



*land use planning
&
development*

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January 19, 2019

Honourable Steve Clarke, MPP
Minister, Municipal Affairs and Housing
Government of Ontario
College Park
minister.mah@ontario.ca
777 Bay Street, 17th Floor
Toronto, ON M5G 2E5

Dear Minister Clark:

Re: Environmental Registry Consultations
Restoring Ontario's Competitiveness Act (Bill 66)
ERO # 013-4125

I appreciate being given the opportunity to comment on your joint efforts with Minister Todd Smith in *Restoring Ontario's Competitiveness Act, 2018* by making timely and appropriate amendments to the Ontario *Planning Act*, via Schedule 10 of Bill 66.

For more than 40 years I have worked across Canada as a professional land use planner, for provincial agencies, municipalities and in the private sector acting for land owners, developers, municipalities, resident's associations and ratepayer's groups. For the most recent 30 years, my business has been mainly in Southern Ontario and extensively in York Region, the Greater Toronto Area and Region of Niagara. During this time, it has been rare that property owners, or agents acting on their behalf, have been responsible for delays in the land development approval process through requests for extensions of time to prepare and review materials.

I am also a Past President/Chair of both the City of Vaughan Chamber of Commerce, the Town of Richmond Hill Board of Trade (formerly Chamber of Commerce), a member of the Batay Reena Board of Directors, a Friend of the Greenbelt (my aerial photography appears on the cover and inside the "Greenbelt Book") and as such have extensive experience with representing the business community, matters related to affordable and special needs housing, and the Oak Ridges Moraine and the Greenbelt. It should be noted that the perspective that I bring forward to you in this submission is a private sector view and not a government agency view. I have also given expert land use planning evidence in over 400 OMB/LPAT and TLAB hearings.

In my experience, the extensive timeframes associated with the development approval process and "layering of red tape" has almost exclusively resulted from

the actions of municipalities and commenting agencies. The timeframe for review has continued to increase over the years, adding to the cost of development and the ability to deliver housing.

I have also borne witness to municipalities using the applications approval process as a weapon to frustrate land development and thus miss direct investment opportunities and the spinoff economic multiplier effects from such development.

Given this history, I ask why you propose that municipalities be the starting point for your proposed *Open-For-Business-Zoning By-law*. In fact, this process should provide an equal opportunity for the private sector, led by the landowners themselves who are making the real investment in the economy through the use of their lands and their outlay and risk, to take a lead role in implementing the provincial initiatives.

A process should be established in the legislation that would provide for a landowner to make a direct notification of a development project to your office that is consistent with the Provincial Policy Statement and conforms to the GGH Growth Plan. If the project has merit based on meeting the provincial criteria it should be fast tracked through the development process and would not usurp the formal role of a municipality you have currently proscribed for the Open for Business Planning By-law approval.

The owners could include the few following documents:

- Legal Description;
- Context Map;
- Legal Survey;
- Land Registry Abstract;
- Proposed Master Concept Plan;
- Confirmation of consistency and conformity with the provincial level policies and plans and
- Economic Benefits Statement.

The entire economic benefits value-chain for a project should be represented in four simple aggregated steps.

I provide the following example:

START-UP INVESTMENT

- Property Acquisition
- Master Urban Concept Design
- Legal Costs and Document Access
- Finance Costs (Spent to date)
- Jobs / People Hours (Spent to date)

- Multiplier Effect to Investment Made to Date

DESIGN PLANNING & CONSTRUCTION INVESTMENT

- Architectural Design
- Infrastructure Design
- Construction Design
- Jobs / People Hours Required / to Date)
- Multiplier Effect to Investment Made to Date

PHYSICAL CONSTRUCTION INVESTMENT

- Jobs / People Hours (Required / to Date)
- Multiplier Effect to Investment Made to Date

END-USER OCCUPATION

- Jobs / People Hours (proposed)
- Municipal Property Taxes (estimated)
- Multiplier Effect to Investment (proposed)

With respect to Schedule 10, Section 6 of the proposed legislation, I am aware that a significant number of private property owners applied for review of their property issues as part of the 10-year statutory review of the Oak Ridges Moraine Conservation Plan. More than 700 of these submissions were dismissed by your Ministry staff, acting under direction from the previous government.

Many of these submissions concerned legitimate requests for corrections to site specific errors that were made under the original Conservation Plan. The 10-year review provided the first and only opportunity to make these corrections and resolve clear injustices made by the imposition of inappropriate constraints on land that had no basis in science or detailed evaluation.

My position here is two-fold. These properties should again be reviewed by your Ministry with a view to being made eligible for OFB Planning By-law process if there is a properly based land use case. If these same properties are currently subject to an ongoing hearing process the LPAT/OMB and deemed eligible for the OFB Planning By-law process, property owners should also be allowed to bring their applications forward directly to the province for approval, resulting in the abandonment of the LPAT/OMB process. This would provide for significant savings to the applicant and all of the other parties involved with the very expensive, time and resource consuming and wasteful adversarial tribunal.

I trust that this input will be given serious consideration and would welcome the opportunity for further discussion with Ministry, once I have received a file

submission number (ERO FILE ID NUMBER) acknowledging receipt of this correspondence should that process be available. I also look forward to providing input to the recently released Proposals for Change to the Growth Plan for Greater Golden Horseshoe.

Yours truly,

MPLAN Inc.



per: Michael S. Manett, MCIP, OPPI, RPP.

