

February 28, 2019

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Sent via e-mail to: [growthplanning@ontario.ca](mailto:growthplanning@ontario.ca)

**RE: Comments on Amendment 1 to the Growth Plan; Proposed Framework for Provincially Significant Employment Zones (collectively, the "Amendment")**  
**EBR Registry Numbers: 013-4504 and 013-4506**

Flato Developments ("Flato") is an Ontario based residential developer and builder with land holdings in both the inner and outer ring of the Greater Golden Horseshoe and in areas beyond the jurisdiction of the Growth Plan. Flato focuses on community building and land development, with both residential and mixed-use developments. Offering a full range of housing options, from town homes, semis, singles and high-rise condominium residences, as well as commercial developments, Flato is continuously growing and building across and outside the GTA. We are active throughout the Greater Golden Horseshoe, including in the City of Brampton, Town of Caledon, Town of Innisfil, City of Markham, Town of New Tecumseth, Town of Richmond Hill, Town of Shelburne, and Woodbridge in the City of Vaughan.

We thank the Province for putting forward the Amendment and for this opportunity to provide our comments. We support the Amendment and the Province's commitment to providing greater flexibility and addressing barriers to building homes, creating jobs and attracting investment in our region, streamlining transit growth, and improving the planning process, while maintaining protections for the Greenbelt, agricultural lands, the agri-food sector, and natural heritage systems in Ontario.

Our specific comments on the Amendment are provided below.

1. **We support** the revisions to Policy 2.2.7.4, regarding alternative density targets and different targets for different categories of municipalities for designated greenfield areas to support the diversification of housing options and a recognition that not all municipalities are the same. These revisions rightfully emphasize the need, for not only housing volume, but also housing choice. In some municipalities, these targets are still too high and we understand that some municipalities are requesting lower targets. We support the Province's approach in listening to these municipalities and their position on growth.
2. **We support** the revised minimum intensification targets for the delineated built-up areas addressed in Policy 2.2.2, which recognize that a one-size fits all approach to intensification is not appropriate across the Greater Golden Horseshoe. We further suggest that intensification rates should be kept lower in the Growth Plan to allow municipalities the flexibility to provide an appropriate housing mix.

3. **We support** the proposed revisions to Policies 2.2.8.4 and 2.2.8.5 regarding the adjustment and expansion of settlement area boundaries. However, we respectfully suggest the following modifications:
  - (a) That Policy 2.2.8.5 is modified to remove the arbitrary limit on settlement area boundary expansions in advance of a municipal comprehensive review, and instead require either that: (a) expansion be capped at a percentage of the existing settlement area or proposed population growth; or (b) the expansion promotes inter-municipal connectivity and/or provides a compelling public benefit to the community.
  - (b) To recognize infrastructure challenges and limitations related to the costs associated with servicing lands, we propose that Policies 2.2.8.4(e) and 2.2.8.5(d) be deleted, thereby removing the requirement for existing servicing where it can be demonstrated that existing servicing can be extended to lands.
  - (c) A municipality considering a settlement boundary expansion should be permitted to accept and consider an Official Plan Amendment Application and Zoning Bylaw Amendment Application concurrently with the settlement area boundary expansion review.
  - (d) Municipalities should be permitted to conduct Class Environmental Assessments for the servicing of proposed settlement area boundary expansion concurrently, or in advance of, of the expansion.
4. **We support** the proposed changes to the Growth Plan that address the need to plan for more efficient use of infrastructure. The extreme delays in servicing lands for development are an impediment to increasing housing supply and tackling affordability. In particular, we support the revisions to Policy 3.1, which aligns the Growth Plan with the Province's municipal asset management regulation, promoting the alignment of planning for land use and infrastructure.
5. **We support** the amendments aimed to streamline the process for determining major transit station areas, in order to speed up the process for development and zoning.
6. **We support** the revisions to the implementation of the Province's Agricultural System and Natural Heritage System mapping. This will enable the implementation of the mapping to be completed in a manner that better reflects the local realities, with a level of precision that, respectfully, is difficult to achieve in the context of a province-wide review.
7. **We suggest** that the requirement for an upper tier municipality to determine what locations are appropriate for growth when taking into consideration the Agricultural System (2.2.8.3 f) during the process of a settlement adjustment (2.2.8.4) or settlement expansion (2.2.8.5) be amended. The policies rightly allow for (any) municipality to look at "nominal" settlement expansions outside of a Municipal Comprehensive Review ("MCR") however, policy 2.2.8.4 (c) and 2.2.8.5 (b) require satisfaction of the applicable requirements of 2.2.8.3 including an assessment, from an agricultural perspective, of alternative locations across the entire Region or County. It is suggested that should a municipality choose to undertake a nominal settlement expansion that they should NOT need to evaluate alternative sites within a different municipal jurisdiction (e.g. should Bradford look to see if there are alternative locations for a nominal expansion in Brechin before a determination on a nominal expansion to Bradford is made?).

