

SPECIAL COMMITTEE OF THE WHOLE (WORKING SESSION) – JANUARY 17, 2019

COMMUNICATIONS

Distributed January 11, 2019

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Please note there may be further Communications.

C I
COMMUNICATION
SP CW (WS) – January 17, 2019
ITEM - 1



85 DARIOLE DRIVE
RICHMOND HILL, ON L4E 0Z4

Mayor & Council

RE: York Region Environmental Alliance (YREA) response to Bill 66: Keeping Vaughan open for business without jeopardizing the Greenbelt, Oak Ridges Moraine & other environmental protections.

The Government of Ontario has introduced Bill 66, supposedly, to restore Ontario's competitiveness through Schedule 10 that would amend the Planning Act to allow municipalities to pass "open-for-business planning by-laws". Of serious concern to us:

- Bill would allow open-for-business planning by-laws to override important water, agricultural and environmental protections contained in the Clean Water Act, 2006, and the Greenbelt Act, 2005; the Places to Grow Act, and other provincial legislation.
- No notice or hearing is required prior to the passing of an open-for-business planning by-law.

The Greenbelt and Oak Ridges Moraine are integral components of land use planning that complements the Growth Plan to encourage smart planning, the reduction of sprawl, protection of natural and hydrological features and agricultural lands. The Greenbelt has protected 1.8 million acres of farmland, local food supplies, the headwaters of our rivers and important forests and wildlife habitat for over 12 years. It generates 9.1 billion dollars in revenue each year, creating 161,000 local jobs across 28 municipalities. It ensures our food security by providing us with local food, encouraging young farmers to step in. Existing agriculture, tourism and recreation provide enormous economic impact and are an important part of planning for sustainable communities - which cannot be said for more urban sprawl.

There is a tremendous amount of land, including employment lands, already planned and available in excess of the development needs of the GTA without weakening the protections provided by the Greenbelt, Oak Ridges Moraine plans and Clean Water Act - critical to the health of our communities.

YREA asks that the City of Vaughan, upon review of Schedule 10 of Bill 66, stand with other enlightened municipalities by opposing this Act. Why? Because our communities are not red tape, our rivers and streams are not red tape, our local food security is not red tape and the future health and well-being of our children is not red tape.

Sincerely

Gloria Marsh, Executive Director
York Region Environmental Alliance

Partnering for a greener planet

<http://www.yrea.org>

gloria@yrea.org

From: Spring Farm Ratepayers Association <springfarmra@gmail.com>
Sent: Tuesday, December 18, 2018 1:58 PM
To: Clerks@vaughan.ca
Subject: Bill 66 - Just Say No

Follow Up Flag: Follow up
Flag Status: Completed

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Today the SpringFarm Ratepayers sent out this email to our local representatives regarding Bill 66 and our environmentally protected lands.



Subject: Bill 66 - Just Say No

Dear MPP Martow, Mayor Bevilacqua, Mr. Todd Coles and Members of York Region and City of Vaughan Council,

The SpringFarm Ratepayers is concerned about the provincial government's proposed new Bill – Bill 66 and want to ensure that you understand our objections. If Bill 66 is confirmed, the Ontario provincial government will be putting the province's greenbelt and City of Vaughan and Region of York at risk. It seems that the provincial government has forgotten or is perhaps ignoring the reasons why greenbelts were established; so allow us remind you why the greenbelt is so important.

Greenbelts were established in early 2005 by the provincial government. Agricultural protection is the primary element of the Greenbelt Legislation and the major focus is the protection of prime agricultural land, which is fast disappearing. There are many of other key elements which include the protection of rural areas, heritage sites and sensitive ecological and hydrological sites.

Greenbelts are a major step in protecting environmentally sensitive land, the habitat of many indigenous species and they curtail the sprawl of urban development into ecologically and hydrologically sensitive areas. Current legislation prevents municipalities from re-zoning areas identified as prime agricultural land.

The greenbelt encompasses more than one million acres in Ontario and we are privileged to have one of the largest and most successful greenbelts in the world. Two greenbelt areas are especially important to southern Ontario and York Region – the Niagara Escarpment and the Oak Ridges Moraine.

The Niagara Escarpment Biosphere Reserve is one of 15 UNESCO World Biosphere Reserves in Canada (1990). The area is protected because of its many unique species and prime recreational land. In addition to being prime farm land, tourism associated with the escarpment, contributes \$100 million to the local and regional economy.

The Oak Ridges Moraine is one of the most significant landforms in southern Ontario and covers about 1,900 kilometers of land, much in our City and the Region of York. This area is home to much of the fertile farmland that feed our communities. It is an ecologically important geological landform in the Mixwood Plains, a hydrological system of streams, wetlands, kettle lakes and ponds and their catchment areas, seepage areas, springs and other recharge areas. The moraine gets its name from the rolling hills and valleys that extend more than 160 km from the Niagara Escarpment east to Rice Lake. The moraine is currently one of the most contested sites in Ontario because it stands in the way of major urban development.

The passage of Bill 66 will make greenbelt areas for development and more likely over development. The land in question is ecologically sensitive and allowing development jeopardizes not only the environment but also agriculture – our ability to produce the produce we need.

It is critical to remember that once the greenbelt is gone, it is gone forever.

The SpringFarm Ratepayers Association in Vaughan (Thornhill), representing more than 9,600 household, is opposed to the proposed legislation and have made our community aware of the downfalls. We are getting strong support from our community and the vast majority of your electorate is not in favour of the proposed Bill 66.

When this matter comes before Council in January, we urge our elected representatives to listen to the community and block Bill 66.

Regards,

Pamela Taraday-Levy

On behalf of the SpringFarm Ratepayers Association



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You are receiving this email because you have previously expressed interest in receiving up-to-date information about your neighborhood from the SFRA.

Our mailing address is:

Spring Farm Ratepayers Association
135 Brownstone Circle
Thornhill, Ontario L4J 7P5
Canada

[Add us to your address book](#)

Want to change how you receive these emails?

You can [update your preferences](#) or [unsubscribe from this list](#).



From: Racco, Sandra
Sent: January-04-19 3:36 PM
To: 'Marina Dykhtan'; Bevilacqua, Maurizio; Rosati, Gino; Ferri, Mario; Jackson, Linda; Iafrate, Marilyn; Carella, Tony; DeFrancesca, Rosanna; Shefman, Alan
Cc: Furfaro, Cindy; Clerks@vaughan.ca
Subject: RE: REJECT BILL 66!

Follow Up Flag: Follow up
Flag Status: Completed

Thank you for your comments....I have copied the clerk's department to ensure your comments are included for the Jan. 17th Special Committee of the Whole meeting.

Happy New Year!!!

Sandra Heung Racco, B. Mus.Ed., A.R.C.T.

楊士淳 議員

Councillor, Concord/North Thornhill
City of Vaughan

"For the Community"

To subscribe to Councillor Racco's e-newsletter, please click [here](#).

Visit [Racco's Community Forum](#) on Facebook.

Please visit my new website www.4myCommunity.ca



"Don't be distracted by criticism. Remember that the only taste of success some people have is when they take a bite out of you"

From: Marina Dykhtan [REDACTED]
Sent: Friday, January 04, 2019 3:32 PM
To: Bevilacqua, Maurizio <Maurizio.Bevilacqua@vaughan.ca>; Rosati, Gino <Gino.Rosati@vaughan.ca>; Ferri, Mario <Mario.Ferri@vaughan.ca>; Jackson, Linda <Linda.Jackson@vaughan.ca>; Iafrate, Marilyn <Marilyn.Iafrate@vaughan.ca>; Carella, Tony <Tony.Carella@vaughan.ca>; DeFrancesca, Rosanna <Rosanna.DeFrancesca@vaughan.ca>; Racco, Sandra <Sandra.Racco@vaughan.ca>; Shefman, Alan <Alan.Shefman@vaughan.ca>
Subject: REJECT BILL 66!

To Our Duly Elected Officials in the City of Vaughan:

Bill 66 is one of the most ill-conceived and short sighted pieces of legislation to come out of the Provincial Government to date. This legislation encourages municipalities to ignore existing environmental and planning policies including The

Greenbelt Act, The Oak Ridges Moraine Conservation Act, The Clean Water Act, and The Great Lakes Protection Act. These acts were all created to protect environmentally sensitive lands and waterways and in turn protect the health and well-being of Ontario citizens.

Bill 66 allows municipalities to create "open for business" zoning bylaws. Industrial buildings would be eligible for this type of fast track development. Industrial buildings that degrade the environment and pollute waterways would be encouraged to locate their operations in "Open for Business" zones.

The Provincial Government is so intent on pushing through development as fast as possible that Municipalities will not be required to inform the public when development under Bill 66 gets approved. Not only is the health and well-being of our communities threatened but we won't even get a say in how they are shaped.

Bill 66 is a real threat to Vaughan. Vaughan is home to where the Greenbelt, the Oak Ridges Moraine and the headwaters of major watersheds all intersect. There are thousands of Vaughan residents who are located close to Greenbelt lands and downstream from major watershed tributaries. This policy has the potential to do real harm to residents of Vaughan and the environment.

Doug Ford emphatically promised during the election that he would not touch the Greenbelt. Our communities are not red tape, our rivers and streams are not red tape, and the future health and well-being of our children is not red tape. Please listen to your constituents and **reject Bill 66**. We did not vote for this dangerous legislation!

Thank you,

Marina Dykhtan

A thick black horizontal bar redacting the signature of Marina Dykhtan.

Subject: FW: Premier Doug Ford's Proposed Legislation - Bill 66
Attachments: Greenbelt Bill 66.docx

From: Kathryn Angus <[REDACTED]>
Sent: Monday, December 17, 2018 8:18 AM
To: Bevilacqua, Maurizio <Maurizio.Bevilacqua@vaughan.ca>; Iafrate, Marilyn <Marilyn.Iafrate@vaughan.ca>; Ferri, Mario <Mario.Ferri@vaughan.ca>; Carella, Tony <Tony.Carella@vaughan.ca>; Shefman, Alan <Alan.Shefman@vaughan.ca>; Rosati, Gino <Gino.Rosati@vaughan.ca>; Racco, Sandra <Sandra.Racco@vaughan.ca>; Jackson, Linda <Linda.Jackson@vaughan.ca>; Schmidt-Shoukri, Jason <Jason.Schmidt-Shoukri@vaughan.ca>; Coles, Todd <Todd.Coles@vaughan.ca>
Subject: Premier Doug Ford's Proposed Legislation - Bill 66

Good morning Please find attached a letter from KARA outlining our concerns regarding the proposed legislation entitled Restoring Ontario's Competitive Act, Bill 66. As you will note we are very much in opposition of this as it bypasses all the checks and balances which have been put in place to ensure appropriate development.

Sincerely

Kathryn Angus
President
Kleinburg & Area Ratepayers' Association

To: Mayor, Regional Councillors, Councillors and Todd Coles

Re: Premier Doug Ford's proposed legislation – Restoring Ontario's Competitive Act, Bill 66

We are writing to ask that you join other Mayors in stating **“The Greenbelt is NOT open for business”**. In an article in the Star dated Tuesday, December 11th 2018, the Mayors from both Hamilton and Burlington indicated that there is no need to open up the Greenbelt for business.

Doug Ford emphatically promised during the election that he would not touch the Greenbelt. Now Premier Ford is trying to get around his own promise by letting municipal councils do his dirty work.

Bill 66, also known as Restoring Ontario's Competitiveness Act, 2018, is disguised as a job creation bill to reduce red tape, however recent economic reports reveal that Canada and Ontario show very healthy job growth numbers with an unemployment rate of 5.6%, the lowest rate since 1976. This has been achieved without legislation that threatens our Greenbelt, our lakes and rivers and the Oak Ridges Moraine.

Bill 66 is one of the most ill-conceived and short-sighted pieces of legislation to come out of the Provincial Government to date. This legislation encourages municipalities to ignore existing environmental and planning policies including The Greenbelt Act, The Oak Ridges Moraine Conservation Act, The Clean Water Act, and The Great Lakes Protection Act. These acts were all created to protect environmentally sensitive lands and waterways and in turn protect the health and well-being of Ontario citizens.

Bill 66 allows municipalities to create “open for business” zoning bylaws. Industrial buildings would be eligible for this type of fast track development. Industrial buildings that degrade the environment and pollute waterways would be encouraged to locate their operations in “Open for Business” zones.

The Provincial Government is so intent on pushing through development as fast as possible that Municipalities will not be required to inform the public when development under Bill 66 gets approved. Not only is the health and well-being of our communities threatened but we won't even get a say in how they are shaped.

Bill 66 is a real threat to Vaughan. Vaughan is home to where the Greenbelt, the Oak Ridges Moraine and the headwaters of major watersheds all intersect. There are thousands of Vaughan residents who are located close to Greenbelt lands and downstream from major watershed tributaries. This policy has the potential to do real harm to residents of Vaughan and the environment.

