

January 22<sup>nd</sup>, 2021

Planning Consultation  
Provincial Planning Policy Branch  
Ontario Ministry of Municipal Affairs and Housing  
777 Bay Street– 13<sup>th</sup> Floor  
Toronto, Ontario M7A 2J3

**RE: PROPOSED IMPLEMENTATION OF PROVISIONS IN THE *PLANNING ACT* THAT PROVIDE THE MINISTER ENHANCED AUTHORITY TO ADDRESS CERTAIN MATTERS – INCLUSIONARY ZONING AND SITE PLAN CONTROL 019-2811**

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As a planning and land development consultant firm, Corbett Land Strategies Inc. (CLS), have reviewed the proposed implementation of the proposed provisions in the *Planning Act*. We understand these changes will provide the Minister with enhanced authority to address certain matters and implement planning tools such as the implementation of inclusionary zoning and site plan control agreement advancement.

Further, we understand that the enhanced authority will allow the Minister to:

- require inclusionary zoning affordable housing (inclusionary zoning),
- remove municipal use of site plan control and require agreements between the municipality and development proponent (or landowner) concerning site plan matters, and;
- make amendments to Minister's Zoning Orders that use any of these enhanced authorities without first giving public notice.

We appreciate that these measures are further to those included in the "*More Homes, More Choice Act, 2019*" which together aim to increase the supply of affordable and attainable housing in the Province.

We are providing comments based on our development application experiences with municipalities and on behalf of our client, the Upper West Side Landowners Group (UWSLG), as we have experienced consistent delay in applications and support from much needed development in order to improve the supply of housing, and in this case in Hamilton. We respect the hard work municipalities put into their growth and planning processes such as undertaking Municipal Comprehensive Reviews (MCR) to provide growth direction amongst other valuable planning directives. In short, there is a housing crisis, and it takes municipalities approximately 5 years to complete a full MCR. As most municipalities are trying to incorporate a minimum of 50% intensification target rate or higher, the proposed inclusionary zoning tool would most definitely speed up the approval process to construct affordable housing and hopefully other forms of residential development.

## **HAMILTON – A CASE STUDY**

The UWSLG, based in Hamilton, have experienced extreme delay through the development approval process to develop important infrastructure and supporting residential development. Our client is anticipating the inclusion of the affordable housing units within the over all community plan for the area. For example, the Upper West Side Landowners Group (UWSLG) control approximately 390 gross acres of land, of which approximately 100 net acres (40 net hectares) exist within the ‘white belt’, in the area located between Glancaster Road, Upper James Street, Twenty Road West and Dickenson Road in Hamilton. Our goal is to provide residential and employment development together that will exemplify good planning practices. From our understanding the newly proposed inclusionary zoning powers could rezone these white belt lands to residential. As our clients submitted a concurrent zoning by-law, official plan amendment and draft plan of subdivision applications in 2018, this tool could help expedite our zoning application forward to the site plan/subdivision stage where we can enter into an agreement with the City. The draft plan of subdivision would also result in the extension of a major roadway which could provide direct connection to the John. C Munro International Airport and surrounding employment lands to the Lincoln Alexander Parkway.

Moreover, in our case, we are currently participating in the MCR process with the City of Hamilton to implement the Provincial Growth Plan. We have also exercised the Province’s Urban Boundary Expansion (under 40 hectare) policy and have submitted three such applications in 2020. The end result of these applications has resulted in significant delays and a strong likelihood that staff will recommend refusal pending the completion of the on-going MCR process.

## **OFFICIAL COMMENTS:**

While we fully support the proposed legislation, the Province is encouraged also to expand the provisions of the Growth Plan to enable applicant appeals of urban boundary expansions of under 40 hectares. The original changes to the Growth Plan in this regard were intended to accelerate urban land supply for housing and from our experience, municipalities such as Hamilton have failed to respond. An appeal mechanism for failure to make a decision or refusal is necessary to ensure the intent of the legislation is maintained and fully implemented.

## **CONCLUSIONS AND NEXT STEPS**

We trust that these high-level comments will be of assistance in determining the best approach forward in serving Ontarians. We would be pleased to provide further information or discuss our comments in greater detail. In the meantime, please contact me at 416-806-5164 if you require immediate clarification.

Best regards,

*John B. Corbett*

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