We recommend that the policy be amended as follows:

- 2.2.8.3 f. *prime agricultural areas* should be avoided where possible. To support the *Agricultural System*, alternative locations across the applicable municipality will be evaluated, prioritized and determined based on avoiding, minimizing and mitigating the impact on the Agricultural System and...
8. **We suggest** that the 400 407 (Markham) Provincially Significant Employment Zone (PSEZ) be revised to exclude the lands north of Major Mackenzie Drive and East of Highway 404. We further suggest that these lands are, accordingly, not suitable for PSEZ protections, and their designation should be determined by the upper tier municipality through their own evaluation in the local context.
  9. **We suggest** that Policy 2.2.9, regarding rural areas, is revised to emphasize the need for infrastructure in rural settlements (including hamlets and minor urban centres).
  10. **We suggest** that the natural heritage policies of the Provincial Policy Statement apply within settlement areas regardless of when the boundary was established.
  11. **We suggest** that the Growth Plan's growth forecasts be updated to 2051. Municipalities should be directed to plan to this horizon, which will streamline their ability to address housing shortages in the short and long term and to coordinate land use planning with infrastructure planning.
  12. **We suggest** that the Built-Up Area is updated to 2018, to reflect the growth in the upper tier municipality since the Growth Plan was first adopted.
  13. **We suggest** that the timeframe for completion of the MCR by a municipality should be two years.
  14. **We request** the opportunity to review and comment on the proposed regulations, prior to their issuance, to examine the intended and actual impact thereof.
  15. **We request** that the "excess lands" policy in Policy 2.2.1.6 be deleted. This part of the policy is not consistent with the stated goals of the Province. The policy freezes lands for development within settlement areas simply because they may not meet the **forecasted** growth as determined by a municipality. One effect of the policy is that it elevates "forecasted" growth to a "maximum cap". Additional effects are that it further constrains employment and housing supply and potentially reduces the economies of scale of existing and planned infrastructure by not allowing development to occur in settlement areas. Policies were added to the 2017 Growth Plan to identify that municipalities should not extend draft plan approvals or they should use deeming by-laws to deem registered plans of subdivision (that have been in existence for 8 years or more) as "non-registered plans" as per the Planning Act. Many landowners have made large investments in land and undertaken business plans within settlement areas on the understanding that these lands were available for development, subject to all other applicable policies. The excess land exercise may have some value to municipalities to determine if settlement expansions should occur should there be lands in excess of the forecasted growth but, this should not be used to freeze otherwise viable development land further constraining supply.



16. **We request** that the requirement for job retention on employment lands in policy 2.2.5.14 be deleted. The Growth Plan has a long history of protecting *employment areas* (a defined term effectively meaning a “cluster” of businesses or economic activities). The Amendment intends to project the existing or potential jobs on a standalone employment parcel (employment lands). It is suggested that there are numerous standalone employment land parcels that are underutilized and/or not developed for employment uses in various areas subject to the Growth Plan that are inappropriate or unviable for employment land purposes. The forced retention of all or a portion of these lands has the opportunity to reduce the viability of nearby or adjacent housing uses through incompatible uses. The new employment area conversion policies in 2.2.5.10 are not even afforded to the employment land policy of 2.2.5.14 and thus, employment lands are now more greatly “protected” than employment areas. These “employment lands” should not be afforded the same or similar retention policies as “employment areas” which are typically viable locations for numerous jobs to be created.

We thank you for the opportunity to provide input on the proposed Amendment and look forward to working with you and your staff. We would appreciate being added to the circulation list for any new information with respect to the Amendment.

If you have any questions, or would like to meet to discuss this letter, please do not hesitate to contact me.

Regards,



Shakir Rehmatullah  
President