Our communities are not red tape, our rivers and streams are not red tape, and the future health and well-being of our children is not red tape. Please listen to your constituents and reject Bill 66. We did not vote for this bill and we will hold those who support it accountable for passing it or ultimately using the provisions this dangerous legislation.

Regards

Kathryn Angus, President

Kleinburg & Area Ratepayers' Association

From: Iafrate, Marilyn
Sent: January-09-19 12:59 PM
To: Mayor and Members of Council; Clerks@vaughan.ca
Subject: FW: Bill 66 Vote No to Opening Greenbelt
Attachments: Please vote no to opening the Green Belt.docx

Follow Up Flag: Follow up
Flag Status: Completed

FYI

-----Original Message-----

From: alexandra ney [REDACTED]
Sent: Wednesday, January 09, 2019 11:00 AM
To: Iafrate, Marilyn <Marilyn.Iafrate@vaughan.ca>
Subject: Bill 66 Vote No to Opening Greenbelt

Good morning Marilyn,

Please find the attached letter asking you and your fellow Councillors to vote No to opening Greenbelt lands.

If you would kindly share this letter with your fellow Councillors.

Many thanks,
Alexandra Ney

January 9th, 2019

Dear Marilyn Iafrate and all Councillors:

Re Greenbelt Bill 66 – Please vote no to opening Greenbelt lands

I'm writing today to voice concern re proposed opening of the valuable Greenbelt Lands. I hope that you and your fellow Councillors will vote against removing any lands from the Greenbelt. I would request to see the recorded vote.

The Greenbelt lands contain sensitive Wetlands, Forest and Fields which are much needed for many reasons. Once these precious lands are destroyed, we will never get them back.

Environmentally important – wetlands and forests are our filtering system absorbing Carbon Dioxide, and the water overflow in storms preventing flooding. These lands lower temperatures in our hot summers, thereby fighting Global Warming. Most importantly the lands had been initially selected due to their significant environmental importance. In my area, it's a mix of mature trees and younger growth, bordering the Humber River tributaries.

Economically – these farm lands employ massive numbers of people. In my opinion this is greatly overlooked by all concerned. The grains feed massive amounts of people and animals, employ thousands of people throughout the entire process from farm, to equipment, food process, stores, bakeries, world trade, etc.

The Ford Conservative government is all about being open to business, do not destroy this important and valuable resource. The Greenbelt lands create and sustain many jobs and businesses within the food industry, fuel and other avenues.

What is removed will be replaced – if you vote no, you will not have to go down this road. I'm guessing in our democratic country you would have to ask land owners if they would like to have their land Greenbelted?? Why even entertain this when valuable land has already been preserved?!

Statement - there's a shortage of land for development – within The City of Vaughan the lands are some of the most fertile growing soil within Ontario. This cannot be replaced. Please do not destroy our best food growing lands.

To my knowledge there are huge amounts of lands for development throughout The City of Vaughan. Most of the lands are closer to existing sewers, water treatment and larger lane roads, thereby lessening the cost of development.

Opening Greenbelt lands would severely impact already overwhelmed road infrastructure. In short in my opinion there is no shortage of land to develop – there are thousands of acres already available to develop for housing and industry, outside of the Greenbelt. It's all the more important to keep Greenbelt areas surrounding any type of industrial areas.

What is needed now is continued farming, nature trails, large tracts of natural park land which will clean our air, filter water and give us areas to enjoy. More housing will not provide this or lower the cost of housing.

Councillors you have a duty to show your concern and understanding of what the voters who elected you want – preserve our existing Greenbelt. Do not open any of these already designated lands. The Greenbelt provides so many benefits, it's up to all of us to maintain these important lands.

Vote no to opening land from the Greenbelt.

Kind Regards,
Alexandra Ney

[Redacted signature]

Ministry of
Municipal Affairs
and Housing

Office of the Minister

777 Bay Street, 17th Floor
Toronto ON M5G 2E5
Tel.: 416 585-7000

Ministère des
Affaires municipales
et du Logement

Bureau du ministre

777, rue Bay, 17^e étage
Toronto ON M5G 2E5
Tél. : 416 585-7000



C 6

COMMUNICATION

SP CW (WS) – January 17, 2019

ITEM - 1

Ministry of Economic Development,
Job Creation and Trade

Office of the Minister

18th Floor
777 Bay Street
Toronto ON M7A 1S5
Tel.: 416 326-8475

Ministère du Développement économique,
de la Création d'emplois et du Commerce

Bureau du ministre

18^e étage
777, rue Bay
Toronto ON M7A 1S5
Tél. : 416 326-8475

18-1368

Dear Head of Council:

We are pleased to announce that the government has introduced Bill 66 – the proposed Restoring Ontario's Competitiveness Act, 2018. We wanted to take the opportunity to address some concerns that have been expressed.

In particular, Schedule 10 of the Bill proposes changes to the *Planning Act* that would create a new economic development tool, the open-for-business planning by-law. The tool would be available to all local municipalities to ensure they can act quickly to attract businesses seeking development sites by streamlining land use planning approvals.

It would also support the government's 1-year service standard for provincial approvals related to these land use planning proposals.

Municipalities would be able to consider using the proposed tool if a major new employment use is proposed and certain prescribed provincial criteria are met.

Our government is committed to cutting red tape and shortening the time it takes to build projects that create jobs, but this will not be done at the expense of the Greenbelt or other provincial interests like water quality or public health and safety.

Before being able to use the tool, municipalities would need to receive provincial endorsement. A municipality's request to use the tool would be thoroughly reviewed in order to protect provincial interests, such as the Greenbelt, the environment, and public health and safety. The province's endorsement to use the tool could also include conditions that would need to be adhered to by a municipality. Where risks to public interests exist, the province could decide not to authorize the use of the tool.

In addition to the proposed changes to the *Planning Act*, the government is consulting on the content for a new Minister's regulation that would identify proposed criteria for the use of the new tool. The proposed regulatory approach would require information to be submitted to the province including land use planning information to help determine how the proposal is in keeping with provincial land use policies and plans and how any adverse land use planning impacts would be mitigated.

Other examples of proposed requirements include evidence that the new major employment proposal would meet a minimum job creation threshold, information regarding any effects on provincial interests, proposed servicing of the proposal (e.g. sewer and water) and any effects on public health and safety.

The government intends to take further action to streamline development approvals through a broader review of the system. This new tool would be a first step in a larger government initiative to achieve this end.

For a copy of Bill 66 – the proposed Restoring Ontario's Competitiveness Act, 2018 and to monitor the status of the Bill through the legislative process, please visit the Legislative Assembly of Ontario website: www.ola.org/en/legislative-business/bills/parliament-42/session-1/bill-66.

Comments on the proposed legislative and regulatory changes can be made through the Environmental Registry website (EBR Posting # 013-4125 at ero.ontario.ca/notice/013-4125, EBR Posting # 013-4239 at ero.ontario.ca/notice/013-4239) or by email to PlanningConsultation@ontario.ca until January 20, 2019.

We welcome your feedback on this important initiative.

Sincerely,



Steve Clark
Minister of Municipal
Affairs and Housing

c: Municipal Clerk



Todd Smith
Minister of Economic Development,
Job Creation and Trade

From: Coles, Todd
Sent: January-16-19 3:45 PM
To: Bellisario, Adelina
Subject: FW: Special Committee of the Whole Report No.1 Bill 66

Todd Coles, BES, ACST(A), MCIP, RPP
City Clerk
905-832-8585, ext. 8281 | todd.coles@vaughan.ca

City of Vaughan | Office of the City Clerk
2141 Major Mackenzie Dr., Vaughan ON L6A 1T1
vaughan.ca



From: Simone Barb [REDACTED]
Sent: Wednesday, January 16, 2019 12:22 PM
To: Coles, Todd <Todd.Coles@vaughan.ca>; Bevilacqua, Maurizio <Maurizio.Bevilacqua@vaughan.ca>; Carella, Tony <Tony.Carella@vaughan.ca>; DeFrancesca, Rosanna <Rosanna.DeFrancesca@vaughan.ca>; Racco, Sandra <Sandra.Racco@vaughan.ca>; Ferri, Mario <Mario.Ferri@vaughan.ca>; lafrate, Marilyn <Marilyn.lafrate@vaughan.ca>; Rosati, Gino <Gino.Rosati@vaughan.ca>; Shefman, Alan <Alan.Shefman@vaughan.ca>; Linda D. Jackson (Regional) [REDACTED]; Michaels, Gus <Gus.Michaels@vaughan.ca>; Suppa, Frank <Frank.Suppa@vaughan.ca>; Pearce, Andrew <Andrew.Pearce@vaughan.ca>; Pucci, Ben <Ben.Pucci@vaughan.ca>
Cc: Phyllis Barbieri [REDACTED]; Richard T. Lorello (Regional) [REDACTED]; Lori Perri [REDACTED]; Pam Lombardo [REDACTED]; [REDACTED]; [REDACTED]; Frank Durante [REDACTED]; [REDACTED] Mike Russo [REDACTED]; Marylou Bel Monte [REDACTED]; Marie Donato [REDACTED]; Tony Caputo [REDACTED]; Integrity Commissioner <Integrity.Commissioner@vaughan.ca>; Craig, Suzanne <Suzanne.Craig@vaughan.ca>; Reali, Mary <Mary.Reali@vaughan.ca>; Rigakos, Demetre <Demetre.Rigakos@vaughan.ca>; Cardile, Lucy <Lucy.Cardile@vaughan.ca>; Teresa Veldhuis [REDACTED]; Andrzej Dominski [REDACTED]; Brian Bridgeman <brian.bridgeman@durham.ca>; Lauren Chee-Hing <lcheehing@ombudsman.on.ca>; Angie Pijo [REDACTED]; Lety Lauye Fernandez [REDACTED]; [REDACTED]; Steve P. [REDACTED]; Joe Christini [REDACTED]; Dugas Celeste (MECP) <celeste.dugas@ontario.ca>; Noor Javed <njaved@thestar.ca>; Zach Dubinsky <zach.dubinsky@cbc.ca>; liam.casey@canadianpress.com; Pat F. <patrick.foran@bellmedia.ca>; DONOFRIO AUTO GROUP [REDACTED]; Sones Kristen (MOECC) <kristen.sones@ontario.ca>; Collins, Stephen <Stephen.Collins@vaughan.ca>; Michaela Barbieri [REDACTED]; sean.oshea@globalnews.ca; Gabriel Ruffa [REDACTED]; Lee, Andy <Andy.Lee@vaughan.ca>; Chan, Albert <Albert.Chan@vaughan.ca>; Rick Girard <rick.girard@vaughan.ca>; MARY MONACO [REDACTED]; Messere, Clement <Clement.Messere@vaughan.ca>; Brusco, Nicolino <Nicolino.Brusco@vaughan.ca>; Peverini, Mauro <MAURO.PEVERINI@vaughan.ca>; Patrick Brown <patrick.brown@pc.ola.org>; gina.cimpa@vaughan.ca; minister.mecp@ontario.ca; Brian Moyle <bmoyle@trca.on.ca>; Andrea Horwath - QP <horwatha-qp@ndp.on.ca>; Brown Andrea (MECP) <andrea.j.brown@ontario.ca>; Dufresne Tina (MOECC) <tina.dufresne@ontario.ca>; Jennifer E. Barnett <jennifer.e.barnett@ontario.ca>; Dugas Celeste (MECP) <chris.hyde@ontario.ca>; Ciafardoni, Joy <Joy.Ciafardoni@vaughan.ca>; Schmidt-Shoukri, Jason <Jason.Schmidt-Shoukri@vaughan.ca>; KEEP VAUGHAN GREEN

<keepvaughangreen@gmail.com>; Michael Tibollo <michael.tibollo@pc.ola.org>; Doug Ford <doug.ford@pc.ola.org>; Doug Fordco <doug.fordco@pc.ola.org>; Caroline Mulroney <caroline.mulroney@pc.ola.org>; Caroline Mulroneyco <caroline.mulroneyco@pc.ola.org>; Christine Elliott <christine.elliott@pc.ola.org>; Christine Elliottco <christine.elliottco@pc.ola.org>; Rod Phillips <rod.phillips@pc.ola.org>; rod.phillipsco@pc.ola.org; Magnifico, Rose <Rose.Magnifico@vaughan.ca>; Simmonds, Tim <Tim.Simmonds@vaughan.ca>

Subject: Re: Special Committee of the Whole Report No.1 Bill 66

Todd Coles, City Clerk, Mayor, & Council,

Special Committee of the Whole Report No.1 Bill 66- Restoring Ontario's Competitiveness Act.

Thank you for your email how ever,

When Reviewing Bill 66 and the changes that are trying to be forced through

Schedule 5 of Bill 66 is regarding the Ministry of the Environment, Conservation and Parks.

