



The Annex Residents' Association

January 30, 2021

Hon. Steve Clark
Minister of Municipal Affairs and Housing
17th Floor
777 Bay St.
Toronto, ON M5G 2E5

Dear Minister Clark,

RE: Proposed implementation of provisions in the Planning Act that provide the Minister of Municipal Affairs and Housing enhanced authority to address certain matters as part of a zoning order (MZO) (ERO Number: 019-2811)

We in the Annex Residents' Association (ARA) are writing to express our considerable concern, consternation, in fact, at your government's use of the *COVID-19 Economic Recovery Act, 2020* to include the unrelated and worrying provisions allowing the exercise of increased MZO powers.

The consultation notice referenced above seeks comments on the enhanced powers regarding site plan control and inclusionary zoning in zoning orders. More specifically, it asks for discussion as to whether the legislative changes made by Bill 197 should be expanded, repealed, or adjusted; and how this enhanced authority, subject to any potential changes that might be made to it, ought to be used.

In its rationale, the notice states that MZO powers **could**

...help to overcome potential barriers and development delays... used to support the delivery of transit station infrastructure and the optimization of surplus lands (e.g., affordable housing and long-term care homes), provide increased certainty for strategic projects, remove potential approvals delays, increase the availability of affordable housing, (and) provide additional value capture to enable economic recovery.

While superficially this may sound enticing, there was in fact a clear lack of consultation relating to Bill 197. The repercussions of this are not insignificant. It begs the question, why it was pushed through so fast and, at what cost? Does the government actually have a strategy related to this bill? Or is this request for comments merely window-dressing to alleviate public criticism concerning lack of community input?

To date, your government's use of MZOs is exercised without consultation and completely flouts local planning by municipalities. Why does the government disregard this? And how can the public verify the government's proposal/commitment to a site falling under an MZO? At the moment, there is no transparency.

The recent amendments to section 47 of the Planning Act allow the Minister to address site plan matters in areas covered by MZOs "where needed." We are troubled by these amendments since they could easily lack any contextual inputs. In particular, there is no requirement for MZOs to hold community consultations or to consider the inclusion of community benefits. Therefore, we believe it is far better that the authority for site plan control remain with the municipality where planning has always included community input as well as reference to provincial policies.

Ultimately, we are at a loss to understand why these MZOs are being used. The notion that they are serving to provide affordable housing and long-term care sounds opportunistic if not insincere. **What we really need is more funding to build housing units that have already been approved versus approvals for more housing units.** We also need more transparency when defining inclusive zoning for affordable housing since there is currently a sizable range.

For these reasons, we strongly urge the government to reconsider its use of MZOs and its enhanced powers under Bill 197.

Yours sincerely,



Rita Bilerman
Chair, Annex Residents' Association

C: Steven Del Duca, Leader Liberal Party of Ontario
Premier Doug Ford
Andrea Horwath, MPP
Mike Schreiner, MPP