

From: [Catherine Lyons](#)
To: [Wilma Wotten](#); [Jan McDougall](#); [David LeRoy](#); [Janna Guido](#); [Robert Rock](#); [Harold Wright](#); [Terry Coyne](#)
Cc: [Scugog Clerks](#)
Subject: Avenu Proposal - Port Perry
Date: September 8, 2024 9:33:12 PM

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Dear Madame Mayor and Members of Council,

RE: Avenu Proposal for a Minister's Zoning Order ("**MZO**")

My sister and I own a property on Regional Road 57 near Caesarea. I am a lawyer specializing in municipal and environmental law and have just retired from a large law firm where I was head of the environmental practice. In August of 2024, I completed a 9 week hearing before the Ontario Land Tribunal regarding a proposed 200 unit subdivision in Niagara Region. Over my thirty year career, I have worked with numerous MZO's and have been involved in drafting and implementing them.

If Council supports the MZO, Scugog will be leaving critical decisions regarding this development to negotiations between the applicant and the province. These lands represent a key waterfront site in the community. The MZO hands the planning of these lands over to the province and the applicant. The municipality's powers under the site plan provisions of the *Planning Act* will not remedy this. The heights, setbacks, unit count, and most other defining features will be established through the MZO.

Although the provincial land use planners are highly skilled, the provincial planning administration was neither created nor staffed to review development applications. They do NOT review transportation and servicing studies; they do not have an urban design group; they do not have a Port Perry perspective on such matters as built form, parking ratios, private open space or indoor amenity requirements.

If this application were being pursued through the usual process, the municipality would be responsible for reviewing and commenting on all of the studies. A typical process in Ontario would require that the applicant fund the municipal cost of hiring experts to review the application. If Scugog does not have internal capacity to review the application, then the municipality is able to retain consultants to conduct peer reviews. The applicant is by-passing this detailed review and adding cost burdens to the municipality by seeking support without paying any application fees or peer review costs. A detailed review of the supporting studies by the municipality is the most appropriate "diligence". The province will not do this for the Township.

The MZO process is not the appropriate process for the development of these lands.

CATHERINE A. LYONS
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