- 1) Toxics Reduction Act, 2009 (TRA) and ONTARIO Regulation 455/09.
- 2) Service of Documents, under Toxics Regulations Act, 2009, S. O. 2009, c. 19

The Toxics Reduction Act, 2009 (TRA) and Ontario Regulation 455/09 (O.Reg. 455/09) came into force on January 1, 2009. The purposes of the Act are to prevent pollution and prevent human health and the environment by reducing the use and creation of toxic substances and to inform Ontarians about toxic substances.

5550 Langstaff Rd, Woodbridge , Ontario represents all of the above. and the only reason you are trying to violate my civil right to bring this forth on the public agenda is because by passing Bill 66 then the municipalities gain more power and the planning Act gain more power to cut out the Public from the Public consultation requirement.

O. Reg 296/18 Service Documents if passes under Bill 66 that means the municipalities or Government bodies don't have to involve the public in the planning process or disclose documents that can reveal human health risks to the public there for removing the "Red Tape" of performing Human Health Risks reports and sharing them with the potentially affect residents that could be put a risk from exposure of toxic substances.

So Todd Coles City Clerk,

Respectfully Speaking as my Democratic Right, of the Charter Rights and Freedom, my original submission has validly under the concerns of Bill 66 being passed.

Regards
Simone Barbieri

(original submission)

Todd Coles, City Clerk, Mayor & Council,

Special Committee of the Whole Report No.1 Bill 66- Restoring Ontario's Competitiveness Act.

This letter below that was sent to the City of Vaughan on June 25/2018, is the very reason we have to vote against Bill 66.

On June 3/2018 City of Vaughan inspector Norm, was present on the Site of 5550 Langstaff Rd, when he was advised by the Director of 5550 Langstaff where the waste was going to be stock piled. There for, the City of Vaughan was fully aware of the illegal industrial dumping that took place at 5550 Langstaff rd. site before it even started. Please keep in mind as the illegal industrial dumping was occurring the director 1668135 Ontario Inc. was also in Contravention of the ECA 9523-9DSL7V which mean that the whole remedial operation was being conducted in a non-compliance mode to the ECA issued to 1668137 Ontario Inc. and the City of Vaughan was aware of these actions as well. But failed to take any action against the non-compliance and the illegal dumping.

On June 5/2018, the Director of 1668135 Ontario Inc. commenced the illegal operations of industrial dumping without City of Vaughan Permits issued out from a Chief Building officer of the City of Vaughan. As it was confirmed by a senior City of Vaughan staffer that permits were not issued out for the industrial dumping that took place at 5550 Langstaff rd. Between June 5-2018- November-2018.

Between June 3/2018- June 5/2018 the City of Vaughan had the opportunity to enforce City of Vaughan bylaws prescribed within the corporation of the City of Vaughan which is incorporation pursuant to the laws of Ontario, under the Municipal Act, 2001.

But failed to.

By-law 189-96 Alliterating and Changing the Grading. Section 223.1 of the Municipal Act R.S.O. 1990, should have been enforced by our Bylaw department the minute the illegal industrial dumping started on June 5/2018. video's and pictures were sent to the bylaw department and City of Vaughan Staff, Mayor, and Council, yet nothing was done. As well as the Court documents from CV-16-561498. prohibited 1668135 Ontario Inc. from using Campania court as Hauling route. Yet 1668135 Ontario Inc. used it as a hauling route during all the unapproved activities and the City of Vaughan failed to enforce the Courts decision in the court document CV-16-561498. While all that unpermitted activity was taking place 1668135 Ontario Inc., 1668137 Ontario Inc., failed to enter into a Hydro One Encroachment agreement to actively work under and across a Hydro One Corridor and next to a

Hydro One Transmission Tower. The City of Vaughan and at all relevant times the City of Vaughan was aware of this and took no action to enforce this requirement or agreement that would protect the residents from further exposure, harm, and danger.

Calls were placed to the city day after day as the industrial dumping was occurring 10 feet from residents front door and all calls went unaddressed and or ignored. the wellbeing of residents did matter to the City of Vaughan because this illegal industrial dumping continued until November 2018.

On June 25/2018 the City received the Letter below from the Ministry of Environment indicating the industrial dumping.

In the letter it stated that the following:

Prohibition on certain changes of use

168.3.1 (1) Subject to subsection (2), a person shall not,

(a) change the use of a property from industrial or commercial use to residential or parkland use;

(b) change the use of a property in a manner prescribed by the regulations; or

(c) construct a building will be used in connection with a change of use that is prohibited by clauses (a) or (b).

The letter went on to say the following:

"The ministry has determined that RSC #224542 does not support a future change to a more sensitive use as a result of the waste processing activities that have taken place or may continue to take place on the RSC Property after the RSC certification date of May 23, 2017. The RSC certification date is the last day on which sampling was done on the RSC Property and is the date that the qualified

person referred to in providing the opinion that the RSC Property met the applicable site condition standards."

After receiving this letter from the MEPC on December 19/2018 after requesting a copy as I only found out about this letter when I was requesting an update from the MEPC regarding 5550 Langstaff rd. That's when I was told in communication of the phone call that "said letter" was sent out to the City of Vaughan and the Director of 1668135 Ontario Inc. regarding the industrial dumping on the land.

I immediately asked why a copy was not shared to the Effected residents in the form of an update at the same time the City of Vaughan was in ownership of this letter? did not receive a response there fore a immediately requested a copy of the letter.

With the non-compliance that has been occurring on the site of 5550 Langstaff Rd. Unapproved landfill, Our Mayor Maurizio Bevilacqua, has never made it his priority to come out to the site or reach out to the adversely stigmatized effected residents as these non-complying activities have been occurring for over a decade. With residents reaching out to Mayor Maurizio Bevilacqua requesting a meeting or a visit, every email and phone message left for him when unaddressed and ignored for the last decade. it is Now Jan 15/2019 and the residents still have not received any support, protection under our City of Vaughan by-laws, or relief from the Adverse Effects and stigmatizing exposure of the non-compliance activities that we the residents have been subjected to from 5550 Langstaff Rd, Unapproved landfill.

The Director Of Our Bylaw department Gus |Michaels has failed the residents as well. Not one bylaw prescribed under the Municipal Act, 2001 were not enforced to protect effected Residents from harm and or property damages. all pictures and video submitted to the Bylaw department were ignored and unaddressed.

Our Ward 2 Council has failed to represent his constituents, Tony Carella, Has failed to act on any and all emails that were submitted to the City of Vaughan regarding 5550 Langstaff rd. Unapproved landfill. With residents reaching out to Tony Carella requesting a meeting or a visit, every email and phone message left for him when unaddressed and ignored. it is Now Jan 15/2019 and the residents still have not received any support, protection under our City of Vaughan by-laws, or relief from the Adverse Effects and stigmatizing exposure of the non-compliance activities that we the residents have been subjected to from 5550 Langstaff Rd, Unapproved landfill.

How was the Environment being protected?

How was the water shed being protected?

How was the Woodlot area being protected?

How were the people being protected?

So just to recap, the City of Vaughan was aware of the unpermitted industrial dumping before it commenced 2 days later and failed to enforce City of Vaughan Bylaws to stop the industrial dumping from occurring. The City of Vaughan received the letter below from the MEPC on June 25/2018 and failed to act once again and provide the residents with a public update regarding the unapproved operations. The City of Vaughan failed to protect the residents and our environment and water shed from harm or damages while being exposed to the unapproved activities of 5550 Langstaff rd. Now the City wants to remove the most important parts of Bill 66 that holds everyone accountable when operating on Brownfield property.

Please tell me who will gain from these changes of Bill 66?

As of Sunday June 13/2019 @ 2:38pm I received a call from the Premier of Ontario, the Honorable Doug Ford, that filled me in there is an action plan in place for the clean up of 5550 Langstaff rd. to commence in February 2019. But yet once again no updates or communication was provided to the Adversely Effected residents. As this plan was in place and in discussion in 2018. Probably why the big push for Bill 66 to be pushed through and remove the "RED TAPE".

As that conversation continued, I asked while you have this action plan in place to clean up the land 5550 Langstaff rd. What is the action plan to protect the residents, and community from further Adverse Effects, Stigmatization, and damages? I was not provided a response to my question because the protection of residents was not a priority when this action plan was being devised. In my opinion it was all about getting the developer more power to bypass what's most important to protect the environment, residents, and animals from harm, damages, adverse effects, and stigmatization.

So I ask City of Vaughan Mayor and Council was is the Engineered action plan to protect the residents from further Adverse Effects, Stigmatization, harm and damages?

and

Will there be a Human Health Risk assessment done before any activity commences here at 5550 Langstaff Rd?

and

Will an Air Quality machine be brought on to the site of 5550 Langstaff Rd Site and remain here to measure our air quality as the waste is being removed from 5550 Langstaff site?

and

Will the waste be hauled out of the phase 1 exit?

and

Is 1668135 Ontario Inc. Bonded with the City of Vaughan to conduct such activities under the Environmental Protection Act, R.S.O. 1990, c. E. 19. ? or have they ever been Bonded with the City of Vaughan?

Regards,

Simone Barbieri

Ministry of the Environment and Climate Change Central Region
York Durham District Office
230 Westney Road South, 5th Floor
Ajax ON LIS 7J5
Toll-Free : 1-800-376-4547
Telephone.: 905-427-5600
Fax: 905-427-5602

June 25, 2018

Mr. Ben Pucci, P.Eng

Chief Building Official, Building Standards Department

City of Vaughan

2141 Major Mackenzie Drive

Vaughan ON L6A ITI

RE: 5550 Langstaff Road, Record of Site Condition #224542 (RSC #224542)

The purpose of this letter is to provide the City of Vaughan with clarification on the Ministry of Environment and Climate Change (ministry) regulatory requirements as it pertains to the property being part of the 5550 Langstaff Road site, namely, Parts 4 and 5 on Reference Plan 66R-35952 (RSC Property), that is the subject matter of RSC #224542 filed in the ministry Environmental Site Registry on June 15, 2018, for your consideration in your planning and permitting decisions relating to this site.

The ministry has determined that RSC #224542 does not support a future change to a more sensitive use as a result of the waste processing activities that have taken place or may continue to take place on the RSC Property after the RSC certification date of May 23, 2017. The RSC certification date is the last day on which sampling was done on the RSC Property and is the date that the qualified person referred to in providing the opinion that the RSC Property met the applicable site condition standards.

Under Part XV.1 of the Environmental Protection Act (EPA), a property owner may file an RSC to the Ministry's Registry if the applicable standards are met for soil, ground water and sediment. Section 168.3.1 of the EPA requires the filing of an RSC prior to a change in property use to a more sensitive use. These provisions are in place to ensure that properties being converted to a more sensitive use, such as a change from industrial use to residential use, meet the appropriate environmental standards and are protective of the human health and the environment.

Prohibition on certain changes of use

168.3.1 (1) Subject to subsection (2), a person shall not,

(a) change the use of a property from industrial or commercial use to residential or parkland use;

(b) change the use of a property in a manner prescribed by the regulations; or

(c) construct a building if the building will be used in connection with a change of use that is prohibited by clause (a) or (b).

The 5550 Langstaff Road site was previously an illegal waste disposal site and in the course of the redevelopment of portions of the site, wastes have been excavated, processed and stored on the RSC Property. The RSC submitted on April 9, 2018 certifies that soil and groundwater sampling met the applicable residential criteria as of May 23, 2017. The ministry's acknowledgement of the RSC on June 15, 2108 notes site activities after the certification date affect the liability provisions under 168.7(1) of the EPA. A copy of the written acknowledgement letter is attached for your files.

Further, the ministry considers the waste processing and storage activities carried out on the adjacent western parcel and involving the RSC Property, to be a continuation of an industrial use of the RSC Property. Therefore, no change to residential use is permitted without an RSC that characterizes these activities and the current site conditions.

The definition of industrial use under O. Reg. 153/04 includes the following activities:

5. Use as a waste disposal site as defined in section 25 of the Act, except a site for organic soil conditioning as defined in Regulation 347 of the Revised Regulations of Ontario, 1990 made under the Act.

Waste disposal sites are defined under the EPA;

'waste disposal site" means,

(a) any land upon, into, in or through which, or building or structure in which, waste is deposited, disposed of, handled, stored, transferred, treated or processed, and

(b) any operation carried out or machinery or equipment used in connection with the depositing, disposal, handling, storage, transfer, treatment or processing referred to in clause (a).

The ministry therefore has determined that activities on the RSC Property constitute an industrial use of the site and an RSC with a certification date which is after the cessation of any industrial use is required to ensure that any impacts resulting from this use are properly assessed prior to a change to any more sensitive use.

Should you have any questions please contact either Andrea Brown, District Engineer at (905) 427-5624, and Andrea.J.Brown@ontario.ca , or Jennifer Barnett, Senior Environmental Officer for the West Vaughan at (905)-836-7887 and Jennifer.E.Barnett@ontario.ca .

