

**The Regional Municipality of Halton**

**Submission to the Environmental Registry of Ontario**

**Bill 222 – *Ontario Rebuilding and Recovery Act, 2020***

**November 2020**



## Introduction

Halton Region welcomes the opportunity to participate in the Ministry of Transportation's (MTO) consultation, through the Environmental Registry of Ontario (ERO), on Bill 222, *Ontario Rebuilding and Recovery Act, 2020* (Bill 222). Halton Region's comments and responses to the proposed changes reflected in Bill 222 are set out below.

On October 22, the Government of Ontario announced that it was introducing "a package of legislative and policy measures that would, if passed, accelerate the building of key infrastructure projects to create jobs and lay the foundation for a strong economic recovery". The proposed legislation is intended to reduce barriers in the planning, design and construction of major infrastructure projects like highway and public transit networks, and support the growth of transit-oriented communities.

The proposed measures of Bill 222 make amendments to the *Building Transit Faster Act, Public Service Works on Highways Act* and the *Transit-Oriented Communities Act*, and a number of non-legislative initiatives intended to support growth, renewal and long-term recovery.

## Comments

### **Bill 222 – Proposed Amendments to the *Building Transit Faster Act, 2020* and *Transit – Oriented Communities Act, 2020***

#### **Proposed Amendments to the *Building Transit Faster Act, 2020* (BFTA)**

The *Building Transit Faster Act, 2020* (BFTA), aims to address issues and challenges common to the delivery of major transit projects. MTO is proposing amendments to the BFTA to enable the extension of these existing measures, as appropriate, to additional provincial transit projects by providing regulation making authority to prescribe such projects. These amendments would help accelerate the delivery of other key provincial transit projects by the province to apply a consistent legislative toolkit across various projects.

#### **Proposed Amendments to the *Transit–Oriented Communities Act, 2020***

MTO is proposing to amend the *Transit-Oriented Communities Act, 2020* (TOC Act), to allow for the extension of the Act's measures to other provincial transit projects that would be specified in regulation. MTO is proposing amendments to the TOC Act to provide this same authority to the Minister of Transportation, and the ability to delegate the authority by regulation to Metrolinx or other government agencies. These measures would allow the Province and its agencies to have a consistent legislative toolkit across Transit-Oriented Communities programs that will be clear and easy to communicate to municipalities and development partners.

## **Non-legislative Changes associated with Bill 222**

### **Broadband and Cellular Action Plan**

As part of the Broadband and Cellular Action Plan, the Ministry of Infrastructure (MOI) is funding the expansion of broadband in unserved and underserved communities across the province and continues to help incentivize increased private sector investment to potentially accelerate broadband expansion. Halton Region supports the proposed changes regarding broadband and has long advocated for access to reliable high-speed internet for all Halton residents. Investment in broadband expansion has the potential to further support the ongoing broadband work in the region.

### **Expediting Municipal Infrastructure Projects**

In introducing Bill 222, the Minister of Transportation indicated that the Minister of Municipal Affairs and Housing will be taking steps to expedite municipal infrastructure projects. This includes consulting with municipalities to identify what additional authorities or tools should be granted or delegated to expedite the delivery of critical local infrastructure projects. Halton Region supports this measure and has advocated for coordinated growth and municipal funding tools to ensure responsible growth across the region and that growth pays for growth. This will help ensure that Halton can continue to build complete communities and rebuild a strong economy.

### **Expediting Municipal Approvals for Development and Redevelopment of Long-Term Care Beds**

The Ministry of Long-Term Care and the Ministry of Municipal Affairs and Housing are proposing to help address zoning and site plan approval concerns to expedite long-term care home development by leveraging support from the Provincial Land and Development Facilitator and by recognizing that the Minister of Municipal Affairs and Housing has existing authority to make Minister's Zoning Orders under the *Planning Act*.

This proposed change will enable greater use of Minister's Zoning Orders (MZO) to facilitate the building of long-term care residences. A MZO controls the use of land and sets specific requirements for new development, such as minimum lot sizes, frontage, access and servicing requirements. A MZO may also restrict certain types of development and could potentially be used to control land use in any area of the Province.

Halton Region works in partnership with the Local Municipalities to advance a strong, integrated approach for planning that considers advancing growth and economic development that is coordinated with infrastructure delivery and is fiscally responsible.

While the use of MZOs could advance the development of long-term care homes more quickly, there is a concern that MZOs could also significantly limit public and agency input on these projects. The issuing of a MZO has the potential to introduce use permissions, buildings, or structures onto sites

that may otherwise not conform to Provincial, Regional, or local policy. The tool already exists, and has already been applied in Halton for advancing a long-term care home on vacant lands west of the new Oakville Trafalgar Memorial Hospital.

While in some circumstances MZO's could be an effective tool in advancing important land uses that are needed in the community, they should not be advanced if community planning objectives and opportunities for meaningful input are dismissed. The Region continues to prefer to work with the Province and various development stakeholders through the planning process where planning issues can be addressed in a fulsome and transparent manner.

### **Increasing Skilled Trades and Professional Workforce Pipeline**

The Ministry of Labour, Training and Skills Development is proposing to leverage recently announced investments in the apprenticeship system aimed at building the skilled trades and professional workforce pipeline. Halton Region supports this proposal given the importance of skilled trades to the region's advanced manufacturing and construction sectors and looming labour shortages due to aging of skilled trades workers.

### **Municipal Tools**

The Ministry of Municipal Affairs and Housing will consult with municipalities to identify what additional authorities or tools they may need to be granted or delegated to expedite the delivery of critical local infrastructure projects. In addition, The Province has an opportunity to review and modernize the *Expropriations Act* to streamline processes and align them with modern practices and should be encouraged to do so. In this regard, there are three professional associations based in Ontario with specialized industry knowledge related to the implementation of the *Expropriations Act*, including: the International Right of Way Association (Chapter 29), the Ontario Expropriation Association, and the Ontario Association of Real Estate Administrators. The Province should be encouraged to coordinate with these groups, as they represent a cross-section of both the public sector staff who advance expropriation proceedings and the industry experts who represent claimants and authorities in resolving claims made through this legislation.

### **Conclusion**

Overall, Halton Region supports the legislative changes proposed by Bill 222 and related policy measures which will have a positive impact on the region. While MZO's could be an effective tool in advancing important land uses that are needed in the community, Halton's position is they should not be advanced if community planning objectives and opportunities for meaningful input are not being respected. Halton Region is committed to working with the Provincial Government to ensure responsible growth that respects Halton's overall land use vision and approach including protecting the natural heritage system, reliable infrastructure and opportunities for meaningful input.

Halton Region would like to thank MTO for the opportunity to provide comments on Bill 222. Halton looks forward to working with the Provincial Government and requests that MTO continue to consult with municipalities through the design and implementation of the changes proposed by Bill 222.