

May 5, 2023

**By E-Mail Only to [planningconsultation@ontario.ca](mailto:planningconsultation@ontario.ca)**

Honourable Minister Steve Clark  
Ministry of Municipal Affairs and Housing  
Provincial Land Use Plans Branch  
777 Bay Street, 13<sup>th</sup> Floor  
Toronto, ON M7A 2J3

Dear Minister Clark:

**Re: ERO Posting No. 019-6821  
Bill 97, Helping Homebuyers, Protecting Tenants Act, 2023  
Comments of Aecon Infrastructure Management Inc.**

We are counsel to Aecon Infrastructure Management Inc. (“**Aecon**”), the owner of multiple aggregate operations in the Province, including the Aecon Caledon Pit located in the vicinity of Highway 10 and Charleston Sideroad in the Town of Caledon (the “**Caledon Pit**”).

Aecon has turned its mind to the productive reuse of the Caledon Pit which is proximate to the Caledon Village Settlement Area and has a total area of approximately 572 hectares (1,413 acres). Aecon’s vision aligns with that of the Town of Caledon as expressed in its Rehabilitation Master Plan, which contemplates future development for community uses on portions of the aggregate sites surrounding Caledon Village.

Aecon is supportive of the streamlining proposed to the *Planning Act* through Bill 97. However, Aecon believes that additional amendments would better align the *Planning Act* with the Province’s objective of building more homes faster.

Changes proposed in the new Provincial Planning Statement would remove the requirement for settlement areas to be expanded or established only through the long and relatively infrequent process of a municipal comprehensive review. Instead, such expansions could be proposed and considered through privately-initiated Official Plan Amendments. This policy change will help provide a diverse form of housing and bring new residential lands on stream quicker to meet the Province’s goal of constructing 1.5 million new homes by 2031.

However, despite the additional flexibility within the new Provincial policy framework, sections 22(7.1) and 22(7.2) of the *Planning Act* currently prohibit appeals to the Ontario Land Tribunal from the refusal or failure to approve such Official Plan Amendments. Removing this prohibition would ensure that proposals for settlement area expansions can be fully considered in a timely manner in accordance with Provincial policy objectives.

Accordingly, Aecon requests that the Province introduce additional amendments to the *Planning Act* to remove the prohibition against appeals of privately-initiated Official Plan Amendment applications seeking to expand settlement areas.

We thank you for the opportunity to provide comments on this initiative and for your consideration of Aecon's comments. We would be pleased to discuss this submission further.

Yours truly,  
**DAVIES HOWE LLP**



Meaghan McDermid

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copy: Client