



Provincial Land Use Plans Branch
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Submitted via email: growthplanning@ontario.ca

December 19, 2022

RE: Review of A Place to Grow and Provincial Policy Statement (ERO#019-6177).

To Whom It May Concern:

Thank you for the opportunity to comment on the “Review of A Place to Grow and Provincial Policy Statement” (ERO#019-6177). Conservation Ontario is the network of Ontario’s 36 Conservation Authorities (CAs). The following comments are not intended to limit consideration of comments shared individually by CAs through this review and consultation process.

Conservation Ontario is pleased to provide these preliminary comments on this consultation, however, we are concerned about the lack of detail in the proposal. The scope of this consultation limits CAs and other stakeholders from providing detailed feedback on a new policy instrument. It is recommended that once the Province has advanced this policy work further, that additional consultation be undertaken to ensure appropriate feedback can be provided. To ensure strong delivery of Conservation Authorities’ mandatory programs and services, Conservation Ontario is not supportive of the Province making changes to S. 3.1 of the Provincial Policy Statement (PPS) without direct consultation with the Conservation Authorities in advance. The Province is encouraged to build off the success of the multi-stakeholder Conservation Authorities Working Group (CAWG) to seek direct input from CAs and other stakeholders on proposed changes throughout this review process.

The Environmental Registry of Ontario posting acknowledges that “[b]oth policy documents aims to support the achievement of liveable communities, a thriving economy, a clean and healthy environment and social equity, improving the quality of life for all Ontarians”. The government is proposing to integrate the PPS and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan) into a new province-wide policy instrument. It is noted that the proposal focuses almost exclusively on the provision of housing with limited mention of balancing other provincial priorities. In updating a foundational document such as the PPS, the Province is also encouraged to consider the full range of provincial interests, as articulated in section 2 of the *Planning Act*.

It is understood that the Province is seeking to introduce new flexibility and facilitate faster decisions with a new provincial planning policy instrument. Both objectives could be reasonably supported by providing more certainty and precision with respect to provincial policy directions.

It is noted that there has been a significant amount of change within the provincial planning system in recent years. The current PPS, 2020 is just over 24 months old and was introduced as part of a *Housing Supply Action Plan*. The current Growth Plan was issued in August 2020 following previous significant revisions in 2019 and 2017. There have also been frequent changes to the *Planning Act*. The current proposal is to replace the PPS and the Growth Plan with another planning policy instrument. All together, these frequent revisions have eroded certainty regarding land use planning policy direction. To increase the speed of approvals, the Province should commit to policy certainty for a defined period of time following the issuance of the new planning policy instrument to allow municipalities and others the ability to focus on implementation with certainty.

Clear, precise policy language and, most importantly, up-to-date implementation guidance would facilitate both flexibility and speed. If, as proposed, a new provincial planning policy instrument is issued, comprehensive and precise implementing guidance should be provided concurrently with the issuance of the new instrument.

Finally, to aid local implementation, the Province should maintain the principle that both provincial policy and guidance represent “minimums” which local decision-makers may build upon to suit their local conditions and needs.

Conservation Ontario offers the following responses to the questions provided in the Environmental Registry posting.

1. What are your thoughts on the proposed core elements to be included in a streamlined province-wide land use planning policy instrument?

The Province has identified the following core elements to be included in a streamlined province-wide land use planning instrument: residential land supply, attainable housing supply and mix, growth management, environment and natural resources, community infrastructure, and a streamlined planning framework.

Conservation Ontario has concerns with the description of natural and human-made hazards as found within the environment and natural resources core element. The consultation indicates that there will be “streamlined and clarified policy direction for **development in hazard areas**, while continuing to protect people and property in areas of highest risk” (emphasis added). The current PPS indicates that “development shall generally be directed...to areas outside of [hazard areas].” While there is scant information provided, this has the potential to significantly shift hazard management in Ontario.

Conservation Ontario is not supportive of allowing development in hazard areas as a general principle and notes that the Province lacks sufficient technical information to limit development only in areas of highest risk. Ontario’s Special Advisor on Flooding noted that “Ontario has a long history of taking actions to keep people and property safe from the impacts of flooding through land use planning policies and mitigative activities. The development of the modern floodplain policy in Ontario, the watershed approach, the conservation authority model, and the flood standards have been extremely effective at reducing flood risks, especially in new greenfield development areas”.

Recommendations from the Flood Advisor’s report included the strengthening of Section 3.1 of the PPS to include climate change as well as recommending that the Province “support Municipalities and Conservation Authorities to ensure the conservation, restoration and creation of natural green infrastructure (i.e., wetlands, forest cover, pervious surfaces) during land use planning to reduce runoff and mitigate the impacts of flooding”.

Conservation Ontario recommends that the following core elements be included in a streamlined province-wide land use planning policy instrument:

a) Natural Hazard Policy:

Conservation Ontario recommends that the current natural hazard policies be carried forward in their entirety. The natural hazard policies should not be viewed as discretionary; they are vital aspects of public policy that protect people’s lives, their safety and their property, ensuring the long-term prosperity of Ontarians and supporting the investment of Ontarians in their homes. Moving forward there must continue to be specific policy direction in a future policy instrument that will reduce risk to people from natural hazards, direct development away from hazards, not create new, or aggravate existing hazards and address the increased risks presented by the changing climate.

