Frequently Asked Question's (FAQ's) on Ministerial Zoning Orders (MZOs)

1. **What is a Ministerial Zoning Order (MZO)?**
   A MZO is a tool the Province may use to change the zoning (i.e. the permitted uses and associated regulations such as setbacks) to allow the development of the land.

   An MZO is a regulation of the *Planning Act.*

2. **Who Makes the Decision to Issue an MZO?**
   In accordance with Section 47 of the *Planning Act*, the Minister of Municipal Affairs and Housing may issue an MZO. MZOs are issued at the sole discretion of the Minister.

3. **Why Would an MZO be Issued?**
   MZOs are issued at the sole discretion of the Minister.

   MZOs are intended to support and accelerate the delivery of government priorities such as transit-oriented communities, affordable housing, long-term care homes and strategic economic recovery projects. MZOs may also be issued to expedite development.

4. **What is Required to Request an MZO?**
   There is no documented statutory requirement for requesting an MZO.

   However, the Minister has stated publicly that the following tasks are to be completed when requesting an MZO:
   - Public consultation
   - Engaging with the Conservation Authority responsible for regulating the lands on which the zoning order is requested
   - Engaging with potentially affected Indigenous communities
   - A supporting Council resolution.

   In the Town, MZOs have been issued in the past without the completion of the tasks above.

5. **Is Public Consultation Required Before an MZO is Issued?**
   The *Planning* Act does not require public consultation prior to an MZO being issued. The Minister does not have to provide notice before issuing an MZO but has to provide notice within 30 days once one has been issued. The Notice is not provided in the same way that the Town provides notice to its residents/landowners, (newspaper ads, website, etc.) but rather the Notice is provided in the manner "as the Minister considers proper". Typically, MZOs are placed on the Environmental Registry of Ontario (ERO) after being issued.

6. **What Takes Precedence – the Town's Zoning By-law or an MZO?**
   An MZO takes precedence over any other Zoning By-law in effect for the land. If there is a conflict between the MZO and a Municipal Zoning By-law, the MZO prevails. The Municipal Zoning By-law remains in effect in all other respects.

7. **Are MZOs Exempt from Consistency with the Provincial Policy Statement or Conformity with Official Plans?**

   Yes, MZOs are exempted from the legislative requirement to be consistent with fundamental land use planning principles and requirements, set out in the Provincial Policy Statement (PPS).

   How Many MZOs Does Caledon Have?
   Five.

   Despite being a rarely used power for decades, MZO requests have become more frequent in Ontario since 2020.

   - In 2013, the Province issued a MZO for the Canadian Tire Distribution facility at Healey Road and Coleraine Drive.
   - Since 2020, the Province has issued 4 MZO's in Caledon, 3 of which had Council support.
   - An additional request was made from applicants to Council; however, Council referred those matters back to staff for a report and recommendation. In one of those cases, the Province issued a MZO without Council voting on the matter.

8. **What Does the Town Do When an MZO Request is Received?**

The Town established a streamlined and transparent procedure for the evaluation of MZOs which was approved by Council most recently on June 20, 2023. While the Town has established a procedure, there is no guarantee that the Minister will consider the Procedure or the Town's comments and position as part of the issuance of a MZO.

The Procedure helps with:
- Council making informed decisions on requests
- Town staff in evaluating requests and ensuring the process is transparent
- The Ministry, agencies and indigenous communities in understanding the requests, associated process, providing feedback and evaluating requests
- The public in understanding the requests, the process and providing feedback
- The applicant in understanding the expectations and process

The overall process is identified below.

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│ Request  │
│ Made to  │
│ Council  │
└──────────┘ ──┐    ┌──────────────┐    ┌──────────┐    ┌──────────────┐    ┌──────────────┐    ┌──────────┐
               ├──▶ │ Notice and   │──▶ │ Public   │──▶ │ Staff Report │──▶ │ Council      │──▶ │ Notice   │
┌──────────┐   │    │ Consultation │    │ Meeting  │    │ to           │    │ Decision &   │    │ and Next │
│ Request  │ ──┘    └──────────────┘    └──────────┘    │ Committee    │    │ Resolution   │    │ Steps    │
│ Received │                                            │ and Council  │    │ to Province  │    └──────────┘
│ by Staff │                                            └──────────────┘    └──────────────┘
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