

January 7, 2022

**RE: Request for an MZO from Cachet Developments – Internal Report No. DS 2022-001**

Dear Members of Council,

Incorporated in Ontario, the Ontario Headwaters Institute is a federally registered charity. Originally focused on protecting headwater areas, where our watersheds start, supplementary letters patent issued in 2018 expanded our mandate to full watersheds, their natural heritage, and receiving waters such as Lake Simcoe and the Great Lakes.

This was a natural evolution, keeping pace with the development of or changes over the last 17 years, particularly from 2005 to 2017, to Ontario’s environmental planning and protection regime, such with respect to the Conservation Authorities Act, the Clean Water Act, the Provincial Policy Statement, the Greenbelt, the Growth Plan for the Greater Golden Horseshoe, and other initiatives.

These provincial policy interests led us to be aware of the above-noted application, and to observe via YouTube much of the special meeting held on January 4. We share the following concerns for your consideration.

1. Harm to Normal Process: We share the perspective expressed by local commenters that the application will disrupt both the benefits of and the trust built up over the years in regionally-integrated planning. In addition, please be aware of the broader expression of concern in the December 2021 report of the Auditor General on Land-Use Planning, available at [Value for Money Audit: Land-Use Planning in the Greater Golden Horseshoe \(auditor.on.ca\)](https://www.auditor.on.ca/en/reports/202112/Value-for-Money-Audit-Land-Use-Planning-in-the-Greater-Golden-Horseshoe).

While a lengthy document, the 6-page executive summary provides a comprehensive perspective of the report, including that:

- “Broad and frequent use of Minister’s Zoning Orders undermines the land use planning process”;
- “MZOs are being used to fast track development and circumvent normal planning processes”; and
- “Lack of transparency in issuing MZOs opens the process to criticisms of conflict of interest and unfairness”.

We urge you to address the impact of this application with respect to normal process both regionally and provincially.

2. The need to protect water: We share with you at this time concerns expressed in 2021 to the Region for its Municipal Comprehensive Review: the obligation in section 2.2.1 of the Provincial Policy Statement that “planning authorities shall protect, improve or restore the quality and quantity of water by a) using the watershed as the ecologically meaningful scale for integrated and long-term planning, which can be a foundation for considering cumulative impacts of development”....etc.

While this application for an MZO admits that its intent is to avoid the normal process referred to above, this is particularly galling with respect to how Waterloo Region, a municipality served extensively by ground-water, has protected and conserved water. Indeed, the assertion in DS 2022-001 that the application meets Goal 6 under the UN’s Sustainable Development Goals for Clean Water and Sanitation, the entire content of which states that the development is “appropriately serviced to allow compact form”, is a claim without any context or evidence.

To be clear, urban form has little to do with source depletion, and does not address the management nor the impact of either sanitary or storm water on receiving waters. These same short-comings are demonstrated in Attachment 5, which lacks any interest in watershed planning and raises significant questions about the costs of the increased infrastructure required to support the proposed development.

We urge you to address your responsibility to protect, improve or restore the quality and quantity of water, and to seek more information from the proponent on the implications of this proposal both in that regard and with respect to the costs implied in Attachment 5.

We thank you for the opportunity of commenting. Please feel free to contact me at your convenience for further discussion.

Sincerely,

*Andrew McCammon*

Executive Director

cc: Local sister organizations and others