



News Release

For Immediate Release

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Ministers' Zoning Orders Disrupt Land Use Plans That Took Years to Create: Auditor General

(TORONTO) Ministers' Zoning Orders (MZO)s are being used to fast track development, overriding provincial and municipal plans which have taken years of technical studies and public consultation to complete, said Auditor General Bonnie Lysyk in her *2021 Annual Report*. In the two-year period from March 2019 to March 2021, 44 MZO's were issued. Prior to this, MZO's were issued about once a year. In addition, all MZO's are no longer required to be consistent with provincial land-use policy.

"The willingness of the province to make decisions that do not align with municipal plans has upended the certainty that both the municipal and development communities need," said Lysyk. "Municipal land-use plans and the infrastructure required to support these decisions can take years to design, fund and consult with the community. The rationale behind the increased use of MZO's should be transparent to the public."

The province's Growth Plan followed appropriate land-use planning practices and principles needed to rein in urban sprawl in the Greater Golden Horseshoe in south-central Ontario, but numerous changes to the Plan and the province's intervention through MZO's have undermined the Plan's long-term vision.

Land-use planning guides decisions about where and what type of development can occur—where to build homes, factories, hospitals, schools, roads and other infrastructure—and where development should not occur. Effective land-use planning can meet the needs of communities and the people who live in them, while safeguarding agricultural lands, wetlands, forests, and distinctive natural features and landscapes. The report found that "enhanced" MZO's can now override a requirement for municipalities to examine the design and technical aspects of a proposed development to ensure it is compatible with the surrounding area, a process known as site plan control.

The lack of transparency in issuing MZO's opens the process to criticisms of conflict of interest and unfairness. There is no formal process that interested parties are required to follow to request an MZO, and there are no established criteria against which the Minister assesses requests for MZO's.

"Provincial decision-making that does not follow provincial policy has created a two-tiered system for land development in Ontario," said Lysyk. "Development companies cannot be assured of the fair and level playing field they need to conduct their businesses, and communities and their residents have no idea whether plans that have been carefully crafted to achieve a vision for their communities will be respected."

The audit report contains 12 recommendations for improvement.

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Read the report at www.auditor.on.ca

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