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City of Kingston

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Date: March 31, 2021

To: The Ministry of Municipal Affairs and Housing
planningconsultation@ontario.ca

Subject: The City of Kingston's comments on the proposed changes to Minister's zoning orders and the *Planning Act* (ERO Number 019-3233)

Thank you for the opportunity to provide comments on the proposed changes to Minister's zoning orders (MZO) and the *Planning Act* through Bill 257, *Supporting Broadband and Infrastructure Expansion Act, 2021*. The City of Kingston's comments are provided below.

Proposal

Through Schedule 3 of Bill 257, *Supporting Broadband and Infrastructure Expansion Act, 2021*, the government is proposing to amend the *Planning Act*, so that a Minister's zoning order would not have to be consistent with the Provincial Policy Statement. This proposed amendment would not apply to lands located within the Greenbelt Area. In addition, the changes would provide that any existing Minister's zoning orders, never had to be consistent with the Provincial Policy Statement.

City's response

It is understood that MZO are not a standard planning tool to be utilized by municipalities and that, traditionally, they have been reserved for exceptional situations that require input directly from the Minister of Municipal Affairs and Housing.

The amendment to Section 47 of the *Planning Act* proposed by Bill 257 represents an opportunity for the Province to provide greater clarity on the MZO process. Examples of suggested modifications to Section 47 of the *Planning Act* for consideration by the Province include:

- Clarifying the intended purpose of MZOs;
- Explanation of provincial interests and how the interests will be evaluated and/or balanced if there are competing interests;
- Establishing a formal application process and submission requirements;
- Identifying evaluation criteria and a formal approval process;
- Seeking input from local municipalities prior to an order being issued;
- Prescribing public notification prior to an order being issued; and
- Strengthening the Local Planning Appeal Tribunal (LPAT) appeal process and requiring their recommendations to be implemented by the Minister.

The City of Kingston looks forward to further updates from the Province and continued municipal engagement on the proposed changes to the *Planning Act* pertaining to MZOs.

Respectfully submitted,

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