

MZOs slice through red tape and streamline approvals process

by Richard Lyall on 23 Jun 2021



There is a big upside to Ontario's minister's zoning orders (MZOs) that have been much maligned recently in certain media coverage over the past few months. Indeed, MZOs are needed to cut through red tape and streamline snail-paced municipal development approval processes across the province.

Why? Because we have a housing supply crisis and infrastructure deficit. Connect the dots.

So, what are MZOs? Under Section 47 of Ontario's Planning Act, the Minister of Municipal Affairs and Housing (MMAH) has the authority to issue these orders, allowing the minister to regulate the use of land, along with building location, use, height, size and spacing. MZOs are employed to help overcome delays to critical projects, including residential developments during a housing supply crisis.

Municipalities have often been slow in updating zoning to align with provincial land-use planning policy. This ultimately can affect the speed of new housing supply coming to market. Until that gets fixed, the use of MZOs should be encouraged to help implement provincial Growth Plan policies to increase density around mass transit corridors and mass transit station areas (MTSAs).

The challenge with updating land-use plans to meet these Growth Plan targets has been slow at the municipal level.

Consider this: the Growth Plan calls for minimum densities within MTSAs (areas within a 0.5-0.8-kilometre walk, or 10 minutes from a major transit station on a priority transit corridor). Minimum MTSA densities along priority mass transit corridors are: 200 jobs and residents per hectare combined in MTSAs served by subways; 160 jobs and residents per hectare combined in MTSAs served by light-rail transit lines; and 150 jobs and residents per hectare combined in MTSAs served by GO rail lines. However, this has yet to be reflected in municipal rules. As such, critical projects are delayed because local rules are out of date and don't align with the Provincial Growth Plan.

Following are three recent projects where MZOs have been used or might be in the future:

SmartCentres Cambridge redevelopment

The 73-acre shopping centre in Cambridge is being redeveloped into a mixed-use neighbourhood of 40 buildings, including about 10,000 residential units, over 20 years. A new major transit station for the Waterloo/Kitchener-to-Cambridge light-rail line is planned within 800 metres of the mall redevelopment area, fitting nicely with intensification targets.

Cambridge Mayor Kathryn McGarry supported a request by SmartCentres for an MZO to speed up intensification activity. She and Municipal Affairs and Housing Minister Steve Clark noted significant economic benefits from accelerating the timeline, including creation of thousands of jobs. The MZO has been issued.

Innisfil, new GO Station – The Orbit

The Orbit—a transit-oriented community around a GO station that add 150,000 people to rural Innisfil—has been planned in different forms since 2006. It aligns with potential private-public partnership approaches to transit-oriented development, under which private developers using land-value enhancement induced by high-quality transit infrastructure, can cover at least part of the cost of constructing the transit station that has enhanced nearby real estate values.

In July 2020, town council endorsed the vision, and in October a request for an MZO was sent to MMAH. According to Innisfil Mayor Lynn Dollin, the desire to have the community constructed quickly is the main impetus behind the MZO request.

Proposed GTA West Corridor (Highway 413)

Highway 413 is a proposed four-to-six-lane, controlled-access 400-series highway and bus transitway currently undergoing planning and environmental impact assessment by the Ministry of Transportation.

The highway would include two extensions to connect to Highway 410 and Highway 427. It would serve as an outer ring road around built-up areas of Brampton and Vaughan and is intended to help traffic from southwestern Ontario bypass much of the GTA to reach cottage country and Northern Ontario.

It would cost about \$10 billion, extending 53 kms from Highway 407 to Highway 400. The Ontario government announced the resumption of a formerly suspended environmental assessment (EA) process in November 2018. The federal government is also designating the proposed highway for a federal impact assessment.

A preferred route for the highway was determined in August 2020, with the EA process now expected to be completed at the end of 2022. Three MZOs have been used so far to encourage development along the proposed Highway 413 area.

MZOs expedite critical projects in keeping with the Growth Plan. Right now, and until the approvals process is modernized, they are the government's handiest tool to grow our economy and recover in the aftermath of the devastation of COVID-19.

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