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Regarding:

Bill 66: *Restoring Ontario's Competitiveness Act, 2018*; specifically, Schedule 10 of this Bill.

Who We Are:

Land Over Landings is a non-profit organization formed in 2005 to continue pressing the federal government to protect the farmland and greenspace of the Pickering Federal Lands. We want this land (held for decades for a possible airport) safeguarded as a secure source of food, fresh water, and fresh air for the benefit of those living in Canada's largest urban centre. The federal government is being urged to transform these Lands into an economic success story as a food hub, agricultural research centre, and training ground for the next generation of farmers.

The situation is ideal. The Federal Lands are mostly prime farmland, partly on the Provincial Greenbelt and the Oak Ridges Moraine, and largely bordered by prime farmland and Rouge National Urban Park.

Our Comments on the Proposed Legislation:

While there is unquestionable value in streamlining processes where the need exists, we strongly oppose Schedule 10 for the following reasons:

1. *The stated purpose of the proposed Open-for-Business Zoning By-law (OFB-ZBL) has no basis in fact.*

Many studies have shown there to be sufficient land already designated and set aside to accommodate anticipated needs for employment lands for years, perhaps decades, to come. In Durham Region alone, 56% of such designated land has yet to be built on, and another 17% remains underutilized. Here in Pickering, most of the designated employment land still lies idle. Want of suitable land is not why large industrial manufacturers may be reticent to locate their operations in Ontario. A far more likely reason is the uniquely high cost of electricity in the province.

2. *Implementation of the OFB-ZBL would interrupt coordinated land-use planning at all levels of government.* The result would be the fragmentation of policies and practices across the province, with chaotic, unfair, and destructive results. Chief among the victims would be the agricultural sector. Re-enabling urban businesses to randomly fragment agricultural lands would weaken the viability of the surrounding agricultural area and the fabric of rural life.

The agri-food sector is vital to Ontario's economy (it contributed close to \$40 billion in GDP in 2017). And – let's not forget – it is not just a source of fuel and fibre (among many other things) but also the sector that feeds us. With the damaging effects of climate change becoming more and more apparent, and with our population continuing to grow, any legislation that could result in the loss of farmland or harm the agricultural sector can only be considered deeply irresponsible.

3. The process laid out for permit approvals discards transparency. We applaud reduction of unnecessary red tape, but “burdensome regulations” are another matter. Regulations exist for a reason. They must not be overridden without in-depth review and public consultation. To prevent public oversight of development plans until the deed is done, with no mechanism for appeal no matter how harmful the decisions might be to the community or environment, represents a clear breach of public trust.

Schedule 10 contains too few details to be clear, but it appears to imply that regional and municipal councils are universally knowledgeable, high-minded, and farsighted, and that their land-use decisions are (and would be) based on the current and future best interests of their constituents and communities. *This is not always the case, as we all know. And even for councils that start out this way, developer pressure, free of oversight, can prove overwhelming and irresistible. Developers know this. We know it too.*

The OFB-ZBL rejects the importance and necessity of open, coordinated planning and critical oversight to prevent abuses. The current system does acknowledge and respect these matters and works well, in that all players, including the public, know (or can easily find out) what the rules are and where things stand at any stage of a proposal. The system could be streamlined, to everyone’s benefit, but it should not be made a secret process with no right of appeal once the decisions are made public. Proposing such legislation sends one message only: that there is something here that our government wants to hide.

4. Schedule 10 denies vital health protections. If this legislation became law, a number of important environmental protections embedded in at least five existing provincial Acts would no longer apply for new industries under the OFB-ZBL. Surely the Government of Ontario can find ways to declare the province open for business without intentionally putting the health and even the lives of its population at risk? If new industrial uses – considered and approved in secret – go on to contaminate our air, soil, or drinking water (and it would only be a matter of time), it will be the Province’s flawed legislation and failure to regulate that will be held to account. Is this the reputation and future our provincial government is actively seeking?

On May 1, 2018, during his election campaign, Premier Ford, in response to widespread concern over his idea of opening up the Greenbelt to affordable housing, said: “The people have spoken – we won’t touch the Greenbelt. Very simple. That’s it, the people have spoken. I’m going to listen to them....” Yet with Schedule 10, his government is now declaring its intent to potentially open up the Greenbelt to unfettered development, putting at risk the same protected land that Ontarians made clear they did not want touched and that, last May, the Premier vowed to “maintain in its entirety.”

We respectfully ask the Premier to keep his word – to continue to protect the Greenbelt (including the Oak Ridges Moraine), which provides so many Ontarians with their drinking water, food, fuel, recreation, livelihoods, and economic benefits. Affordable housing, businesses, and industry can be put on most kinds of land, but farming needs the rich soil found on the Greenbelt. If we continue to chip away at it, we will be chipping away at the only type of land that can reliably feed us into the future. Premier Ford must keep his promise; Schedule 10 must be removed from Bill 66.

Sincerely,



Mary Delaney
Chair, Land Over Landings