Yours truly,

Celeste Dugas, District Manager, York Durham District Office

cc: J. Barnett, Senior Environmental Officer, York Durham District, MOECC

A. Brown, District Engineer, York Durham District, MOECC

A. Pearce, Director, Development & Transportation Engineering at City of Vaughan

A. Gentile, Director, 1668135 Ontario Inc.

File Storage Number: SI YD VA LA 142

On Wednesday, January 16, 2019 11:17:34 AM EST, Coles, Todd <Todd.Coles@vaughan.ca> wrote:

Simone,

Thank you for your submission for the Special Committee of the Whole (Working Session) scheduled for January 17th. Your communication has been reviewed in accordance with the City's Procedural By-law. The Procedural By-law speaks to communications that "pertain to an item on that agenda".

It is not clear to me how the communication you provided relates to Bill 66. You note in your first line that "This letter below that was sent to the City of Vaughan on June 25/2018, is the very reason we have to vote against Bill 66." The remainder of the submission does not reference Bill 66, or make any connections. For this reason your communication, as submitted, will not be included on the agenda.

I do encourage you to express your views on Bill 66 through another submission that connects Bill 66 to your concerns and issues around the development of the neighbouring property.

Thank you,

From: Clerks@vaughan.ca
Sent: January-17-19 8:54 AM
To: Bellisario, Adelina
Subject: FW: Protection of Green Belt / Oak Ridges Moraine ... Jan 17 COW discussion

From: John CUTLER [REDACTED]
Sent: Wednesday, January 16, 2019 5:39 PM
To: Clerks@vaughan.ca
Cc: lafrate, Marilyn <Marilyn.lafrate@vaughan.ca>; PAULET CUTLER [REDACTED]; Paulette Cutler [REDACTED]
Subject: Protection of Green Belt / Oak Ridges Moraine ... Jan 17 COW discussion

Mayor Belvilacqua, Regional Councillors & Councillors:

On Jan 17, 2019 at the Committee of the Whole, the Vaughan council will be hearing input from the public on its response to the significant change signalled by the provincial government re protection of the Green Belt. Ontario's Bill 66 (Restoring Ontario Competitiveness Act) by allowing municipalities to ignore environmental and planning controls designed to protect the Green Belt and Oak Ridges moraine is a very short sighted. It goes against promises (to protect the Green Belt) made by Premier Ford during the election and unfairly downloads the environmental responsibility onto the municipalities.

Unfortunately, we will not be able to attend the Jan 17 meeting, but strongly urge that the Vaughan council adopt a **CLEAR** position that **VERY STRONGLY** protects the Green Belt / Oak Ridges moraine. This would include a Vaughan position that **NO exceptions would be considered** re: commercial development on the Green Belt. Since very important parts of the Green belt are in Vaughan, it is essential that it the City take up the stewardship that has been abdicated by the provincial government. The Green Belt area is too important to Vaughan and Ontario to be opened to development.

Sincerely
Paulette & John Cutler
[REDACTED] Westridge Cr / Kleinburg

January 16, 2019

C 9
COMMUNICATION
SP CW (WS) - January 17, 2019
ITEM - 1

To Mayor and Members of Council

As a citizen of Vaughan we should reject bill 66 as this impacts the communities of the green belt area. Leave the green space alone. The trees provide shelter and absorb carbon to have cleaner air. Look around us there is so much construction of buildings like downtown. There is hardly any greenspace where children could go to.

Maybe instead of development why not make a nice park where people can go to and have trees and trails to walk through, where trees change their colour in the fall (what a beautiful site that is).

I formally request that there is a recorded vote for this issue. The residents of Vaughan deserves to know which counselors respect our greenbelt.

Thank you please take this into consideration.

Pat Canizares
[REDACTED] Keele street

C 10
COMMUNICATION
SP CW (WS) - January 17, 2019

ITEM - 1

From: Clerks@vaughan.ca
Sent: January-17-19 10:56 AM
To: Bellisario, Adelina
Subject: FW: Bill 66

From: lafrate, Marilyn
Sent: Thursday, January 17, 2019 10:01 AM
To: Clerks@vaughan.ca
Cc: Ciampa, Gina <Gina.Ciampa@vaughan.ca>
Subject: Fwd: Bill 66

FYI for tonight

Sent from my iPhone

Begin forwarded message:

From: MARY CICCHIRILLO [REDACTED]
Date: January 17, 2019 at 8:13:29 AM EST
To: maurizio.bevilacqua@vaughan.ca, mario.ferri@vaughan.ca, gino.rosati@vaughan.ca, marilyn.lafrate@vaughan.ca, rosanna.defrancesca@vaughan.ca, linda.jackson@vaughan.ca, sandra.racco@vaughan.ca, alan.shefman@vaughan.ca, Tony Carella <tony.carella@vaughan.ca>, "Singh, Sunder" <sunder.singh@vaughan.ca>
Subject: Bill 66

Sadly, not too many that I've forwarded this to, myself included, will be attending. It is a very bad choice of time-dinner, family obligations, not to mention traffic; many would still be at work. I wonder if this timing was intentional so all can claim that the interest just wasn't there, that the public were given a chance to speak but no one showed up...

My understanding from years ago was that this area would be protected; WHY would this decision be reconsidered now? For the record, I am against any further building. York region is already a concrete jungle.

Thank you,

Mary Cicchirillo

From: Clerks@vaughan.ca
Sent: January-17-19 10:56 AM
To: Bellisario, Adelina
Subject: FW: Bill 66

From: lafrate, Marilyn
Sent: Thursday, January 17, 2019 10:02 AM
To: Theresa Molle [REDACTED] Clerks@vaughan.ca
Cc: Ciampa, Gina <Gina.Ciampa@vaughan.ca>
Subject: Re: Bill 66

Thank you.

Sent from my iPhone

On Jan 17, 2019, at 9:16 AM, Theresa Molle [REDACTED] wrote:

Sent from my iPad

Begin forwarded message:

From: Theresa Molle [REDACTED]
Date: January 17, 2019 at 9:03:40 AM EST
To: nancy.tamburini@vaughan.ca
Subject: Bill 66

We are adamantly against Bill 66 which would allow further intrusion of cookie cutter houses into our precious Greenbelt and Oak Ridges Moraine. We need green spaces for local farming and physical and psychological health; and, we need the Oak Ridges Moraine, which was left at the end of the last ice age to purify our water. I cannot believe that our council would allow unbridled sprawl that would only benefit a certain infinitesimal segment of our society and not the whole of it. Please act judiciously at the meeting tonight !

Theresa and Joseph Molle.

Sent from my iPad

Subject: FW: Special Committee of the Whole Report No.1 Bill 66
Attachments: CELAlegalanalysis-Bill66andCWA.pdf; ATT00001.htm; Bill 66.pdf; ATT00002.htm

From: Simone Barb [REDACTED]
Sent: Thursday, January 17, 2019 11:39 AM
To: Coles, Todd <Todd.Coles@vaughan.ca>
Cc: Bevilacqua, Maurizio <Maurizio.Bevilacqua@vaughan.ca>; Carella, Tony <Tony.Carella@vaughan.ca>; DeFrancesca, Rosanna <Rosanna.DeFrancesca@vaughan.ca>; Racco, Sandra <Sandra.Racco@vaughan.ca>; Ferri, Mario <Mario.Ferri@vaughan.ca>; lafrate, Marilyn <Marilyn.lafrate@vaughan.ca>; Rosati, Gino <Gino.Rosati@vaughan.ca>; Shefman, Alan <Alan.Shefman@vaughan.ca>; Linda D. Jackson (Regional) [REDACTED]
Michaels, Gus <Gus.Michaels@vaughan.ca>; Suppa, Frank <Frank.Suppa@vaughan.ca>; Pearce, Andrew <Andrew.Pearce@vaughan.ca>; Pucci, Ben <Ben.Pucci@vaughan.ca>; Phyllis Barbieri [REDACTED]
Richard T. Lorello (Regional) [REDACTED]; Lori Perri [REDACTED]; Pam Lombardo [REDACTED]
[REDACTED]; [REDACTED]; [REDACTED] Frank Durante <[REDACTED]>; [REDACTED]; Mike Russo [REDACTED]; Marylou Bel Monte [REDACTED]; Marie Donato [REDACTED]; Tony Caputo [REDACTED]; Integrity Commissioner <Integrity.Commissioner@vaughan.ca>; Craig, Suzanne <Suzanne.Craig@vaughan.ca>; Reali, Mary <Mary.Reali@vaughan.ca>; Rigakos, Demetre <Demetre.Rigakos@vaughan.ca>; Cardile, Lucy <Lucy.Cardile@vaughan.ca>; Teresa Veldhuis <tveldhuis@peo.on.ca>; Andrzej Dominski <adominski@peo.on.ca>; Brian Bridgeman <brian.bridgeman@durham.ca>; Lauren Chee-Hing <lchee-hing@ombudsman.on.ca>; Angie Piro [REDACTED]; Lety Lauye Fernandez [REDACTED]; [REDACTED] Steve P. [REDACTED] Joe Christini [REDACTED] Dugas Celeste (MECP) <celeste.dugas@ontario.ca>; Noor Javed <njaved@thestar.ca>; Zach Dubinsky <zach.dubinsky@cbc.ca>; liam.casey@canadianpress.com; Pat F. <patrick.foran@bellmedia.ca>; DONOFRIO AUTO GROUP [REDACTED]; Sones Kristen (MOECC) <kristen.sones@ontario.ca>; Collins, Stephen <Stephen.Collins@vaughan.ca>; Michaela Barbieri [REDACTED]; sean.oshea@globalnews.ca; Gabriel Ruffa [REDACTED]; Lee, Andy <Andy.Lee@vaughan.ca>; Chan, Albert <Albert.Chan@vaughan.ca>; Rick Girard <rick.girard@vaughan.ca>; MARY MONACO [REDACTED]; Messere, Clement <Clement.Messere@vaughan.ca>; Brusco, Nicolino <Nicolino.Brusco@vaughan.ca>; Peverini, Mauro <MAURO.PEVERINI@vaughan.ca>; Patrick Brown <patrick.brown@pc.ola.org>; gina.cimpa@vaughan.ca; minister.mecp@ontario.ca; Brian Moyle <bmoyle@trca.on.ca>; Andrea Horwath - QP <horwatha-gp@ndp.on.ca>; Brown Andrea (MECP) <andrea.i.brown@ontario.ca>; Dufresne Tina (MOECC) <tina.dufresne@ontario.ca>; Jennifer E. Barnett <jennifer.e.barnett@ontario.ca>; Dugas Celeste (MECP) <chris.hyde@ontario.ca>; Ciafardoni, Joy <Joy.Ciafardoni@vaughan.ca>; Schmidt-Shoukri, Jason <Jason.Schmidt-Shoukri@vaughan.ca>; KEEP VAUGHAN GREEN <keepvaughangreen@gmail.com>; Michael Tibollo <michael.tibollo@pc.ola.org>; Doug Ford <doug.ford@pc.ola.org>; Doug Fordco <doug.fordco@pc.ola.org>; Caroline Mulrone y <caroline.mulrone y@pc.ola.org>; Caroline Mulrone yco <caroline.mulrone yco@pc.ola.org>; Christine Elliott <christine.elliott@pc.ola.org>; Christine Elliottco <christine.elliottco@pc.ola.org>; Rod Phillips <rod.phillips@pc.ola.org>; rod.phillipsco@pc.ola.org; Magnifico, Rose <Rose.Magnifico@vaughan.ca>; Simmonds, Tim <Tim.Simmonds@vaughan.ca>

Subject: Re: Special Committee of the Whole Report No.1 Bill 66

To City Clerk, Mayor and Council of the City of Vaughan.

I'm requesting that these to attachments are added to the Public agenda for.

Special Committee of the Whole Report No.1



Canadian
Environmental Law
Association
EQUITY. JUSTICE. HEALTH.

