



December 08, 2022

Submitted by email to: PlanningConsultation@ontario.ca

**RE: Comment on Proposed Planning Act Changes (Schedules 9 of Bill 23 - the proposed More Homes Built Faster Act, 2022)
ERO number: 019-6163**

Walker Aggregates Inc. (“Walker”) is a division of Walker Industries. Our company operates several mineral aggregate operations across Ontario and provides a full range of crushed limestone and sand and gravel products supplying the asphalt, concrete, construction and landscaping needs of Southern Ontario.

The government’s proposed changes to legislation as part of Bill 23, including the Planning Act, have recently received Royal Assent. The purpose of these changes is to make it easier and faster to build new homes as part of its commitment to build 1.5 million homes over the next ten years as part of the *More Homes Built Faster: Ontario’s Housing Supply Action Plan: 2022-2023*. Walker appreciates the opportunity to provide the following comments on the changes as part of Bill 23, particularly aspects which have the ability to effect applications for mineral aggregate operations.

More housing and infrastructure means the need for the availability of raw building materials such as sand, gravel and stone and by-products such as concrete and asphalt. Further, the cost of providing these materials is more economical if these resources are derived close to market. It is encouraging that the Province recognizes this correlation and, in many ways, are proposing changes that will fundamentally help support this important principle.

THE PLANNING ACT

1. Two Year Moratorium exception for aggregate applications - SUPPORT

The amendments granted Royal Assent to the Planning Act as part of Bill 23 will exempt applications from the two-year moratorium on applications to amend new official plans and new comprehensive zoning by-laws. This is a positive change for the aggregate industry and will allow applications for OPA’s and ZBA’s to be continued to be lodged and processed for proposed aggregate operations.



Walker welcomes this change to the Planning Act as the ability to continue to submit and process applications for new or expanded mineral aggregate operations are important to support the Province's infrastructure and growth plans.

2. Scoping/Removal of planning responsibilities of Upper-tier municipalities - SUPPORT

The Bill granted Royal Assent appears to make significant changes to the structure of planning authorities across upper-tier and lower-tier municipalities in the province.

Walker is supportive of these changes as they eliminate duplication of required planning approvals which in turn help to reduce red-tape, stream-line approvals and provide for municipal resources more efficiently while not removing the need to address regional issues.

3. Ministerial Amendment to Official Plans - SUPPORT

Under the new section 23, the Minister may simply order an amendment to an official plan if the Minister is of the opinion that the plan is likely to adversely affect a matter of provincial interest. The Minister's order will have the same effect as an amendment to the plan adopted by the council and approved by the appropriate approval authority.

Walker sees this as an appropriate and beneficial change in the sense that if a municipal Official Plan contains provisions which have an impact on a provincial interest, such as on the availability of aggregate resources close to market, then the Province can step in and simply order an amendment to an official plan.

It is not clear when this provision applies to (i.e. timeframes and if this applies to just approvals of a new Official Plan or municipal-initiated Official Plan Amendments as well). We anticipate that such details will be made available through a further regulation or upon receiving public review and feedback.

CONSERVATION AUTHORITIES ACT

4. Restricting Conservation Authority Appeals under the Planning Act - SUPPORT



Walker supports the amendments granted Royal Assent to the Planning Act regarding conservation authorities as it will help streamline the decision-making process.

This is particularly the case for mineral aggregate applications that are already subject to a rigorous and detailed review by the Ministry of Natural Resources and Forestry needed for license approval under the Aggregate Resources Act. Furthermore, in many cases, a natural environment consultant is also retained by the upper and lower tier municipalities.

Comments and potential appeals from conservation authorities rooted in matters outside of their natural hazard mandate can lead to a duplication of review efforts, causing significant delay and cost to applicants.

Walker appreciates the Province's consideration of our comments and welcomes the opportunity to comment on the legislative changes in support of the *More Homes Built Faster: Ontario's Housing Supply Action Plan*.

Yours truly,

A handwritten signature in black ink, appearing to read 'K. Kehl', with a horizontal line drawn through the middle of the signature.

KEVIN KEHL
AGGREGATES & CONSTRUCTION DIVISION