In order to streamline land use planning in Ontario, it is strongly recommended that the Province work with CAs, Municipalities and the development sector to update technical guidance to protect people and property from hazards to support land use planning decisions under the PPS and permit decisions under S. 28 of the *Conservation Authorities Act*.

In addition, the Province could consider broadening the use of Special Policy Areas (SPAs) to address existing development in high risk areas, including areas subject to erosion (e.g., along Great Lakes shorelines).

b) Watershed-Scale Planning

In order to continue to streamline planning approvals, it is recommended that the Province retain the watershed as the ecologically meaningful scale for integrated and long-term planning as well as the foundation for considering cumulative impacts of development. This will help to minimize cross-jurisdictional and upstream and downstream impacts of development.

c) Provincial Water Policy

Conservation Ontario recommends that the Province brings forward the provincial water policy found within the PPS, especially the direction to “protect, improve or restore the quality and quantity of water”. The provincial water policy is necessary to ensure the protection of municipal drinking water supplies.

d) Natural Heritage

Conservation Ontario recognizes that a healthy ecosystem is essential to maintain resiliency on the landscape. Natural heritage features such as forests and wetlands play an important role to help reduce flows and store floodwaters, which reduces risk and allows people greater response time to flooding emergencies. In addition, impacts to a wetland’s hydrology can result in local flooding.

Beyond its intrinsic value, it is noted that often the natural heritage, water resource and natural hazard systems are inextricably linked, therefore the protection of all of these systems is necessary to support the maintenance of healthy watersheds and to best protect public health and safety.

2. What land use planning policies should the government use to increase the supply of housing and support a diversity of housing types?

- Work collaboratively with Municipalities and CAs to identify areas that are subject to new, rapid growth. These areas should be targeted for provincial investment in watershed-scale (or subwatershed) studies to delineate where and how missing middle development can occur.
- Update and harmonize the provincial Natural Hazard Technical Guides which support the modernization of the provincial land-use planning and CA regulatory processes.
- Continue the work of the Provincial Floodplain Mapping Technical Team lead by MNRF. Implementation of a provincial framework for floodplain mapping would provide clarity on areas where intensification could occur and where it should not occur due to lack of safe access or the presence of flooding hazards.
- Update the 1993 provincial Watershed Planning Guidelines and finalize the recent draft Subwatershed Planning Guide (2022) based on Environmental Registry of Ontario feedback (ERO# 019-4978). Updated guidelines for subwatershed studies would assist Municipalities, CAs, the development community and other agencies to define clear roles and responsibilities, streamline technical study requirements, compress timelines, and facilitate approvals for new development.

3. How should the government further streamline land use planning policy to increase the supply of housing?

Comprehensive, up-to-date implementation guidance with ongoing implementation support would further streamline land use planning policy. Regarding environmental policy, the Province should provide an update to the Natural Heritage Reference Manual and related guidance (there is no manual to support the 2020, PPS, for example) or with respect to Natural Hazards (current information supports the 1996/7 PPS and was last published in 2001 but dates from the 1980's/early 1990's era).

Both up-to-date guidance and continual implementation support would increase consistency and certainty with regard to planning outcomes. Should the government issue a new provincial planning policy instrument, it is recommended that implementation guidance should be provided concurrently with the issuance of the new policy instrument.

4. What policy concepts from the Provincial Policy Statement and A Place to Grow are helpful for ensuring there is a sufficient supply and mix of housing and should be included in the new policy document?

Within the PPS, the hierarchy of accommodating residential growth for a minimum of 15 years first through residential intensification and redevelopment as a priority and then only in newly designated growth areas should be retained or strengthened (1.4.1). Establishing and implementing minimum targets for housing which is affordable to low and moderate income households should be retained or strengthened (1.4.3). Policies encouraging transit-supportive development and residential intensification should also be retained or strengthened (1.8.1 e)).

Within the Growth Plan, minimum greenfield densities and intensification targets should be retained and increased to provide more supply and make more efficient use of land. The concept of urban growth centres and major transit station areas with related policy directions should also be retained and strengthened.

5. What policy concepts in the Provincial Policy Statement and A Place to Grow should be streamlined or not included in the new policy document?

Any streamlining of policy should ensure that the Province maintains the right balance by providing policy direction on all matters of provincial interest, as articulated in the *Planning Act*. Items related to the protection of people and property should not be considered discretionary and therefore must be included in the new policy document.

Comprehensive and up-to-date implementation guidance with ongoing implementation support would further streamline land use planning policy. Both up-to-date guidance and continual implementation support would increase consistency and certainty with regard to planning outcomes. Should the government issue a new provincial planning policy instrument it is recommended that implementation support materials be released concurrently. Once issued, ongoing implementation support from the Province will continue to support planning approval authorities.

Thank you for the opportunity to provide comments on the “Review of A Place to Grow and Provincial Policy Statement”. Should you have any questions about this letter, please contact me at extension 226.

Sincerely,



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Policy and Planning Specialist

c.c. All CA CAOs/GMs