**“OPEN-FOR-BUSINESS” PLANNING BY-LAWS, DRINKING WATER SAFETY,
AND THE LESSONS OF THE WALKERTON TRAGEDY:
LEGAL ANALYSIS OF SCHEDULE 10 OF ONTARIO BILL 66**

Prepared by
Theresa McClenaghan, Executive Director and Counsel
Richard D. Lindgren, Counsel

ABSTRACT: *Schedule 10 of Ontario’s Bill 66 proposes to enable municipalities to attract largescale economic development by passing “open-for-business planning by-laws” under the Planning Act. If Bill 66 is enacted, these municipal by-laws will require the prior approval of the Minister of Municipal Affairs and Housing, but will not be subject to the mandatory public notice, comment or appeal provisions under the Planning Act. In addition, these by-laws will be exempt from the application of key parts of important provincial laws, plans and policies, including the Clean Water Act, 2006 that was enacted in response to the Walkerton Tragedy. Section 39 of this Act currently requires planning and approval decisions at the provincial and municipal levels to conform to policies in source protection plans that address significant drinking water threats and the Great Lakes. However, Schedule 10 of Bill 66 proposes to exempt open-for-business planning bylaws from section 39, which is one of the most critical provisions in the Clean Water Act, 2006. This analysis¹ reviews the evolution of, and public policy rationale for, section 39, and identifies various adverse legal consequences if this proposed exemption is enacted. In order to safeguard public health and safety, the authors conclude that Schedule 10 of Bill 66 should be immediately abandoned or withdrawn by the Ontario government.*

PART I – INTRODUCTION

On December 6, 2018, the Ontario government introduced Bill 66 (*Restoring Ontario’s Competitiveness Act, 2018*) for First Reading.² If enacted, Bill 66 amends various provincial statutes, including the *Planning Act*.³

The proposed *Planning Act* changes in Schedule 10 of Bill 66 will empower municipalities to pass “open-for-business planning by-laws” aimed at facilitating major new development in order to create employment.⁴ In addition, this Schedule specifically exempts these extraordinary by-laws from current *Planning Act* requirements that govern the passage of zoning by-laws.

¹ This analysis provides general legal information about Schedule 10 of Bill 66, and should not be construed or relied upon as legal advice.

² Bill 66 is available at: <https://www.ola.org/en/legislative-business/bills/parliament-42/session-1/bill-66>.

³ The *Planning Act* is available at: <https://www.ontario.ca/laws/statute/90p13>.

⁴ See the Environmental Registry posting for this legislative “planning tool” proposal in Schedule 10 of Bill 66 (<https://ero.ontario.ca/notice/013-4125>). See also the Environmental Registry posting for related regulatory details on how open-for-business by-laws may be passed by municipalities (<https://ero.ontario.ca/notice/013-4239>).

Schedule 10 of Bill 66 further specifies that open-for-business planning by-laws do not have to comply with important environmental protections and land use controls established under other provincial laws, plans and policies.

For example, Schedule 10 expressly provides that section 39 of the *Clean Water Act, 2006 (CWA)*⁵ does not apply to an open-for-business planning by-law. This key section of the *CWA* was enacted by the Ontario Legislature over a decade ago, and it generally requires planning and approval decisions at the provincial and municipal levels to be consistent with policies in *CWA*-approved source protection plans that address significant drinking water threats and the Great Lakes.

The purpose of this analysis by CELA is to examine the adverse legal consequences and public health implications of exempting open-for-business planning by-laws from section 39 of the *CWA*. CELA's more detailed analysis of other contentious aspects of Bill 66 will be submitted shortly to the Ontario government during the public comment period on the proposed legislation.⁶

For the reasons outlined below, CELA concludes that Schedule 10 of Bill 66 is a regressive, unwarranted and potentially risky proposal that is inconsistent with the public interest, and that does not adequately safeguard the health and safety of the people of Ontario.

Moreover, Schedule 10's proposed exclusion of section 39 of the *CWA* is contrary to the recommendations from the Walkerton Inquiry and three specialized, multi-stakeholder advisory committees that were established by the Environment Ministry in relation to source protection planning.

Accordingly, CELA strongly recommends that Schedule 10 be immediately abandoned or withdrawn by the Ontario government.

PART II – THE PUBLIC INTEREST PURPOSE OF SECTION 39 OF THE CWA

In order to understand the nature, scope and significance of Schedule 10 of Bill 66, it is instructive to briefly review the historical and legislative context of section 39 of the *CWA*.

(a) The Walkerton Tragedy

In May 2000, seven persons died, and over 2,300 persons fell ill, after the municipal drinking water system in Walkerton, Ontario became contaminated with harmful bacteria (*E.coli* 0157:H7 and *Campylobacter jejuni*).

The source of contamination was cattle manure that had been spread in accordance with best management practices on agricultural lands in close proximity to a municipal well.

⁵ The *CWA* is available at: <https://www.ontario.ca/laws/statute/06c22>.

⁶ See the general Environmental Registry posting for Bill 66 (<https://ero.ontario.ca/notice/013-4293>).

In response to this tragedy, the Ontario government established an inquiry under the *Public Inquiries Act* to investigate the circumstances leading up to the outbreak, and to identify ways to better protect the safety of Ontario's drinking water.

This inquiry was headed up by Mr. Justice O'Connor, who held extensive public hearings, heard voluminous evidence and received detailed submissions on these matters from a large number of parties.⁷

(b) Findings and Recommendations of the Walkerton Inquiry

In 2002, Mr. Justice O'Connor published a two-volume report⁸ which made a number of findings about the various factors that caused or contributed to the Walkerton Tragedy, including the following:

- the Town of Walkerton did not have the legal means to control land use in the vicinity of the affected well;⁹
- the regulatory culture created by the provincial government through the Red Tape Commission review process discouraged the passage of a new regulation that required prompt notification of adverse water quality test results;⁹
- despite warnings of increased risks to the environment and human health, the provincial government's budget cutbacks and staff reductions undermined the Environment Ministry's ability to proactively inspect municipal drinking water systems;¹⁰ and
- land use planning can play an important role in the protection of surface water and groundwater.¹¹

The Walkerton Inquiry report also contained a comprehensive set of recommendations aimed at preventing a recurrence of this public health catastrophe elsewhere in Ontario. On the basis of expert evidence, Mr. Justice O'Connor concluded that Ontario should implement a multi-barrier approach (including preventing the degradation of drinking water sources) in order to protect drinking water safety and human health.¹²

Accordingly, the Part Two Report of the Walkerton Inquiry made 93 recommendations, 22 of which involved drinking water source protection, such as:

- drinking water sources should be protected by developing watershed-based source protection plans, which should be required for all watersheds in Ontario;

⁷ CELA served as counsel for the Concerned Walkerton Citizens at the Walkerton Inquiry.

⁸ The Walkerton Inquiry report is available at: http://www.archives.gov.on.ca/en/e_records/walkerton/ ⁹ Part One Report of the Walkerton Inquiry, page 20.

⁹ *Ibid*, pages 33, and 235-36.

¹⁰ *Ibid*, pages 34-35, and Chapter 10.

¹¹ Part Two Report of the Walkerton Inquiry, pages 52-53.

¹² Part One Report of the Walkerton Inquiry, pages 108-112, and Chapter 11. See also Part Two Report of the Walkerton Inquiry, Chapter 3.

- the Environment Ministry should ensure that draft source protection plans are prepared through an inclusive process of local consultation, which should be managed by conservation authorities where appropriate;
- draft source protection plans should be subject to review and approval by the Environment Ministry;
- provincial government decisions that affect the quality of drinking water sources must be consistent with approved source protection plans;
- where the potential exists for a significant direct threat to drinking water sources, municipal official plans and decisions must be consistent with the applicable source protection plan, and the plans should designate areas where consistency is required;
- for other matters, municipal official plans should have regard for the source protection plan;
- the regulation of other industries by the provincial government and by municipalities must be consistent with provincially approved source protection plans;
- given that the safety of drinking water is essential for public health, those who discharge oversight responsibilities of the municipality should be held to a statutory standard of care;
- the provincial government should enact a *Safe Drinking Water Act* to deal with matters related to the treatment and distribution of drinking water; and
- the provincial government should ensure that programs relating to the safety of drinking water are adequately funded (emphasis added).¹³

In response to the Walkerton Inquiry report, the Ontario government committed to implementing all of Mr. Justice O'Connor's recommendations, including those described above. Among other things, the provincial government enacted the *Nutrient Management Act, 2002* and the *Safe Drinking Water Act, 2002*, and undertook public consultations¹⁴ on a White Paper¹⁵ that eventually resulted in the passage of the *CWA*.

(c) Findings and Recommendations of Provincial Advisory Committees

After the Walkerton Inquiry but prior to the passage of the *CWA*, the Environment Ministry established three multi-stakeholder advisory committees to provide expert input and assistance on how to structure and implement the source protection planning process in Ontario.

¹³ Part Two Report of the Walkerton Inquiry, Recommendations 1-6, 17, 45, 67 and 78.

¹⁴ CELA's submissions on the *CWA*, implementing regulations, technical rules and related matters are available at: <http://www.cela.ca/collections/water/source-water-protection>.

¹⁵ See http://agrienvarchive.ca/download/watshed-based_source_prot_planning2004.pdf.

In 2003, for example, the report of the Advisory Committee on Watershed-Based Source Water Protection Planning¹⁶ found that:

Ontarians have made it clear that clean and safe drinking water is one of the most significant priorities in our province today. The extensive public hearings that occurred as part of the Walkerton Inquiry confirmed that Ontarians' confidence in their drinking water requires that the systems that deliver, govern and protect our water – from source to tap – meet the highest standards. Protecting human health is paramount (emphasis added).¹⁸

The Advisory Committee concluded that while municipalities play a key role in source protection planning, municipal authorities require additional statutory powers to control land use and development in order to protect drinking water safety:

Municipalities will be key players in the development and implementation of watershedbased source protection plans, not only through their representation on conservation authorities, but also through their critical role in implementation in terms of controlling and influencing land uses and land use planning...

Municipalities can influence the location of new high risk land uses, but only prior to their establishment... However, it must recognized that the *Planning Act* applies primarily during that limited period when a proposed development is proceeding through the approvals process and during initial construction. These existing mechanisms do not provide for long-term monitoring and enforcement.

Municipality ability to regulate existing uses is even more limited (original emphasis).¹⁹

Accordingly, the Advisory Committee made a number of recommendations on the design and implementation of source protection planning legislation, including the following:

- where risk to human health is the concern, source protection legislation should supersede other legislative provisions and considerations, and provincial decisions affecting water quality and quantity should be required to be consistent with source protection legislation;
- other provincial legislation (including the *Planning Act*) should be amended where necessary to be consistent with source protection legislation; and
- new powers should be developed for municipalities to better protect source water and implement watershed-based source protection plans (emphasis added).¹⁷

¹⁶ CELA served as a member of this Advisory Committee, as did members representing municipal, building, aggregates, agriculture and many other sectors. This Committee (like the ensuing Implementation Committee report noted below) arrived at consensus recommendations to the Ministers, and the recommendations from both reports formed the basis for the *CWA* when it was subsequently enacted. ¹⁸ Advisory Committee Report (2003), page 1. This report is available at:

http://agrienvarchive.ca/bioenergy/download/SWPA_Advisory_Committee_Report.pdf.

¹⁹ *Ibid*, page 12.

¹⁷ *Ibid*, Recommendations 8, 9 and 11.

Similarly, the Implementation Committee¹⁸ reported to the Environment Ministry in 2004 that:

It is important that all provincial and municipal decisions affecting drinking water be consistent with approved source protection plans. In addition, source protection plans must prevail if conflicts with other instruments occur. A primary clause would help ensure effective implementation of source protection plans by providing the legal basis for decision-making in the event of conflicts...

Legislative and jurisdictional reviews... indicate that gaps exist in current municipal authority to address threats to vulnerable drinking water sources in existing built-up areas and from existing activities...

The Committee also examined the relationship between source protection plans and municipal official plans and zoning by-laws and recommends that municipal land-use planning decisions be required to "be consistent with" source protection plans from the time a source protection plan is approved by the province. Municipal official plans should be updated to include source protection data and policies, and the province should work with municipalities to ensure a timely update of municipal official plans.²²

Accordingly, the Implementation Committee made numerous recommendations, including the following:

- source protection legislation should ensure that:
 - (a) provincial government regulation and decisions that affect drinking water are consistent with provincially approved source protection plans; and
 - (b) municipalities implement source water protection plans through their land-use planning systems where applicable and that municipal regulation of activities shall complement and implement, where applicable, provincially approved source protection plans;
- source protection legislation should ensure that if there is a conflict between an approved source protection plan as it pertains to a significant risk to drinking water and (1) a provincial law or instrument or (2) a municipal official plan or by-law, the approved source protection should prevail;
- approved source protection plans should be binding on the Crown;
- there must be consistency between source protection plans and decisions that the province makes related to a wide range of activities, including those related to: the province's own lands and activities; new and expanding operations; and existing activities which operate under provincial approvals (permits, licences, etc.); and

¹⁸ CELA served as a member of the Implementation Committee. ²² Implementation Committee Report (2004), pages xiii and xiv. The Committee's report is available at: <http://sourcewaterinfo.on.ca/images/uploaded/uploadedDownloads/4938e.pdf>.

