
MEMORANDUM

CWCD 413-2018

Subject: Bill 66, Restoring Ontario's Competitiveness Act, 2018
Date: Friday, December 07, 2018
To: Regional Council
From: Rino Mostacci, Commissioner Planning and Development Services

On December 6, 2018, the Province released the first draft of *Bill 66, Restoring Ontario's Competitiveness Act, 2018*.

Among broad amendments to various statutes, Bill 66 contemplates an amendment to the *Planning Act, 1990*. The Region's comments below relate only to the proposed *Planning Act, 1990* changes and not the other statutes proposed for amendment.

Bill 66 would permit local municipalities to pass an "open-for-business by-law". This by-law could only be passed where there's a Council resolution and where it has approval from the Minister. What the Minister may permit in that by-law is limited; those limits will be identified at a later time.

An open-for-business by-law would not be subject to certain Provincial Plans and other legislation, but, *critically*, will be subject to other requirements of the Minister and the local municipalities.

Municipalities have latitude to impose conditions. As one of several examples, the open-for-business by-law would be subject to "Any requirement that is reasonable for and related to the appropriate use of the land and that the municipality considers necessary for the protection of public health and safety" (s.34.1(8)4).

Enacting an open-for-business by-law is entirely at the discretion of local municipalities; there is no requirement to do so.

Bill 66 applies throughout the Province and is not specific to the Greenbelt Plan area. Open-for-business by-laws will not be used to undermine key components of the Greenbelt Plan. The Region remains committed to the protection of natural features, provincially significant wetlands and agricultural lands. Open-for-business by-laws will not alter the Region's established growth strategy that includes limiting urban sprawl and protecting source water.

If the legislation proceeds, we anticipate a cooperative approach between the Region and local municipalities, to identify how an open-for-business by-law may work in their

municipality. These by-laws may be used to increase the Region's competitiveness in attracting new businesses and contributing to the economic prosperity of the area.

For instance, we may be able to explore opportunities in the Gateway Economic Zone (outside the Greenbelt Plan area) for an open-for-business by-law that provides streamlined approvals for key industries identified by the municipalities.

The Ministry is receiving comments on the Bill until January 20, 2019. Comments can be provided through the following link: <https://ero.ontario.ca/notice/013-4293>

More details are available from the Province's News Release and Backgrounder:

https://news.ontario.ca/medq/en/2018/12/ontarios-government-for-the-people-cutting-red-tape-to-help-create-jobs.html?utm_source=digest&utm_medium=email&utm_campaign=p

<https://news.ontario.ca/medq/en/2018/12/proposed-changes-to-create-jobs-and-reduce-regulatory-burden-in-specific-sectors.html>

Bill 66, Restoring Ontario's Competitiveness Act, 2018 can be viewed here: <https://www.ola.org/en/legislative-business/bills/parliament-42/session-1/bill-66>

Respectfully submitted and signed by

Rino Mostacci, MCIP, RPP
Commissioner Planning and Development Services

Cc: Local Area Municipalities CAO and Planning Directors,
for consideration and distribution.