

NORTH DUFFERIN AGRICULTURAL AND COMMUNITY TASKFORCE SUBMISSION - BILL 66

PREMISE: On December 6, 2018, the government introduced Bill 66, Restoring Ontario's Competitiveness Act ("Bill 66"). There are five proposals open for public comment, closing January 20, 2019.

COMMENTS:

NDACT is supportive of the goal of streamlining and reducing red tape for businesses to operate in Ontario. However the proposed amendment to the Planning Act takes away the democratic right of citizens to know what is happening in their own backyard, provide input and if needed oppose the development. Transparency is a key and fundamental issue that is missing from Bill 66. Profits for corporations should not come before the rights of the taxpayers, their health or the environment.

In 2006, The Highland Companies – a front company for a \$27-billion Boston hedge fund – bought 6,500-acres of Class 1 farmland in Melancthon. In 2011, they filed an application for the largest quarry in Canadian history on the best and rarest soil in the province (Honeywood Silt Loam), at the headwaters of five river systems.

The Mega Quarry would have spanned 2,300-acres and plunged 200-feet below the water table, destroying rare and scarce food-producing land and negatively impacting water resources for up to one million people downstream.

Due to the legislative requirements for public notice, public meetings and various applications the company was required to submit, the North Dufferin and Community Agricultural Taskforce (NDACT) was able to bring what was happening to the public's attention which resulted in the public's opposition to the proposal, eventually proving the implications of the proposal would be catastrophic.

If Bill 66 were in place in 2011, the company could have approached and received Council approval, fast tracked rezoning without notice to the public and no mechanism to appeal the decision.

Oversight in terms of studies conducted, and paid for, by opponents would not have been produced. After NDACT compiled data and presented it to the Grand River Conservation Authority, showing the mega quarry would have an impact on over 1 million people in their watershed, the GRCA produced a particularly damning report in response to Highland's application for the mine that shed light on the implications for water for over 1 million Ontarians in the Grand River watershed.

In 2012 Highlands pulled their application and the Mega Quarry was stopped, protecting prime farm land, food security, and our water source.

Providing a tool to municipalities to circumvent public notice provisions could put municipalities in a position to be pressured by developers to pass 'open for business' by-laws, even if they do not support that model. In fact the Mayor of Hamilton is quoted as saying: "*It really pits*

municipality against municipality," (he said). "I would much rather they stick with a global Ontario policy around the greenbelt and the boundaries." (source: <https://www.cbc.ca/news/canada/hamilton/hamilton-bill-66-1.4939902>)

NDACT is further concerned with the proposed amendment to Section 34.1(6)6 of the Planning Act that exempts new industrial uses permitted under an 'open-for-business' by-law from the following legislation:

(6) The following provisions do not apply to an open-for-business planning by-law:

6. Section 39 of the *Clean Water Act, 2006*.
7. Section 20 of the *Great Lakes Protection Act, 2015*.
8. Section 7 of the *Greenbelt Act, 2005*.
9. Section 6 of the *Lake Simcoe Protection Act, 2008*.
11. Section 7 of the *Oak Ridges Moraine Conservation Act, 2001*.

Municipalities must adhere to the provisions in the above noted Acts, at a cost to taxpayers - however under Bill 66 new industries would not have to.

The Lake Simcoe Protection Act was imposed due to high phosphorous levels being introduced to the lake. In fact the City of Orillia was mandated to improve their effluent discharge into the lake to meet the targets, costing them upwards of \$100,000.00 of tax payer money to protect the lake and the public.

As proposed, Bill 66 would give a pass to corporations making a private profit from the same provisions to which a municipal government must comply.

These various Acts were implemented to ensure Ontarian's food security, water and soil and some were imposed out of serious, sometimes deadly, instances.

The Clean Water Act was imposed after the Walkerton tragedy, where, due to completely preventable circumstances, six individuals died, 2000 people became sick and people still suffer from lifelong complications.

Recently an individual took his own life due to health complications from Walkerton (source: <https://www.thestar.com/news/canada/2018/05/11/in-2000-walkertons-poisoned-water-ruined-his-life-he-decided-it-was-time-to-end-it.html>)

Sometimes you can't rely on people or corporations doing the right thing. The "right thing" must be legislated.

The argument put forward by the government that Bill 66 and the Open for Business by-law will make it easier to designate lands that are currently protected for new business and industry does not make good economic sense.

For years the province has forced municipalities to look at and ensure employment lands are located within an urban or town boundary close to infrastructure that can support businesses such as water, sewers, internet and a good road network.

Allowing employment uses anywhere in the province, as the 'open for business' bylaw would, will put a huge burden on municipalities and utilities to provide services and upgrade roads in addition to the potential loss of farmland, and the environmental impacts.

Providing these services is expensive and building them will cause property tax increases and make it even harder to build public transit.

Additionally land is not scarce as developers would have the government and people believe. In a 2017 two-part brief titled "*The Growth Plan and the Greenbelt Plan Setting the Record Straight*" by Victor Doyle RPP, MCIP states:

The claims that the plans are constraining the supply of land and ground-related housing are ill-founded. The available facts and evidence, including the vast inputs to the Crombie Commission, are clear:

- *The Plans are absolutely the right direction to follow*
- *The evidence is irrefutable that the Plans do not go far enough to address the impacts of urban sprawl and provide for a truly sustainable future*
- *There is more than sufficient approved land and planned and existing ground related housing supplies to accommodate projected growth to 2031 - and likely 2041 - and any claims to the contrary are not borne out*

Ontario agriculture contributes \$13.7 billion to the annual GDP, confirming this sector as a driving force behind job creation, a stable tax base and thriving rural economies. An estimated 158,000 jobs with \$8.1 billion in wages and salaries are supported by Ontario's farm sector. More than 75,000 of these jobs are attributed directly to primary agriculture and suppliers of farm operator purchases of goods and services. (source: <https://ofa.on.ca/resources/economic-contribution-ontario-farm-sector-2013/>) Paving over farmland for business parks and manufacturing, when there is an ample supply of available land now, does not make economic sense.

Bill 66 is regressive and puts the health of drinking water, health and food source at risk. It is clear the Bill as tabled needs serious amendments/revisions prior to receiving third reading and royal assent.

NDACT is urging the government to revise the Bill to ensure democratic rights are not stripped and that the legislation in place to protect health food and water is not undermined.

Karren Wallace, Chair
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