- to address the gap in municipal authority and support municipal implementation of source water protection plans, the Implementation Committee recommends that municipal landuse planning decisions be required to “be consistent with” source water protection plans from the time that the plans are approved by the province (emphasis added).¹⁹

In addition, the Technical Experts Committee²⁰ established by the Environment Ministry reported in 2004 that:

Protection of drinking water sources is the first step in a multi-barrier approach to ensuring safe drinking water. The goal of source protection is to provide an additional safeguard for human health by ensuring that current and future sources of drinking water in Ontario’s lakes, rivers and groundwater are protected from potential contamination or depletion. Protecting the quality and quantity of drinking water sources will also help maintain and enhance the ecological, recreational and commercial values of our water resources.²¹

The Technical Experts Committee report also contains detailed recommendations on how to implement a credible, science-based approach for identifying drinking water threats, analyzing source water vulnerability, and undertaking risk management. This Committee also recommended that source protection plans should prevail over other provincial or municipal decisions:

Drinking water source protection must take priority over the Nutrient Management Act, farm water protection plans, and any other provincial or municipal legislation, policies or regulations that impact drinking water (emphasis added).²²

The foregoing unanimous recommendations from the three provincial advisory committees were reflected in the *CWA* when it was passed by the Ontario Legislature in 2006 and proclaimed into force in 2007. In particular, the above-noted recommendations regarding the primacy of source protection plans were directly incorporated into section 39 of the *CWA*, as discussed below.

Given this extensive work by the provincial advisory committees, and given this history of broad multi-stakeholder support for the paramountcy of source protection plans, CELA questions why the Ontario government is now trying to evade or undermine the legal effect of source protection plans by ousting the application of section 39 of the *CWA* to open-for-business planning by-laws under Schedule 10 in Bill 66.

(d) Purpose and Provisions of the CWA

The overall purpose of the *CWA* is to protect existing and future sources of drinking water against “drinking water threats.”²³

¹⁹ *Ibid*, Recommendations 15, 16, 18, 19 and 21.

²⁰ As an Implementation Committee member, CELA participated as an *ex officio* observer in the meetings of the Technical Experts Committee.

²¹ Technical Experts Committee Report (2004), page vii. The Committee’s report is available at: <http://www.onlta.on.ca/library/repository/mon/9000/249006.pdf>.

²² *Ibid*, Guiding Principle 15.

²³ *CWA*, section 1.

“Drinking water threat” is defined under the *CWA* as “an activity or condition that adversely affects, or has the potential to adversely affect, the quality or quantity of any water that is or may be used as a source of drinking water, and includes an activity or condition that is prescribed by the regulations as a drinking water threat.”²⁴

For example, where a prescribed activity within a wellhead protection area or surface water intake protection zone may create significant risk to source water, the *CWA* makes it mandatory for source protection plans to include policies to ensure that the activity “never becomes a significant drinking water threat,” or that the activity, if already underway, “ceases to be a significant drinking water threat.”²⁵

To date, *CWA* regulations have prescribed almost two dozen different agricultural, commercial or industrial activities as drinking water threats:

1. The establishment, operation or maintenance of a waste disposal site within the meaning of Part V of the *Environmental Protection Act*.
2. The establishment, operation or maintenance of a system that collects, stores, transmits, treats or disposes of sewage.
3. The application of agricultural source material to land.
4. The storage of agricultural source material.
5. The management of agricultural source material.
6. The application of non-agricultural source material to land.
7. The handling and storage of non-agricultural source material.
8. The application of commercial fertilizer to land.
9. The handling and storage of commercial fertilizer.
10. The application of pesticide to land.
11. The handling and storage of pesticide.
12. The application of road salt.
13. The handling and storage of road salt.
14. The storage of snow.
15. The handling and storage of fuel.
16. The handling and storage of a dense non-aqueous phase liquid.

²⁴ *CWA*, subsection 2(1).

²⁵ *CWA*, subsection 22(2), para 2.

17. The handling and storage of an organic solvent.
18. The management of runoff that contains chemicals used in the de-icing of aircraft.
19. An activity that takes water from an aquifer or a surface water body without returning the water taken to the same aquifer or surface water body.
20. An activity that reduces the recharge of an aquifer.
21. The use of land as livestock grazing or pasturing land, an outdoor confinement area or a farm-animal yard.
22. The establishment and operation of a liquid hydrocarbon pipeline.²⁶

To ensure the effectiveness and enforceability of source protection plans in relation to significant drinking water threats and the Great Lakes, subsections 39(1) to (8) of the *CWA* currently stipulate that:

- municipal, provincial and tribunal decisions under the *Planning Act* “shall conform with” policies contained in source protection plans that prevent or stop activities that constitute significant drinking water threats, or that are designated Great Lakes policies;²⁷
- municipal, provincial and tribunal decisions under the *Planning Act* must “have regard to” other policies in source protection plans;

²⁶ O.Reg.287/07, section 1.1. Subject to the approval of the Environment Ministry, it is also open to Source Protection Committees under the *CWA* to identify and evaluate local threats that are not found on the provincial list of prescribed threats.

²⁷ This mandatory requirement does not apply to the issuance of the Provincial Policy Statement or Ministerial zoning orders under section 47 of the *Planning Act*: see *CWA*, subsection 39(3). Given that Ministerial zoning orders have been previously used to facilitate major manufacturing plants in Ontario, CELA concludes that it is duplicative for Schedule 10 of Bill 66 to create a substantially similar planning tool to be used by municipalities.

- in cases of conflict, the significant threat policies and designated Great Lakes policies in source protection plans prevail over official plans, by-laws, and provincial plans or policies;
- within source protection areas, no municipality or municipal planning authority shall undertake any public work, structural development or other undertaking that conflicts with a significant threat policy or designated Great Lakes policy in source protection plans;
- no municipality or municipal planning authority shall pass a by-law for any purpose that conflicts with significant threat policies or designated Great Lakes policies in source protection plans; and
- provincial decisions to issue “prescribed instruments”²⁸ (e.g. environmental licences, permits or approvals) must conform with significant threat policies and designated Great Lakes policies in source protection plans, and must have regard to other policies in source protection plans.

It should be noted that the application of subsections 39(1) to (8) to policies in source protection plan is further addressed by section 34 of O.Reg.287/07 under the *CWA*. In essence, this regulation indicates that in order for policies to have legal effect under the *CWA*, the source protection plan must specify which subsections under section 39 (or other Part III provisions) are applicable to which policies.²⁹

In general, source protection plans can designate lands upon which prescribed activities are prohibited,³⁰ restricted,³¹ or regulated through risk management plans.³² Under the *CWA*, municipalities are required to amend their official plans and zoning by-laws under the *Planning Act* in order to bring them into conformity with the significant threat policies contained in source protection plans.³³

To develop significant threat policies and Great Lakes policies in source protection plans, the *CWA* established a locally-driven, science-based and participatory planning process to identify and protect the quality and quantity of drinking water sources (e.g. groundwater and surface water).

²⁸ To date, a lengthy list of instruments have been prescribed under the *CWA*, including: permits, licences and site plans under the *Aggregate Resources Act*; environmental compliance approvals for waste disposal sites and sewage works under the *Environmental Protection Act*; nutrient management plans and strategies under the *Nutrient Management Act, 2002*; water-taking permits under the *Ontario Water Resources Act*; pesticide permits under the *Pesticides Act*; and certain permits and licences under the *Safe Drinking Water Act, 2002*; see O.Reg.287/07, section 1.0.1.

²⁹ See, for example, Schedule C to the approved source protection plan for the Cataraqui Source Protection Area in southeastern Ontario: <http://cleanwatercataraqui.ca/PDFs/Studies-and-Reports/AppendixC-Applicable-LegalProvision-of-Policies.pdf>.

³⁰ *CWA*, section 57.

³¹ *CWA*, section 59.

³² *CWA*, section 58.

³³ *CWA*, sections 40 to 42.

In 2007, for example, the Ontario government designated “Source Protection Authorities” (existing conservation authorities) in a large number of watershed-based areas or regions across Ontario.³⁴ Each of these Authorities, in turn, appointed its own Source Protection Committee consisting of persons representing municipal, industrial, agricultural, environmental, and public interests.³⁹

These Source Protection Committees prepared and consulted upon assessment reports under the *CWA* that identified municipal drinking water sources, evaluated the vulnerability of these sources, and classified potential threats³⁵ to these sources arising from activities on nearby lands and waters.

The Committees then drafted and consulted upon source protection plans that, among other things, contained watershed-specific policies to mitigate significant drinking water threats, address Great Lakes issues where applicable, and enhance the protection of other sensitive areas (e.g. highly vulnerable aquifers and significant groundwater recharge areas).

The draft source protection plans were then submitted to the Environment Ministry for review and approval. By the end of 2015, 38 source protection plans had been approved by the Ministry, and all of the approved plans are currently being implemented by provincial, municipal and risk management officials across Ontario.

In the meantime, Source Protection Committees are now gearing up to update their original assessment reports to determine if their plan policies require any amendments in light of new information or changed circumstances at the local level.

CELA notes that the most recent Annual Report of the Environmental Commissioner of Ontario (ECO) independently reviewed the first generation of approved source protection plans.⁴¹ After interviewing stakeholders and examining 500 plan policies from across the province, the ECO concluded that the *CWA* process has worked well to produce “individually tailored source protection plans that respond to the specific geography and local circumstances of each watershed,” and that contain “policies that thoughtfully weighed the financial consequences of complying with more onerous policies without sacrificing the ultimate goal of drinking water safety.”³⁶

Similarly, the ECO found that *CWA* source protection plans have resulted in “thousands of on-the-ground actions to reduce drinking water threats,” and these actions “should over time reduce the risk of spills and unsafe discharges to municipal drinking water sources, which supply water for about 80% of Ontarians.”³⁷ The actions cited by the ECO include “ministries are updating

³⁴ See O.Reg.284/07.

³⁹ See O.Reg.288/07.

³⁵ Activities undertaken in or near wellhead protection areas and surface water intake protection zones were assessed under the *CWA* to determine whether they constituted low, moderate or significant threats to drinking water sources.

⁴¹ ECO 2018 Annual Report, Volume 2, Chapter 1: <https://eco.on.ca/reports/2018-back-to-basics/>.

³⁶ *Ibid*, page 5.

³⁷ *Ibid*.

pollution permits to incorporate source protection provisions,” and “municipalities are amending their official plans to designate restricted areas for source protection.”³⁸ CELA notes that these types of action are specifically mandated by Part III of the *CWA*, including section 39.

Given the ECO’s findings, and given the considerable time, effort and resources that have gone into the source protection planning process to date, CELA is gravely concerned by the attempt in Schedule 10 of Bill 66 to allow open-for-business planning by-laws under the *Planning Act* to circumvent or override section 39 of the *CWA*, as described below.

CELA also shares the ECO’s concern that provincial funding to continue the *CWA* source protection program beyond March 2019 has not yet been confirmed by the Ontario government,³⁹ despite Mr. Justice O’Connor’s above-noted recommendation that this critically important program must be adequately funded. As correctly noted by the ECO, “the province should not squander the substantial investment it has made”⁴⁰ in source protection planning since the *CWA* was first enacted in 2006.

PART III – ANALYSIS OF EXEMPTING OPEN-FOR-BUSINESS PLANNING BY-LAWS FROM SECTION 39 OF THE CWA

(a) Purpose and Provisions of the Planning Act

The overall purpose of the *Planning Act* has been framed by the Ontario Legislature as follows:

- promote sustainable economic development in a healthy natural environment within the policy and by the means provided under this Act;
- provide for a land use planning system led by provincial policy;
- integrate matters of provincial interest in provincial and municipal planning decisions;
- provide for planning processes that are fair by making them open, accessible, timely and efficient;
- encourage co-operation and co-ordination among various interests; and
- recognize the decision-making authority and accountability of municipal councils in planning.⁴¹

The *Planning Act* also identifies a broad range of provincial interests that the Minister of Municipal Affairs and Housing, municipal councils and other decision-makers must have regard to when exercising their statutory powers under the Act. These matters include:

³⁸ *Ibid.*

³⁹ *Ibid.*, pages 47-50.

⁴⁰ *Ibid.*, page 49.

⁴¹ *Planning Act*, section 1.1.

- the protection of ecological systems, including natural areas, features and functions;
- the protection of the agricultural resources of the province;
- the conservation and management of natural resources and the mineral resource base;
- the supply, efficient use and conservation of energy and water;
- the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- the orderly development of safe and healthy communities;
- the protection of public health and safety;
- the appropriate location of growth and development; and
- the mitigation of greenhouse gas emissions and adaptation to a changing climate.⁴²

In general, Ontario's *Planning Act* enables municipalities to pass zoning by-laws which permit, restrict or prohibit land uses within their respective boundaries.⁴³ Municipal decisions on official plans and zoning by-laws are typically subject to public notice and comment opportunities,⁴⁴ and these decisions "shall be consistent"⁴⁵ with the directions set out in the Provincial Policy Statement (PPS) issued under the *Planning Act*. Land use planning disputes may be heard and decided in proceedings before the independent Local Planning Appeal Tribunal.

