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Our File No.: 074891.00001

August 4, 2023

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Ministry of Municipal Affairs and Housing
Provincial Land Use Plans Branch
13th Flr, 777 Bay Street
Toronto ON M7A 2J3

Dear Members of the Municipal Affairs and Housing Team:

**Re: Review of proposed policies adapted from A Place to Grow and Provincial Policy
Statement to form a new provincial planning policy instrument.
ERO number 019-6813**

The purpose of this submission is to provide Ministry staff and the Minister with our client's submission respecting the proposal to update and better integrate policies for a comprehensive province-wide land use planning policy document. Our client's suggestion is supportive of insuring that the policy framework is housing-supportive which is integral to the implementation of the Housing Supply Action Plan and the Province meeting the target to construct 1.5 million new homes by 2031.

Our client is a farmer and landowner in the Township of Adjala-Tosorontio. Collectively, we (Bennett Jones LLP and our client) have been monitoring with keen interest the Province's policy initiatives in order to achieve the above goal.

Our client has asked us to pass along a proposed rule change for consideration in your 2023 Provincial Planning Statement. You will note that the proposed policy change has its genesis from our client's experience in trying to build an additional home on its property.

Our client owns a large property in the Township of Adjala-Tosorontio (Simcoe County). The property consists of 145 acres of forest, of which only 13 acres have been determined as being wetlands by an environmental consulting firm, Azimuth Environmental Consulting Inc. No part of the property has been classified as being significant in any way from a wetlands, environmental, wildlife/habitat or scientific interest perspective. The property is categorized as "Greenlands" in the Simcoe County Official Plan, which our client understands is the categorization given to each and every forested

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property that is large in size. Also, the property is designated "Agricultural" in the Adjala-Tosorontio Official Plan, despite the fact that it has no farmland on it.

Due to the regulations which apply to all properties categorized as "Greenlands" by Simcoe County and due to the regulations which apply to all properties designated as "Agricultural" by the Township of Adjala-Tosorontio, our client is not permitted to have more than one single-family detached dwelling on the property. Given the enormous 132-acre size of the non-wetlands part of the property and given the fact that none of the property is classified as being environmentally significant in any way, our client believes that these "boiler plate" rules seem illogical and extreme and in their own way show how land use policies can stifle the provision of much needed housing.

Making the rules less extreme might help alleviate the worsening housing crisis in Ontario - Our client believes the following: Given that Ontario is in the midst of an increasingly worsening housing crisis, the aforementioned rules seem even more illogical. Simcoe County consists of 1,190,000 acres of total land, of which only 75,340 acres or 6.3% consist of Settlement Areas and no additional development (not even additional single-family detached dwellings) are permitted to be built anywhere outside Settlement Areas. In other words, under existing Simcoe County regulations, there is no possibility to construct even one incremental single-family detached dwelling on 93.7% of the land in the County going forward. This extreme situation is not only applicable to the more remote parts of Simcoe County. It is just as applicable to the southernmost parts of the county, such as the Townships of Adjala-Tosorontio, New Tecumseth and Bradford-West Gwillimbury, which all border the Greater Toronto Area. Overall, there are thousands of properties in Ontario that are enormous in size (ie. a property with 132 acres of non-wetlands forest) that can certainly accommodate more than one single-family detached dwelling, without any adverse impact on environmentally sensitive land and without creating any reduction in farmland.

Proposed rule change - In our client's view, the following rule change would:

- (1) help solve the current housing crisis;
- (2) represent a unique solution in that it creates more opportunity for Canadian families to live in single-family detached homes (and semi detached, etc. homes as the case may be), which is often their strong preference/lifelong dream, is consistent with Canadian tradition and is now in high demand in rural areas due to new work-from-home policies; and
- (3) result in no reduction in farmland.

The proposed rule change could be Province wide or alternatively, in certain counties or townships in Ontario, provided a property is large enough, severances would be permitted and homes would be allowed on each of the severed lots. More specifically, the rule change, which our client is asking your government to consider, could have the following framework:

The Subject Property, if large enough, is permitted to be subdivided into new lots provided that the new lots are no less than a set size [20 or 30 or 40] in acres and one single-family detached dwelling (or other set out building forms) is permitted to be constructed on each of the lots, provided that:



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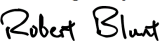
- a) there are suitable locations for the dwellings (non-flood hazard, non-erosion hazard, non-wetlands or non-significant wetlands) with enough room for appropriate setbacks;
- b) should any farmland exist on the Subject Property, there would be no reduction in the amount of farmable land as a result of the severances or as a result of the construction of the dwellings;
- c) in compliance with existing relevant Forest Conservation By-Laws, only the minimum number of trees would be removed to accommodate the dwellings, driveways and accessory structures;
- d) the Subject Property is located within a set distance from the limits of a Settlement area [10 or 15 or 20 kilometers?].

Our office will also be reaching out to the local MPP, Mr. Brian Saunderson, to present our client's proposed rule change. If you have any questions, I can be reached at 416-777-7490 and bluntr@bennettjones.com.

Thank you.

Yours truly,

BENNETT JONES LLP

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