

RE: ERO Number 019-2811; Comments concerning changes to certain legislative provisions in the Planning Act now in force with the enactment of Bill 197, the COVID-19 Economic Recovery Act, 2020 that enable the Minister to address site plan matters and apply inclusionary zoning as part of a zoning order.

The neighbourhood association which I represent wishes to express its disagreement with the changes proposed, and with the accompanying expansion of Ministerial powers. Specifically, it:

- is opposed to the widespread (and rapidly accelerating) use of MZOs throughout the Province;
- is opposed to the use of MZOs in any circumstances without discussions with the local municipality and affected communities, and particularly in those circumstances where there are robust planning systems, Official Plans and zoning By-laws in place;
- is opposed to the Minister exercising site planning approval powers in any circumstance.

The association has difficulty regarding your government's request for comment on the proposed expanded powers as sincere when, a scant six months ago, the government passed Bill 197 –the COVID-19 Economic Recovery Act, 2020 without consultation.

The association's current experience intervening in the demolition of a heritage site in east-central Toronto illustrates key shortcomings in the Province's unilateral approach to the imposition of (existing or enhanced) ministerial powers under the MZO.

- in this specific instance, the redevelopment of this historically significant site was begun without any publicly announced plan, without any public consultation, without any involvement of the City of Toronto Planning Department, without securing any community benefits to support an adequate infrastructure, and without any notification to local politicians;
- further, it substantially misrepresents the principal justification cited for the land being subject to this MZO – the provision of affordable housing – which is believed to represent only a small fraction of the total number of residential units proposed (30% of the gfa (gross floor area) of the smallest of three towers (of 18, 30+ and 40+ stories)).

More broadly, the use of MZOs (even before including the proposed additional powers):

- completely ignores the mature, robust and multi-layered planning processes in place in the City of Toronto (and, by extension, in many, many other Ontario cities and municipalities where MZOs have been issued);
- completely ignores the wealth of local expert knowledge and experience on which the resulting locally generated plans rely;

- completely ignores all community and stakeholder interests, except as may be attributed by the provincial government;
- completely ignores the many, many voices raised in opposition from municipalities, environmental groups, agricultural groups and federations, neighbourhood associations, coalitions of neighbourhood associations and other interested – and negatively affected – parties;
- completely ignores that much of this renewed activity is taking place in a provincially declared state of emergency.

The Province's arguments for the proposed "enhanced" Minister's Zoning Order include:

- could help to overcome potential barriers and development delays;
- could be used to support the delivery of transit station infrastructure and the optimization of surplus lands (e.g., affordable housing and long term care homes).

There are no undertakings or commitments here (either stated or implied). For example, inclusive zoning for affordable housing can apparently range from 5% to 30% (per building, or per project as a whole), and the level of subsidies can range from "shallow" to "deep". Equally, there is no commitment to ensure that adequate infrastructure (or the funds to support it) is in place, and no commitment to secure additional funds that benefit the Community from these projects.

In summary, the association urges the Province:

- to cancel the proposed expansion of Ministerial powers under the MZO;
- to halt the unilateral imposition of all local development under MZOs;
- to engage immediately in sincere, collaborative and respectful consultation with local government, local residents and local experts

to ensure the most productive, respectful and socially contributive use of underutilized land resources is achieved.

Thank you for your consideration of this input.