The 2014 PPS contains a number of provincial policies aimed at ensuring safe, healthy and liveable communities and protecting natural heritage features and functions. For example, the PPS stipulates that all *Planning Act* decisions must:

- avoid development and land use patterns which may cause environmental or public health and safety concerns;
- ensure that water services are provided in a manner that can be sustained on water resources on which they depend, and that complies with all regulatory requirements and protects public health and safety;
- protect, improve or restore the quality and quantity of surface water and groundwater resources;
- implement necessary restrictions on development and site alteration in order to protect all municipal drinking water supplies and designated vulnerable areas; and

⁴² *Ibid*, section 2.

⁴³ *Ibid*, section 34.

⁴⁴ *Ibid*, sections 17 and 34.

⁴⁵ *Ibid*, subsection 3(5).

- restrict development and site alteration in or near sensitive surface water features and sensitive groundwater features such that these features and their related hydrologic function will be protected, improved or restored.⁴⁶

Given that these and other PPS policies are designed to safeguard the overarching provincial interest in protecting water quality and quantity, it is unclear, from a public interest perspective, why Schedule 10 of Bill 66 now proposes to expressly exempt open-for-business planning by-laws from being consistent with the PPS, as discussed below.

In addition, CELA notes that the PPS already expressly directs the municipalities to “promote economic development and competitiveness” by various means, including planning for, protecting and preserving “employment areas” for current and future uses.⁴⁷ Accordingly, it appears to CELA that Schedule 10’s creation of the new “open-for-business” planning tool is both redundant and unnecessary.⁴⁸ Interestingly, the mayors of several large municipalities in southern Ontario have already publicly declared that their communities do not intend to use this new planning tool even if Schedule 10 of Bill 66 is enacted.

(b) Schedule 10’s Proposed Amendments to the Planning Act

When Bill 66 was first introduced, the Ontario government rationalized the proposed legislation on the grounds that the Bill will eliminate “red tape and burdensome regulations,” and will thereby enable businesses to create “good jobs.”⁴⁹

On this apparent basis, Schedule 10 of Bill 66 proposes to amend section 34 of the *Planning Act* by adding new provisions that allow municipalities to pass “open-for-business planning by-laws” in manner that circumvents key procedural requirements under the Act.

For example, if a municipality requests and obtains written permission from the Minister of Municipal Affairs and Housing⁵⁰ to pass an open-for-business planning by-law, then the by-law is not subject to the public notice, comment and appeal opportunities that routinely apply to zoning by-laws.⁵⁷

⁴⁶ PPS, Policies 1.1, 1.6.6, and 2.2

⁴⁷ *Ibid.*, Policy 1.3.

⁴⁸ The regulatory proposal (<https://ero.ontario.ca/notice/013-4239>) that accompanies Bill 66 indicates that “open-for-business” by-laws are intended to approve manufacturing plants, research/development facilities and other industrial developments that create 50 jobs in smaller municipalities and 100 jobs in larger municipalities. It appears that such developments may also include residential, commercial or retail components as long as they are not the “primary” land use.

⁴⁹ See <https://news.ontario.ca/medg/en/2018/12/ontarios-government-for-the-people-cutting-red-tape-to-help-create-jobs.html>

⁵⁰ Schedule 10 contains no statutory criteria or environmental factors that the Minister must take account when deciding whether to approve or reject a municipal request to pass an open-for-business by-law. ⁵⁷ Schedule 10, proposed subsection 34.1(6), para 3.

Similarly, Schedule 10 provides that no notice or hearing is required prior to the passage of such by-laws.⁵¹ However, after the by-laws are passed, municipalities are obliged to promptly notify the Minister, and to provide notice to any persons or public bodies that municipalities “consider proper” to receive *ex post facto* notice.⁵²

If the people of Ontario are the presumed beneficiaries of making municipalities “open-for-business,” it is unclear why interested or potentially affected members of the public are being excluded from any meaningful participation in developing open-for-business planning by-laws.

In our view, requiring discretionary public notification only after the by-laws are passed in a secretive manner (and excluding public rights of appeal under the *Planning Act*) does not ensure good land use planning, enhance accountability of decision-makers, guarantee source water protection, or otherwise safeguard the public interest.

Schedule 10 of Bill 66 goes to provide additional exemptions and/or preferential treatment under the *Planning Act* in relation to open-for-business planning by-laws. For example, Schedule 10 proposes that such by-laws:

- do not have to be consistent with the protective provincial policies in the PPS;⁵³
- are not subject to the legal requirement that public works and municipal by-laws must conform with official plans;⁵⁴
- are not subject to the holding by-law provisions under the Act;⁵⁵
- do not allow “density bonus” agreements for the provision of municipal facilities or services from the developer in exchange for increased height or density in the development;⁵⁶
- are not subject to traditional site plan controls;⁵⁷
- can only be modified or revoked by the Minister before they come into force;⁵⁸ and
- take precedence over any previously passed zoning by-laws or interim control by-laws that conflict with the open-for-business planning by-law.⁵⁹

⁵¹ *Ibid*, proposed subsection 34.1(11).

⁵² *Ibid*.

⁵³ *Ibid*, proposed subsection 34.1(6), para 1.

⁵⁴ *Ibid*, proposed subsection 34.1(6), para 2.

⁵⁵ *Ibid*, proposed subsection 34.1(6), para 4.

⁵⁶ *Ibid*, proposed section 34.1(6), para 5.

⁵⁷ *Ibid*, proposed subsection 34.1(7).

⁵⁸ *Ibid*, proposed subsection 34.1(13).

⁵⁹ *Ibid*, proposed subsection 34.1 (19).

In addition to the above-noted *Planning Act* exemptions, Schedule 10 of Bill 66 proposes that open-for-business by-laws will not be subject to a number of other environmental statutes and provincial land use plans.⁶⁰

However, this analysis by CELA focuses on Schedule 10's controversial proposal to exempt open-for-business planning by-laws from section 39 of the *CWA*. In CELA's opinion, this proposed exemption has considerable potential to adversely affect drinking water sources and the health of millions of Ontarians who are served by municipal drinking water systems.

(c) Schedule 10's Proposed Exclusion of Section 39 of the CWA

As discussed above, section 39 of the *CWA* contains eight different subsections which collectively require provincial and municipal decisions under the *Planning Act* and other statutes to conform to significant threat policies and designated Great Lakes policies in approved source protection plans.

Thus, section 39 gives overarching primacy and binding legal effect to source protection plans in relation to activities that constitute significant drinking water threats, as had been recommended by Mr. Justice O'Connor and three different provincial advisory committees.

However, Schedule 10 of Bill 66 now proposes to wholly exclude subsections 39(1) to (8) from applying to major development projects that may be authorized by open-for-business planning bylaws. Therefore, as a matter of law, Schedule 10 enables municipalities to pass such by-laws pursuant to new section 34.1 of the *Planning Act* to approve large-scale development that is contrary to source protection plan policies regarding significant threats to communities' drinking water supplies.

For example, the exclusion of section 39 of the *CWA* means that open-for-business planning bylaws could allow massive industrial projects to be constructed and operated in wellhead protection areas or surface water intake protection zones delineated by source protection plans, even if certain activities or facilities associated with the project (e.g. high-volume water-takings, on-site sewage works, waste disposal site, or the handling or storage of solvents, fuel, dense non-aqueous phase liquid, etc.) may constitute significant drinking water threats.

Similarly, it is our view that ousting the application of section 39 of the *CWA* would enable provincial officials to issue prescribed instruments (e.g. environmental licences, permits, or approvals) for such activities or facilities, even if they would be contrary to the significant threat policies in an approved source protection plan.

⁶⁰ Aside from the *CWA* exemption, open-for-business by-laws will not be subject to certain provisions in the *Great Lakes Protection Act, 2015*, *Greenbelt Act, 2005*, *Lake Simcoe Protection Act, 2008*, *Metrolinx Act, 2006*, *Oak Ridges Moraine Conservation Act, 2001*, *Ontario Planning and Development Act, 1994*, *Places to Grow Act, 2005*, and *Resource Recovery and Circular Economy Act, 2016*.

On this point, we are aware that section 34 of O.Reg.287/07 prescribes how the subsections in section 39 are to be applied under the *CWA*. However, as a general principle of statutory interpretation, provisions in regulations do not trump or override the clear language used in legislation. In our view, the unambiguous wording of Schedule 10 in Bill 66 is that section 39 is excluded in its entirety from applying to open-for-business planning by-laws under the *Planning Act*, irrespective of what may be stated in O.Reg.287/07 under the *CWA*.

In addition, Schedule 10 appears to make it permissible for municipalities to undertake public works or structural development (e.g. infrastructure expansion) within or across a wellhead protection area or intake protection zone in order to service private development authorized under open-for-business planning by-laws, although such actions may facilitate land uses that conflict with significant threat policies in source protection plans.

In our view, there is no legal justification or compelling public policy rationale for allowing open-for-business planning by-laws to override significant threat policies (or designated Great Lakes policies) in source protection plans under the *CWA*.

This is particularly true since these policies have been carefully crafted on the basis of local field studies, technical investigations and scientific analysis, and the policies were subject to extensive public consultations by Source Protection Committees in watersheds across Ontario.

Moreover, the significant threat policies in current source protection plans were provincially approved over three years ago, and the implementation of these plans to date has successfully reduced threats to drinking water throughout the province, as recently reported by the ECO. In addition, the paramountcy of significant threat policies (as entrenched in section 39 of the *CWA*) is fully responsive to Mr. Justice O'Connor's recommendations, which the Ontario government has pledged to implement and maintain.

Furthermore, we are unaware of any cogent evidence that demonstrates that open-for-business planning by-laws (particularly those which conflict with source protection plans) are actually wanted by municipalities for employment creation purposes. We further note that the Ontario government has failed or refused to explain why new major development cannot be accommodated on employment lands already set aside beyond the boundaries of wellhead protection areas or intake protection zones.

Finally, CELA derives no comfort from the Schedule 10 proposal that open-for-business planning by-laws will be reviewed and approved by the Minister of Municipal Affairs and Housing. First, in our respectful view, this Ministry has no particular expertise under the *CWA* or drinking water safety in general, and therefore cannot be realistically expected to gather and assess the detailed on-the-ground evidence needed to make an informed decision on whether or not a proposed development poses a significant drinking water threat.

Second, on its face, Schedule 10 only prescribes two statutory conditions for passing such by-laws at the municipal level: (a) Ministerial approval; and (b) prescribed criteria "if any."⁶¹ Neither of these "conditions" have any built-in environmental or public health safeguards. This is also true for the illustrative criteria set out in the Environmental Registry posting for the proposed regulation that accompanies Bill 66. These suggested criteria address the type of development for which an open-for-business planning by-law may be passed (e.g. the job creation threshold), but they do not expressly include any environmental or public health factors that must be satisfied.

Third, while the Minister may impose unspecified conditions on his/her approval of an open-for-business planning by-law,⁶² it is unlikely that these conditions can or will be used to crossreference or re-impose significant threat policies from approved source protection plans, especially since Schedule 10 expressly excludes the application of such policies.

Put another way, if it is open to the Minister, in his/her discretion, to impose the key elements of relevant significant threat policies as conditions of approval for open-for-business planning bylaws, then it is contrary to the public interest (and defies common sense) to exempt such policies in the first place under Schedule 10. Assuming that such conditions can even be requested by a municipality or imposed by the Minister, it appears to CELA that crafting case-specific exemptions to the statutory exemptions under Schedule 10 seems unwieldy in law and unworkable in practice.

PART IV - CONCLUSIONS

For the foregoing reasons, CELA concludes that Schedule 10 of Bill 66 represents an unprecedented and unjustifiable rollback of current legal requirements that were specifically enacted under the *CWA* to prevent a recurrence of the Walkerton Tragedy.

By any objective standard, the well-founded requirements under section 39 of the *CWA* are not "red tape" or "burdensome regulations", as implicitly suggested by the provincial government. To the contrary, section 39 is a vitally important safeguard that must remain in full force and effect across Ontario in order to protect drinking water safety and human health.

Moreover, it is well-established that protecting drinking water sources against significant threats also makes considerable economic sense, particularly since source protection efforts help reduce the need for municipalities to add (or enhance) expensive treatment technologies, or attempt to restore or cleanup contaminated drinking water sources, or build (or expand) drinking water infrastructure in order to draw supplies from alternative sources.⁶³

⁶¹ Schedule 10, proposed subsection 34.1(2).

⁶² *Ibid.*, subsection 34.1(4).

⁶³ See Cataraqui Source Protection Plan, Chapter 2, page 10: <http://cleanwatercataraqui.ca/PDFs/Studies-andReports/Chapter2-Introduction.pdf>.

