment uses could include amusement/theme parks, gaming facilities, entertainment venues, and major tourist attractions with ancillary retail and

restaurant uses, while maintaining the provinces prohibition on major retail and residential uses in employment areas.

Thank you for the opportunity to comment. If you have any questions, please feel free to contact Nathan Wukasch, Planner, at n.wukasch@wasagabeach.com and (705) 429-3847 ext. 2273.

Sincerely,



George Vadeboncoeur
Chief Administrative Officer
Town of Wasaga Beach

Cc: Town of Wasaga Beach Mayor and Council
Doug Herron, Manager of Planning and Development
Mike Pincivero, Manager of Engineering Services, RMO/RMI