

January 20, 2019

Ministry of Municipal Affairs and Housing

RE: ERO number 013-4239

777 Bay Street, 17th Floor

Toronto, ON M5G 2E5

Dear Honourable Minister,

On behalf of the thousands of members of the organizations signatory on this letter, we are asking that Schedule 10 be wholly deleted from Bill 66 at the earliest opportunity in the forthcoming legislative process.

Bill 66 Unacceptably Undermines Critical, Long Standing Environmental and Water Protections

Bill 66 includes provisions, specifically Schedule 10, that would amend the Planning Act to empower municipalities requesting provincial approval to pass “open-for-business” by-laws that exempt new developments from environmental protections such as section 39 of the Clean Water Act -- a key legal tool that protects against future tragedies like Walkerton where over 2,000 people became ill and seven people died due to contaminated drinking water supply. It is unthinkable to allow exemptions from this section of the Clean Water Act because there is nothing more important to our health and that of our communities than safe, clean drinking water.

Schedule 10 of Bill 66 would allow these “open-for-business” bylaws to exempt developments from adhering to protections for over 2 million acres of farms, forests, river valleys and nature in the Greenbelt Plan, including the Oak Ridges Moraine. The Greenbelt Plan is a well thought out policy that wisely defines where and what developments should and should not occur in order to protect farmland and nature from sprawl. As a result, the Greenbelt Plan also protects local economies such as agriculture in the Greater Golden Horseshoe, which employs 38,000 people with a gross output of farms of \$11 billion providing \$1.7 billion in tax revenue according to Friends of the Greenbelt Foundation’s recent report, *Our Good Fortune: Appreciating the Greenbelt’s Natural Capital*.

According to this report, overall, the Greenbelt provides \$3.2 billion annually in services to the region, such as recreational activities and flood protection. A recent Neptis Foundation study found that there is enough land in the Greater Toronto Area (GTA) outside of the Greenbelt to support growth through to 2031 and beyond. So there is no need to sacrifice environmental protections and encroach on protected and agricultural lands when we have enough space already.

Finally, these provisions in Bill 66 could undo over a decade of progress toward the restoration of Lake Simcoe, again by allowing municipal government to exempt new developments from important protections and planning. Lake Simcoe was heavily polluted from excess phosphorus, invasive species, and other pollution. Much progress has been made since 2008 when the Lake Simcoe Protection Action came into effect, providing protections and planning requirements with an eye toward the restoration of this lake - Bill 66 puts all of that progress at risk of being undone.

Bill 66 Unacceptably Eliminates Stakeholder Voices in Decision Making

Bill 66 would exempt for “open-for-business” planning by-laws from public notice, comment or appeal requirements under the Planning Act. As a result, adjoining landowners, neighbouring municipalities and other stakeholders will have no say in whether the by-law should be passed, or what conditions should be imposed on the new development in order to protect environmental and public health. This is a step backward in our democratic process.

While municipalities are obliged to promptly notify the Minister after a by-law is passed, and to provide notice to any persons or public bodies that municipalities “consider proper” to receive notice after-the-fact, it does nothing to provide input from community members that would shape decision making that will impact their quality of life. Further, such by-laws cannot be appealed by interested persons to the Local Planning Appeal Tribunal (LPAT), which traditionally adjudicates land use disputes under the Planning Act. It is simply unacceptable to exclude of the public from any meaningful role in the process for developing and approving open-for-business planning by-laws. It is well-documented that public participation in land use planning helps strengthen the credibility, integrity and soundness of municipal decision-making.

We urge you to ensure Schedule 10 be wholly deleted from Bill 66 at the earliest opportunity in the forthcoming legislative process and stand up for the right of residents and stakeholders to have public input on developments in the communities they care about and environmental protections important to our way of life in Ontario.

Thank you for considering our comments in your decision making. Should you have any questions, please contact Jill Ryan, Executive Director for Freshwater Future Canada at jill@freshwaterfuture.org or 647-749-9472.

Sincerely yours,

Jill Ryan
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Supported by:

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