The financial benefits of drinking water source protection was also amply demonstrated in the Walkerton Tragedy, where the aggregate costs of the public inquiry, remediation, compensation, healthcare and related matters have been estimated to be \$200 million.⁶⁴

In our view, the Ontario government should not sacrifice drinking water quality, or create needless public health risks, in the pursuit of economic development throughout the province. Accordingly, CELA strongly recommends that Schedule 10 be abandoned and withdrawn by the Ontario government before Bill 66 proceeds any further in the legislative process.

December 17, 2018

⁶⁴ See <https://www.thestar.com/news/queenspark/2018/12/09/tories-bill-66-would-undermine-clean-waterprotections-that-followed-walkerton-tragedy-victims-and-advocates-warn.html>.

SPECIAL COMMITTEE OF THE WHOLE REPORT NO.1

BILL 66, RESTORING ONTARIO'S COMPETITIVENESS ACT, 2018- LEGISLATIVE REVIEW.

City Clerk, Mayor of the City of Vaughan, and Council, (January 17/2019).

Bill 66 -The potential Repercussions of Bill 66 if adopted in the City of Vaughan.

Quoting the Words of Carolyn Kim from Pembina Institute.

How proposed Changes to the Planning Act, will Impact Ontarians. The Bill could "RESULT IN REAL, ADVERSE AND POTENTIALLY IRREVERSIBLE EFFECTS TO ONTARIO'S LAND, HOUSING AND CLIAMTE."

"Our interest in Bill 66 is the potential impact from a land use and planning perspective,"

"if the bill is passed then it would have serious concerns and implications to how we plan and develop our cities across Ontario,

The Bill was introduced by the Doug Ford Government Dec 6.

" What we can see today from the proposed bill is that it's Farmed as attempting to cut red tape and facilitate development in the province but we believe it would result in adverse effects in terms of land use planning in the province and the implications to public health and our environment that includes access to clean water and a clean environment" Carolyn Kim

"THE PROPOSED CHANGES IN BILL 66 AS IT STANDS TODAY TAKES US IN THE WRONG DIRECTION"

Carolyn Kim, Pembina Institute.

The bill aims to amend the Planning Act and give municipalities the power to create a new type of zoning tool, called an open-for-business planning bylaw.

“Our top concerns around that is that development projects that would be pursuant to the open-for-business planning tool could bypass essentially all substantive environmental protections and planning policies that ensure development occurs in the province in a healthy and sustainable way,”

“it would bypass policies that are in the Planning Act, Places to Grow, the Oak Ridges Moraine Conservation Act, the Greenbelt Act. It would also allow development projects to bypass municipal plans such as official plans or site plans. These are the checks and balances that we have in our planning framework in the province to ensure that development are meeting the due diligence requirements and are ensuring that developments are in the best interest of the public” -Carolyn Kim.

It may also undermine the Growth Plan’s vision to strategically grow in areas with existing or planned infrastructure and Services.

One thing for sure if this Bill 66 is adopted by council it will weaken the democratic planning process.

“The bill will dramatically weaken the public’s right to comment on development projects that might affect the environment including access to clean water, natural heritage systems and agricultural lands,” Carolyn Kim.

The proposed bill could also create an incoherent approach to economic development and may encourage fragmented economic investments across the province, putting municipalities in further competition with each other for employment development,

“The Bill states that the minister of municipal affairs has the authority to approve the open-for-business planning bylaw in a jurisdiction, but it may not approve that bylaw in another jurisdiction, or it would have differing conditions across municipalities,” Carolyn Kim.

In that case it would create a patchwork approach to an economic development strategy for the province. Carolyn Kim.

Article written by Daily Commercial News by ConstructConnect’ Authored by Angela Gismindi, Jan 15/2019, Blogger Carolyn Kim from Pembina Institute.

At this time is why it is so very important that this BILL 66 DOES NOT GET ADOPTED BY COUNCIL.

Because you will be going against your campaign promises to maintain an open, transparent, government that will govern under an Inclusive government to sustain more of an inclusive society. That creates Inclusive growth not only for a fairer society but also for a stronger economy. Also, to not undermine the economic growth between our local and provincial government and the citizens of Vaughan and across the Province of Ontario.

We are requesting that the **Vaughan Council Rejects Bill 66 Restoring Ontario's competitiveness Act, 2018**

Regards

Simone Barbieri

Subject: FW: Special Committee of the Whole Report No.1 Bill 66

From: Simone Barb [REDACTED]
Sent: Thursday, January 17, 2019 12:08 PM
To: Coles, Todd <Todd.Coles@vaughan.ca>
Subject: Re: Special Committee of the Whole Report No.1 Bill 66

To City Clerk, Mayor, and Council of the City of Vaughan,
Special Committee of the Whole Report No.1 Bill 66.
further communications from MPP Michael Tibollos office and my self Simone Barbieri. Jan 17/2019
that need to be added to the public agenda.

Regards
Simone Barbieri
Genco, Tony <tony.genco@pc.ola.org>
To: Simone Barb
17 Jan at 11:50 AM

I have spoken to the Ministers office and I am awaiting a reply. I am hoping to receive one and provide it to you immediately thereafter.

Simone Barb [REDACTED]
To: Genco, Tony
17 Jan at 11:59 AM
MPP Tibollo,

Thank you for the update.

However,

I hope you are not waiting for Bill 66 to pass So you don't have to reply.

As Minister Tibollo discussed in a telephone conversation in Dec of 2018 with me a plan was in place already. Therefore MPP Tibollo should already know what the action plan is for 5550 Langstaff and the residents should have already received an update to the Action plan for 5550 Langstaff rd. Unapproved landfill.

What's the hold up?????

Regards
Simone Barbieri

On Thursday, January 17, 2019 11:47:07 AM EST, Simone Barb [REDACTED] wrote:

To City Clerk, Mayor and Council of the City of Vaughan.

I'm requesting that the below communication between Myself and MPP Michael Tibollos office are added to the Public agenda for.

Special Committee of the Whole Report No.1

Bill 66, Restoring Ontario's competitiveness Act, 2018.

Genco, Tony <tony.genco@pc.ola.org>

To: [REDACTED]

17 Jan at 10:12 AM

This is further to your email to MPP Tibollo about your concerns regarding Bill 66. The government has brought forward a package of regulatory and legislative changes that target unnecessary, duplicative and outdated regulations that do nothing to protect the environment, health or safety. We have heard loud and clear from municipalities and job creators - there is too much red tape and it can take years for businesses to navigate the development approvals process. Businesses looking for sites, and meeting certain prescribed provincial criteria, could qualify for the streamlined approvals with municipal support.

We have been clear that we will protect the Greenbelt and will not support proposals in contrast with that commitment. Municipalities will need to receive endorsement, which could include conditions and requirements for implementation, from the Minister of Municipal Affairs and Housing to be able to use the bylaw. For the past 15 years, the Liberals have carved into the Greenbelt at least 17 times and have told municipalities what projects they were going to have in their communities.

On June 7th, the people set a clear agenda for our government – they elected a government that believes in transparency and accountability for the people, they wanted a government that prioritizes fiscal responsibility and they wanted a government that would clean up the regulatory environment and make Ontario open for business. Our Made-in-Ontario Environment Plan committed to strong enforcement action to protect our lakes, waterways and groundwater from pollution. We will build on the ministry's monitoring and drinking water source protection activities.

Tony Genco

Executive Assistant

Office of Hon. Michael Tibollo MPP

Vaughan-Woodbridge

905-893-4428

647-326-4655

—

Simone Barb [REDACTED]

To: Genco, Tony
17 Jan at 11:31 AM

Thank you for you email but what is the action plan for 5550 Langstaff Rd unapproved land fill. That was discussed among governments but never communicated to the adversely effected residents.

Bill 66 is not operating under an open, honest government that will Deliver under an inclusive government.

This Bill 66 violates the people's Democratic right.

Regards
Simone Barbieri

Sent from my iPhone

On Jan 17, 2019, at 10:12 AM, Genco, Tony <tony.genco@pc.ola.org> wrote:

Subject: FW: Upcoming Meetings

Importance: High

From: Munir Ahmad [REDACTED]
Sent: Thursday, January 17, 2019 12:29 PM
To: Ciampa, Gina <Gina.Ciampa@vaughan.ca>
Subject: Re: Upcoming Meetings

Hi Gina,

I am opposed to opening green belt for development. Please inform Marilyn about my opinion.

Kind Regards,

Munir Ahmad

[REDACTED] Maple Meadows Lane

Vaughan, ON [REDACTED]

Cell: [REDACTED]

Sent from Yahoo Mail on Android

On Thu, 17 Jan 2019 at 10:49 AM, Ciampa, Gina

<Gina.Ciampa@vaughan.ca> wrote:

Good morning

Further to our telephone conversation, attached are copies of the upcoming meetings.

Gina Ciampa

Executive Assistant to Councillor Marilyn lafrate
905-832-8585, ext. 8723 | gina.ciampa@vaughan.ca

City of Vaughan | Office of Councillor, Ward 1, Maple/Kleinburg
2141 Major Mackenzie Dr., Vaughan, ON L6A 1T1
vaughan.ca



To subscribe to Councillor Marilyn lafrate's E-Newsletter, please click [here](#)

This e-mail, including any attachment(s), may be confidential and is intended solely for the attention and information of the named addressee(s). If you are not the intended recipient or have received this message in error, please notify me immediately by return e-mail and permanently delete the original transmission from your computer, including any attachment(s). Any unauthorized distribution, disclosure or copying of this message and attachment(s) by anyone other than the recipient is strictly prohibited.

Mayor Bavelacqua & Vaughan Council Members

I wish to express my concerns and strong opposition towards Schedule 10 of Bill 66, which introduces "Open-for-business by-laws". Bill 66 aims to stimulate business investments, create suitable jobs, and make Ontario more competitive by cutting "unnecessary" and "inefficient" regulations. However, if the bill is passed it would circumvent many laws and regulations that are critical in supporting protection of water, natural heritage, farmland and human health and well-being within Ontario.

Under the guise of cutting red tape, Schedule 10 of Bill 66 affects every municipality of Ontario. "Open-for-business by-laws" would take precedence over municipal official plans, and can bypass legal requirements that currently ensure fair, consistent, and transparent public engagement for decisions made within our communities. They also present industries with a back door to develop properties, on long protected natural areas without public notice or meetings. "Open-for-business by-laws" would override conservational and agricultural protections, threatening two million acres of natural areas and farmland to be developed on/for urban sprawl across the Greenbelt. Bill 66 would affect important natural habitat including wetlands and woodlands for species at risk across Ontario set out in the Provincial Policy Statement (PPS) under the Planning Act. Bill 66 also proposes to repeal the Toxics Reduction act, which requires industrial facilities to monitor and reduce their emissions of toxic chemicals, producing substances in air, land, water and consumer products. This not only threatens wildlife and ecological health through increased exposure to toxic chemicals, but impacts freshwater systems such as Lake Simcoe watershed, and threatens existing and future sources of municipal drinking water. If Bill 66 is passed, industry will be able to bypass the drinking water source protections under the Clean Water Act. This would weaken critical policies passed in response to the Walkerton tragedy, in which contaminated drinking water killed seven people and made thousands of people ill. "Open-for-business by-laws" threaten human health as they would lower requirements affecting proper management of landfills, sewage systems, and improper handling of fuel, manure, and pesticides, all of which could heavily impact drinking water across Ontario. Finally, Schedule 10 includes policies that remove protections under the Lake Simcoe Protection Act, the Clean Water Act, the Greenbelt and Oak Ridges Moraine Acts, Places to Grow Act, and Provincial Policy Statement (PPS) under the Planning Act, heavily affecting our environmental health.

"Open-for-business by-laws" of Bill 66, would turn back the clock in numerous years of good planning, community input, and strong leadership from previous Progressive Conservative and Liberal governments. They would sidestep laws and policies intended to protect the long-term health and resilience of our communities and their residents, including impacts to vulnerable natural landscapes and to water resources that we rely on. In the long run, Bill 66 would undermine efforts to make Ontario communities more livable, sustainable, and resilient, overriding policies that support active transportation, affordable housing, green infrastructure and climate resiliency, therefore, leaving citizens without recourse. Please remove Schedule 10 from Bill 66.

Submitted by Noreen Lee

Email. [REDACTED]

C 16
COMMUNICATION
SP CW (WS) - January 17, 2019
ITEM - 1

Subject: FW: Bill 66

-----Original Message-----

From: RM Brown [REDACTED]
Sent: Monday, January 14, 2019 4:38 PM
To: doug.ford@pc.ola.org; gila.martow@pc.ola.org
Cc: Coles, Todd <Todd.Coles@vaughan.ca>
Subject: Bill 66

If passed and implemented, future records will state that Bill 66 provided clear evidence of the PC party's reversal on election campaign promises regarding the environment. Furthermore, it will show that in their lust for power and wealth for themselves and their associates, PC members, allowed the environment to be damaged without regard for the health and safety of future generations! These shameful acts and policies resulted in their lengthy political demise.

Robert and Susan Brown
Thornhill/Vaughan