

Township also concerned with impacts of Bill 66

By Mark Pavilons

King Township has joined the throng of concerned citizens, voicing trepidation over Bill 66.

Critics charge that the legislation, while intended to streamline the planning process, actually circumvents that very process.

King councillors endorsed staff recommendations to voice their concerns to the Province on several aspects of the bill. It represents a 'significant departure' from typical planning framework and the approvals process. Staff and councillors are uneasy about the 'all or nothing' approach to invoking definitive 'open for business bylaws (OfBs)', which not only curtail public input, but provide binding decisions with no avenue for appeal.

Staff will forward their comments, along with those of council and members of the public who appeared at the Jan. 14 council meeting. The provincial government is due back in the Legislature Feb. 19 and staff believe Bill 66 will be pushed ahead at that time.

The intent of the Bill, according to the Province, is to reduce barriers to businesses seeking development sites, thereby enabling municipalities to act quickly to attract business. This is all aimed towards the government's goal of a one-year standard for provincial approvals.

The use of 'open for business' bylaws is at the discretion of the municipality and they can choose not to follow suit. One criteria set out by under the Act is that the proposed development bring with it a minimum of 50 jobs. It also suggests that OfBs are used for manufacturing and R&D proposals, and not residential, commercial or retail.

If a municipality passes an OfB bylaw, it then requires authorization from the ministry. It is then exempt from several policies and protection plans, including the local Official Plan, zoning bylaws, Greenbelt Plan, Oak Ridges Moraine Conservation Plan, and others. As well, there are no requirements for public notice or hearings prior to the passing of an OfB.

And this is where the alarm bells have sounded for various organizations, citizen's groups and environmental groups.

Township staff noted the blanket exemptions from many policy documents and plans could 'disrupt comprehensively planned municipal urban structures, land needs projections and infrastructure.' King staff recommended that the Province adopt a 'hybrid approach' where a municipality can determine which policy areas could be 'reasonably exempted' and which ones need to be considered on a 'site-specific basis.'

Further, planning staff is concerned that the proposed 'all or nothing approach' is not necessary in most circumstances and would not be desirable to the municipality.

'Discretion should be provided to enable municipalities to assess which exemptions from policy sections or plans may be appropriate as part of the OfB process on a case-by-case to reduce barriers to attracting business.' This, staff said, would seem to be consistent with the spirit of Bill 66.

Staff will continue to review updates to the Bill and inform council on any more details that come to light.

In a companion report passed by council, staff were given the go-ahead to develop criteria to assist in determining whether a request for an OfB bylaw should even be considered or not. The criteria would assist staff in determining if specific requests from landowners should be considered by council and it will help council decide if an OfB bylaw should be sent to the Province.

Staff are recommending a two-stage process which includes 'consideration criteria' and 'information required' to review an application.

Staff did admit that this municipal tool 'may help King to proactively attract and strategically plan for new business that are compatible with the community's values and priorities, and achieve financial sustainability.'

Staff will provide a more detailed report including this information at an upcoming meeting.

Public opposition abounds

Several residents took to the podium to voice their concerns, even outrage, at the potential impacts of Bill 66.

Representatives from the York Region Environmental Alliance and Oak Ridges Moraine Land Trust urged council to oppose the legislation, noting public input and water protection are not negotiable.

Schomberg's Mary Asselstine said Schedule 10 of Bill 66 is 'regressive' and threatens our natural areas. It's not a job creation tool, but rather it undermines communities. She urged council to reject it outright.

Mary Muter, on behalf of the Georgian Bay Great Lakes Foundation, pointed out the importance of the Lake Simcoe watershed and warned against the potential impacts Bill 66 may have on the water supply in York and King.

Resident Kelly Colasanti said King already has dedicated employment lands and doesn't need the boost offered by Bill 66. King has always been 'open for business.'

Judith Tenenbaum said she's not against business development, but also stressed there are plenty of employment lands in York and King. She fears it will give developers carte blanche and she encouraged council not to entertain passing any OfB bylaws. She said Bill 66 is shortsighted and she, too, is worried about impacts to the Greenbelt and Oak Ridges Moraine. She wants King to send a clear message to Queen's Park that we won't follow Bill 66 mandates.

Resident Charles Cooper said Bill 66 isn't just about the environment, but it's an omnibus piece of legislation that introduces changes to many ministries. The bill, he said, severely restricts and overrides local planning and public consultation. 'It ties your hands in so many ways,' he told councillors.

Claire Malcolmson, executive director of Rescue Lake Simcoe Coalition, said many things are not fully defined in Bill 66. She pointed out we can carry out sound planning 'without putting the environment at risk.'

All aspects of the planning process should be transparent and accountable, according to CCKT member Tom Butt.

Mayor Steve Pellegrini said council has always been about public consultation and that will never change.

Councillor Avia Eek said he was 'shocked' by the bill and its lack of substance.

Planning Director Stephen Naylor noted Bill 66 will likely be approved and the municipality will receive OfB requests. Residential development is not included in the bill so it has no impact on subdivision applications. The municipality, he said, can build in its own consultation process and OfB bylaws can be rescinded by the Township at any time.

Support for provisions in Bill 66 came from the King Chamber of Commerce and its president Tom Allen.

He said he trusts King councillors and staff as being 'stewards of sustainability' and all of its components. King has a significant job deficit and this needs to be addressed. Bill 66 provides an opportunity for King to take back control of its sustainability and provide an economic boost. There are strategic employment lands, including those near Highway 400 corridors, that need to be pursued.

Mayor Pellegrini addressed the elephant in the room, and offered a bottom line take on the matter.

Every municipality is subservient to the Province 'they have the power.'

King has always abided by environmental policies, but the mayor was quite honest in pointing out that being 'green is extremely expensive.'

Over the past two years, he's heard from many residents who simply can't afford to live here, and remain in King. The burden of high house prices and property taxes keep him awake at night.

The municipality can't afford to ignore certain aspects of Bill 66 and he prefers to proceed with caution. The key to lowering taxes is to increase the level of industrial and commercial development in King, and create jobs.

No other municipality has what King has in terms of green space. It's also the most restrictive area in York in terms of environmental plans.

'I need to understand more and see more before I say no,' he said. He recommends the Township explores what tools the bill provides in terms of attracting business.