

April 28, 2022

File No. 120204

Sent Via E-mail:

Honourable Minister Steve Clark
Ministry of Municipal Affairs and Housing
17th Floor, 777 Bay Street
Toronto, Ontario
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Minister Clark:

**Re: ERO Number 019-5285
Community Infrastructure and Housing Accelerator Tool Guidelines**

The Town of Fort Erie provides the following comments for the Minister's consideration respecting draft guidelines issued on March 30, 2022. The guidelines were released at the same time as Bill 109 – More Homes for Everyone Act, 2022, which has now received Royal Assent on April 14, 2022.

While Town Planning staff continue to have shared concerns to those expressed in the Niagara Region commenting submission made on Bill 109, this submission is specific to the Ministry guidelines for the new Community Infrastructure and Housing Accelerator ("CIHA") tool.

Planning staff interpret this new CIHA tool to be scoped variant to the Minister's current Zoning Order authority. The CIHA tool does not replace current Ministry authority on Zoning Order matters, and instead, adds to the Minister's abilities to have expedited locally requested planning related matters resolved by Order to address specific need. The perception is one that introduces an enhanced bottom-up process to achieve expedited results for needed Community Infrastructure and Housing projects that could otherwise be subjected to lengthy study and/or public/private opposition that may lead to further delay through appeals.

While the benefit to providing local and single-tier government with this new conduit to the Minister's office, it does raise a few questions.

1. Role of Region in a two-tier municipal system - the Guidelines are explicit in identifying only single or lower-tier municipal ability to request a CIHA Order (these levels implement zoning – not region in a two-tier structure). Guidance document should address how a regional government is factored into a local request.

The new legislation speaks to consultation within sections 34.1 (3) and (7) of the Planning Act modifications resulting from Bill 109, but is ambiguous as to how a two-tier system should be engaged. Certain regional services such as sanitary/water capacity and capital improvement/construction need to be considered.

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What should an expected outcome be when a CIHA request does not share in aligned regional and local priorities in terms of a specific local request?

An example of this might be where a local municipality identifies lands where affordable housing is desired by the local Council, but the Region, as the Service Provider, either does not agree or lacks budget/resources to effectively bring such housing online within a reasonable timeframe. How might competing interests at the two levels of municipal government be treated by the Minister when considering a request?

2. Consultation – while it is understood that the purpose of CIHA is to expedite specific projects by reducing or eliminating “red tape”, staff and councils would benefit by clearly stated minimum request (submission) requirements, perhaps through regulation that can be added to an Official Plan, to ensure these minimums are being met province-wide.
3. Role of professional planning staff – as a requesting municipality, staff will be directed to undertake the consultation and processing of the Council CIHA request. What role, if any, would the Minister’s office expect in terms of professional planning opinion from staff on its Council’s actions?

It is understood that action and activity will occur in advance of any such request being sent to the Province. However, having a clear checklist of required documents that would be of use to the Minister’s office, albeit a minimal set of requirements, may further allow an expedited review by the Minister’s office once received.

We look forward to review consultation outcome on the CIHA tool implementation.

Respectfully submitted,



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