

May 21, 2019

Honourable Steve Clark
Minister of Municipal Affairs and Housing

Dear Minister Clark,

Re: Proposed Bill 108, More Homes, More Choice Act, 2019

Friends of Muskoka (FOM) has serious concerns with proposed Bill 108 which we believe will facilitate development that could cause irreparable damage to the natural features that drive the economy in the District of Muskoka.

FOM is a not-for-profit corporation with approximately 4,000 supporters across the District of Muskoka, including year-round residents and seasonal residents. We are a volunteer organization, working to preserve and protect the natural environment and unique character of Muskoka by promoting responsible use and development of its land and lakes.

Proposed Changes to *Planning Act*

Bill 108 proposes a number of changes to the *Planning Act* that will reduce the important voice of municipal councils and communities in development decisions. FOM urges the Province to retain the existing restrictions on the LPAT's decision-making powers that limit LPAT's ability to overrule municipal council decisions. LPAT is an unelected body that is unaccountable to voters and should not have authority to make planning decisions on how our communities evolve and grow.

FOM disagrees with the proposal to permit LPAT to conduct 'de novo' hearings that start anew without reference to municipal council's decision. We request the Province to retain the existing *Planning Act* grounds of appeal of zoning by-laws and official plan amendments to only include testing for consistency with provincial policy statements, conformity with provincial plans and (for zoning by-laws) conformity with the municipal official plan, and to incorporate other measures that would provide for more deference to the decision-making powers of municipal councils.

We also disagree with Bill 108's proposed restrictions on community members' ability to oppose development applications. We urge the Province to continue to permit any person who made oral submissions at a public meeting, or written submissions to the approval authority before a decision was made with respect to the approval of a development application, to have a right to appeal the decision.

Proposed Changes to *Endangered Species Act (ESA)*

FOM opposes Bill 108's proposed changes to the ESA which we believe will fundamentally weaken the ESA and its ability to help the species that are on decline in our Province due to habitat loss.

In particular, we disagree with the new requirement to assess whether a species is faring better in places outside of Ontario. Many species are moving their habitats further north as our climate change and the heartiest members of these species are the first to adapt in a new environment and need to have their habitats protected to ensure their survival. Damaging the fringe habitats threatens the entire species.

Furthermore, by spending time examining species status outside Ontario, protection for these species within Ontario could be critically delayed. The only beneficiary will be developers who are being given another option for ensuring developments proceed – an option that is unrelated to our province's environment.

We also disagree with the proposal to give the Minister power to question scientific assessments under the ESA, and to delay protections or prohibitions on activities that harm species for as long as three years after a species is listed.

The effect of the proposed changes to the ESA will weaken our endangered species regime. This may be good for land developers in the short term, but it will lead to great harm to our environment in the long term.

Regulations to Bill 108

Important details about the proposals are to be included in the yet-to-be-publicized regulations. FOM requests the Province to provide a transparent and thorough stakeholder consultation process in developing all of the regulations associated with proposed Bill 108.

Summary

FOM urges the Province to halt the legislative advancement of Bill 108 to enable consultation with municipalities and communities to ensure its objectives for more certainty on what developers can build is achieved without causing irreparable damage to the environment and without ignoring community needs and goals. As Township of Muskoka Lakes Council stated in its May 17th, 2019 resolution opposing Bill 108, this Bill "in its current state will have negative consequences on community building and proper planning."

Sincerely,

Laurie Thomson,
President, Friends of Muskoka

Don Lang

Chair, Friends of Muskoka

cc.

- Honourable Doug Ford, Premier of Ontario
- Honourable Christine Elliott, Deputy Premier
- Honourable Norm Miller, MPP Parry Sound - Muskoka
- John Klinck, District of Muskoka Chair
- Phil Harding, Mayor, Township of Muskoka Lakes
- Township of Muskoka Lakes Councillors Barbara Bridgeman, Allen Edwards, Donelda Hayes, Frank Jaglowitz, Peter Kelley, Susan Mazan, Ruth-Ellen Nishikawa, Gordon Roberts, Glenn Zavitz
- Peter Koetsier, Mayor, Township of Georgian Bay
- Terry Glover, Mayor, Township of Lake of Bays
- Graydon Smith, Mayor, Town of Bracebridge
- Paul Kelly, Mayor, Town of Gravenhurst
- Scott Aitchison, Mayor, Town of Huntsville
- Norm Miller, MPP Muskoka – Parry Sound
- David Pink, Director of Planning, Township of Muskoka Lakes
- Samantha Hastings, Commissioner Community and Planning Services, District of Muskoka
- Summer Valentine, Director of Planning, District of Muskoka